

**GENERAL STUDIES**

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INDEX TABLE			INSTRUCTIONS		
Q.No	Max.Marks	Marks Obtained			
1	10	4	1. Please write your Name, Email, UPSC Roll No. and Mobile number in the answer sheet 2. There are 20 questions printed in English, all questions are compulsory 3. The number of marks carried by a question or part is indicated against it. 4. Answers must be written in the medium authorized in the admission Certificate (English), which must be stated clearly on the cover of this Question-Cum-Answer (QCA) Booklet in the space provided. 5. Word limit in questions, if specified, should be adhered to. Any page or portion of the page left blank in the Question-Cum-Answer Booklet must be struck off.		
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6	10	3.5	Any specific message from Educrat IAS Mentors/Evaluators with respect to your copy? Mentor's Remarks: ..... ..... ..... ..... ..... ..... ..... ..... ..... .....		
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16	15	5	Start Time: _____ End Time: _____ Mode of Examination: Online <input type="checkbox"/> Offline <input type="checkbox"/>		
17	15	6.5			
18	15	6.5	TEST CODE: _____ Medium of Examination: _____		
19	15	6.5			
20	15	7			
Total Marks		250	102		



1. Do you think the exercise of delegated legislation by the executive goes against the principle of separation of powers? Discuss in the context of India. (Answer in 150 words, 10 marks)

Delegated legislation is the doctrine whereby Parliament transfers some of its law making power to the executive. in certain situations.

It goes against the separation of powers as:

- 1) Boundary between legislature and executive becomes obscured. ✓
- 2) Can lead to increased conflict between the two
- 3) Violates the election mandate.  
eg: people elect Parliamentarians and not executive.
- 4) Parliament escapes from performing its duty eg: welfare policies by executive.

However, in the Indian context which does not advocate for a clear and water-tight separation of powers, it.

*Add some more points like:*

(i) Participation of experts in law making is beneficial.

(ii) Reduction of Red tapism.

It allows for better coordination between the two.

eg: IT laws made by Parliament  
IT Rules part of delegated legislation

1) Leads to faster and quick decision making eg:

eg: Disaster management rules part of this legislation

2) Ensures effective policy implementation.

eg: executive will better implement a rule framed by them

3) Allows to alter rules according to ground realities

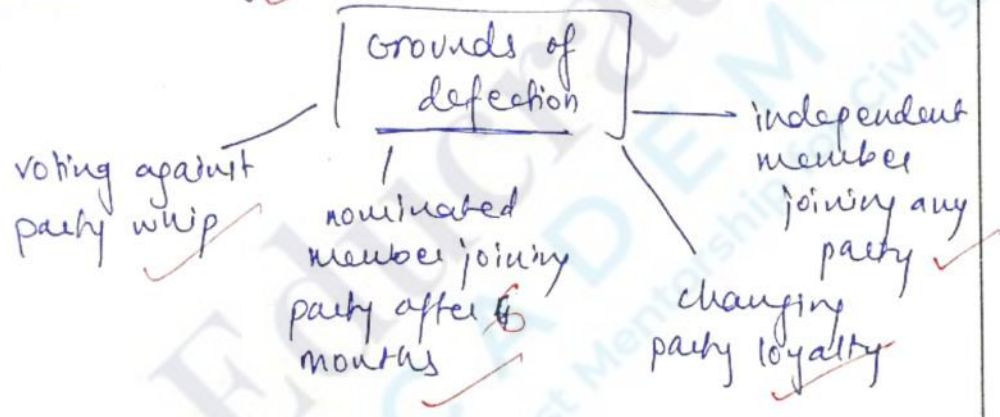
eg: Scheme coverage different in different states.

Delegated legislation ensures synergy between the two organs and allows for better policy formulation.

*In this question, you have to show how it (delegated legislation) violates SOP*

2. The noble purpose of the anti-defection law is to bring stability to governments. However, it is sometimes said to be against the true spirit of democracy. Discuss. (Answer in 150 words, 10 marks)

10th Schedule to the Constitution by the 52nd CAA in part X to avoid the problem of 'Agya Rani, Gaya Rani' in Indian politics



Anti defection allowing stability:

- 1) Protects the wishes of the electorate  
eg: continue with party on which he was elected
- 2) Ensures unanimous opinion of party  
— not following whip can lead to defection.

- 3) Prevents horse trading and resort politics
- 4) Reduces role of money power in elections

It can also act against spirit of democracy

1) Reduces intra party democracy  
eg: opinions of members ignored and whip issued in case of divergence

2) Ambiguity in laws: a member can resign and join another party, defeating the very purpose of anti defection law

3) Iron law of oligarchy: leads to power concentration at top level

4) Biased speaker: speaker being a party member, may not follow provisions of anti defection law

5) Increase in leadership politics: defection reduces voice of others and blind adherence to leader becomes norm.

While anti defection law is essential for stability, it should be revamped to ensure that democracy is not compromised.

Good points

Please avoid such extreme points

3. How have technological innovations such as e-governance impacted the way that Government functions and interacts with citizens in India? (Answer in 150 words, 10 marks)

e-Governance is the delivery of government service using ICT. Technological boom has led to revolutionising governance and increased citizen it interaction.

- 1) Increased transparency and accountability  
eg: RTI portal
- 2) Fastee delivery of services  
eg: DBT via JAM trinity
- 3) Inclusive growth - reduction in inclusion - exclusion error  
eg: Aadhar and biometric authentication
- 4) Reduction in corruption and red tapism eg: RFID of PDS vehicles.

5) Better performance due to synergy  
between ministries  
eg: Crati Shakti Portal

6) Citizen centric governance - taking  
citizens feedback  
eg: Samadhan portal for reviewing  
policies, e Gram Swaraj portal

Good points

7) Promoting compliance by citizens  
through one stop portal  
eg: Sugam portal for all environment  
clearances → PARIVESH

In other sectors

→ Health

↳ Digital health id

8) Improving trust between citizens and  
government eg: CPGRAMS.

→ Education

↳ e-widya  
↳ NCERT Learning app.

Issues

Lack of internet connectivity  
- 40% digital divide

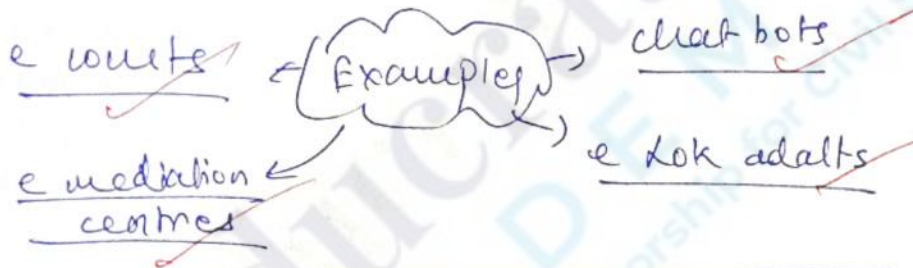
barrier of language

threat to privacy - data breach  
eg: telebot.

Nonetheless, e governance  
has helped in bridging the gap  
between citizens and government and  
promoted good governance

4. Online Dispute Resolution (ODR) can be a game-changing transformation in the justice delivery framework of India. Discuss. Also state the challenges in its wide-scale adoption in India. (Answer in 150 words, 10 marks)

ODR mechanisms are being increasingly adapted in India to improve the justice delivery mechanism.



Game changing role of ODR in justice delivery

- 1) Faster services: ODR mechanism lead to faster resolution of issues  
eg: chatbots
- 2) Last mile connectivity: it can overcome geographical barriers  
eg: e Lok Adalat in rural areas
- 3) Cheaper: it is less costlier than

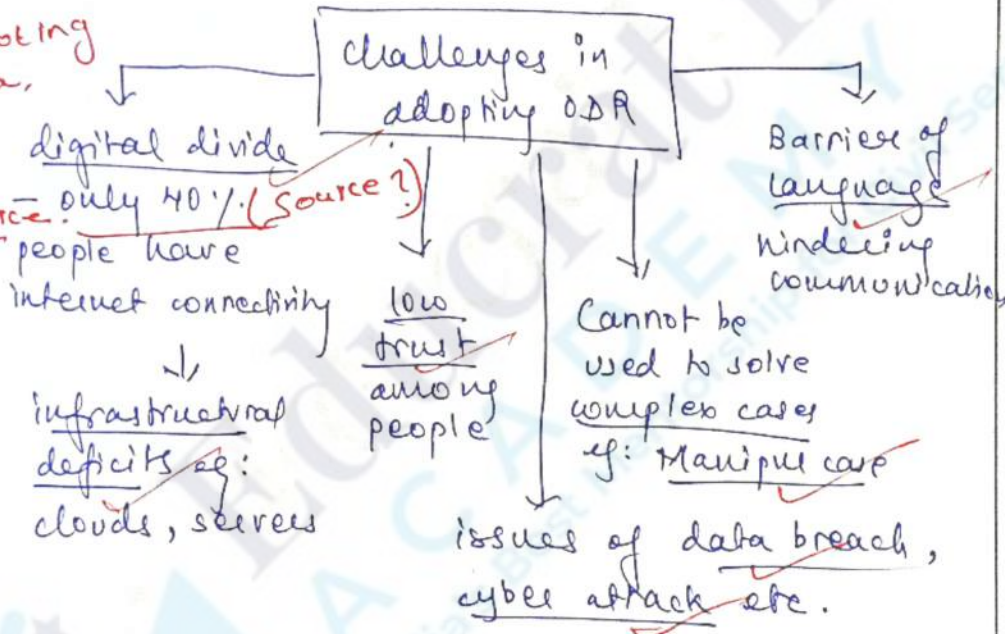


traditional justice mechanisms

- 4) Used during COVID situation: following covid protocols of physical distance
- 5) Empowerment of vulnerable groups  
eg: tribals can't access courts due to geographical issues.

Good points

While quoting any data, please mention the source.



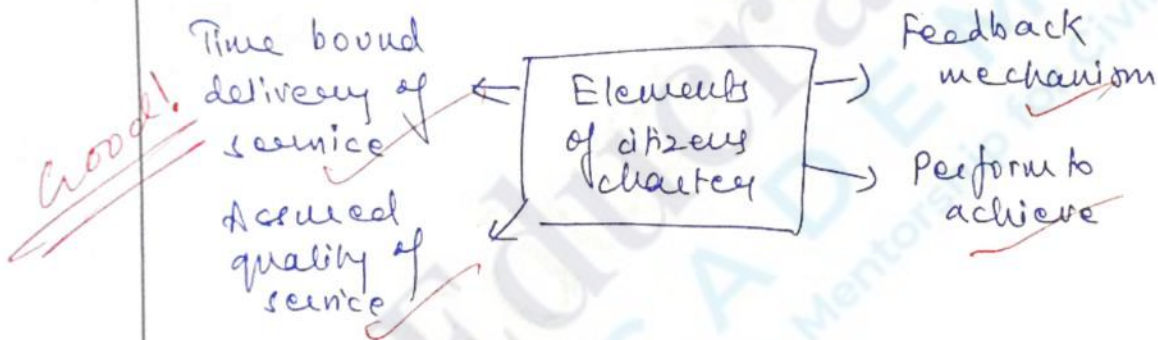
Way Forward

- Developing technological infrastructure
- Promoting internet connectivity and digital literacy eg: use USOF

ODR can be a quick way to reduce the high pendency rate in India's judicial system. It must be developed at the earliest.

5. Citizens' Charters only have a symbolic presence and have not been successful in making a difference in altering the state of public administration and service delivery in India. Discuss. (Answer in 150 words, 10 marks)

Citizen charter is an undertaking by a public organisation of providing quality service to its citizens in a time bound manner



Benefits of citizen charter:

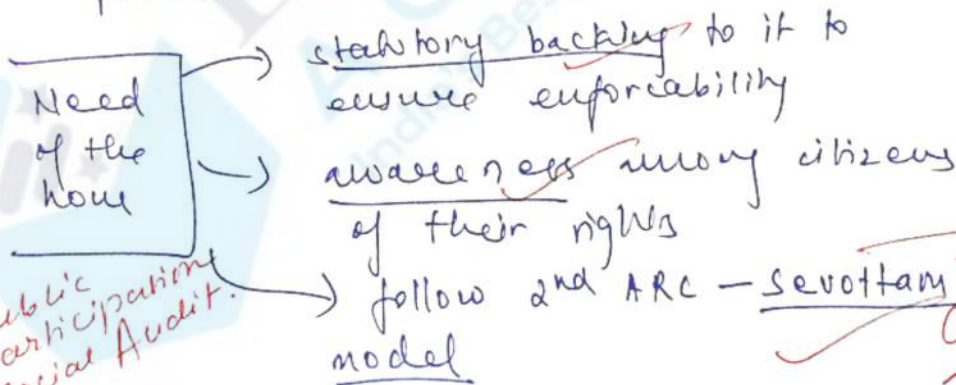
- 1) Made citizens aware of their rights
- 2) Promotes accountability in government
- 3) Citizen centric governance model

Nonetheless, it only has been a symbolic act and not made much difference as:

- 1) No legal backing: it is only a voluntary code with no statutory backing
- 2) No timely updation: many departments have not updated their charters since its inception
- 3) One size fits all: same charter irrespective of region, culture, beneficiaries
- 4) Lack of awareness among people about the charter
- 5) Lack of bureaucratic will to implement the charter.
- 6) Anonymous nature: most charters are located in places inaccessible to the public

Good Points

→ Not displayed in vernacular language.  
→ Lack of institutional capacity.



→ Public Participation and Social Audit.

Good!

citizens charter should be overhauled to ensure its transformation from paper tigers to policy translation.

6. Give an account of the institutional mechanisms available to ensure the accountability of civil servants in India. Also, discuss the challenges in ensuring such accountability. (Answer in 150 words, 10 marks)

Civil servants in India form the permanent executive whose main job is policy advise and implementation to their political masters.

They are accountable to temporary executive through the following:

1) Civil Services Code of Conduct:

highlight the do's and don't's

Vigilance score impacting their career growth eg: APAR score

3) 360° review of their performance

mid year

eg: suspension of 11 IAS officers in 2021 due to non performance

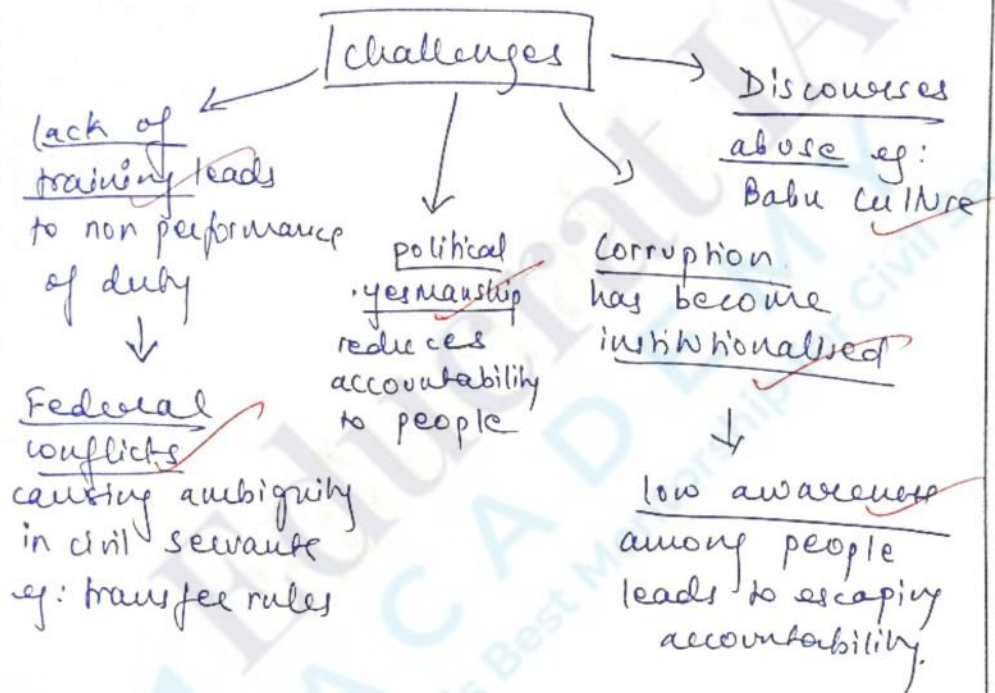
4) e-governance - using online mechanism

eg: e-office to record their leaves, works etc

Institutional  
mechanism

↳ CVC  
↳ Vigilance  
↳ Whistle  
blower  
protection

- 5) Periodic interactions with government  
eg: Issuing of memo
- 6) Accountability to people through -  
social audit, RTI



Civil Services are the Steel framework of the country. They should be trained to promote accountability by implementing 2<sup>nd</sup> ARC recommendation and Mission Karmayogi



7. A key factor behind poor governance is a system of thinking and working in silos. Discuss in the context of public services in India.

(Answer in 150 words, 10 marks)

Governance should be about improving welfare of people through a coordinated approach. In India, however, a key reason behind poor governance is system of thinking and working in silos.

- 1) Lack of coordination among key departments eg: Ministry of social justice and Ministry of women
- 2) No data sharing between various public services  
eg: data of prison de linked from judiciary and police
- 3) Vertical hierarchy created artificially within government  
eg: Ministry of Finance more important than Health Ministry.

- 4) Leads to increased conflict : eg: recent tussle between Centre and state in Punjab
- 5) Reduces speed of service delivery  
eg: Telecom department waiting for approval for Rights of way.
- 6) Promotes myopic thinking  
eg: Research institutes de linked from policy making
- 7) Can breed corruption and red tapism  
eg: multiple clearances increase scope for corruption.

Way Forward

- Increased synergy between ministries eg: Atal Shakti
- One stop portal for various schemes eg: UMANG
- Data sharing between key departments.

Synergistic coordination should replace silo mentality for maximum governance and minimum government.

8. Election Commission has been working as a watchdog of the elections in India. In light of the above statement discuss the issues under which ECI is reeling under and what needs to be done to make it an independent watchdog of Indian democracy? (Answer in 150 words, 10 marks)

ECI set up under Article 324 is mandated to conduct free and fair elections for Parliament and State Assemblies.

It works as a watchdog of elections.

- 1) Issues model code of conduct
- 2) Decides on disputes related to election
- 3) Disqualifies members for violation
- 4) Registers and recognizes parties

However, it is facing various issues under present conditions.

Security of tenure has been provided by the constitution itself.

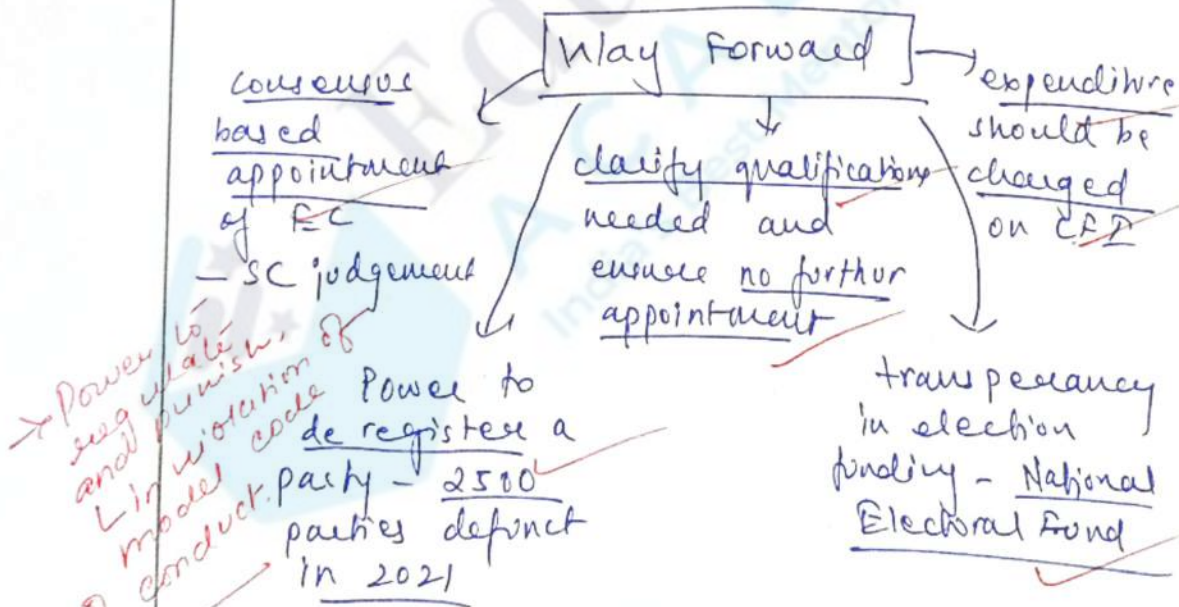
No security of tenure - most ECI since 2011 have had a tenure of only 2 years as against prescribed 6 years

Please avoid information contradicting the constitutional provisions

Avoid short form



- you can also mention the recent Supreme Court judgement about ECI
- ↓  
Appointment of CEC by a 3-membered committee
- 2) Increased political interference - eg: lightning speed of appointment of CEC
  - 3) Expenditure not charged under CFI - depend on executive for salaries
  - 4) No power to de register a party - leads to violations in election rules
  - 5) Electoral bonds - further dangers free and fair elections as donations are anonymous
  - 6) No clarity on further appointment - biased decisions for future prospective
- Some important issues: -  
- Remote voting  
- Lack of statutory backing in matters of MCC



ECI is the bulwark of democracy. It should be given more powers for independent functioning.

9. The reason for malnutrition/ hunger are multidimensional. In this light, discuss the factors contributing to malnutrition and also suggest suitable measures to improve malnutrition in India. (Answer in 150 words, 10 marks)

Malnutrition / hunger in India is a major cause of declining health. India has almost 30% stunting and 19% wasting rates with 1 in 3 women suffering from anaemia. → You can use the data from NFHS - 5

Factors causing malnutrition

- 1) Poverty: India has almost 10% population in BPL category. 21.9% as per Tendulkar committee estimates (2011)
- 2) Food inflation: eg: increase in price of tomatoes making it unaffordable
- 3) Lack of Calorie based diet - focus is on carbohydrates and not on proteins  
eg: egg / chicken removed from mid day meal.
- 4) Micronutrient deficiency eg: deficiency

of vitamins and minerals. — fruit consumption low

5) Patriarchal norms: women's health usually ignored eg: causing maternal mortality

6) cultural influences: eg: prohibiting eggs due to religious values

Instead you can write - stereotyping of non-vegetarian diets.

Ways to improve malnutrition / hunger

1) shift from calorie based diet to a balanced diet eg: mid day meal

2) Controlling food inflation  
- Agriculture Price Stabilisation Fund

3) Increase in production of fruits  
eg: POSHAN VATHIKAS

'Rainbow diet'

4) Fortification and biofortification  
eg: Black rice

5) Promoting awareness among citizens  
eg: giving supplements, using ASHA workers

6) Diversification of food habits (Millet)

Whenever you mention any SDG, you should also mention about the theme it is related to.

Malnutrition must be curbed in India to realize demographic potential and promote SDG 2 relating to zero hunger.

10. Despite consistent experience of high growth, India still goes with the lowest indicators of human development. Examine the issues that make balanced and inclusive development elusive. (Answer in 150 words, 10 marks)

focus on issues like: - unemployment, Digital divide, poverty, hunger, Gender disparity, Education etc. These are the broad issues relating to inclusive development.

In the recent Human Development Index, India's performance was characterized as 'low' despite India being the 5<sup>th</sup> largest economy.

Reasons that hinder inclusive development.

- 1) Myopic thinking  
eg: development measured in terms of GDP only, Only 2% of GDP on health.
- 2) Poverty: vicious cycle of poverty traps people in low income bracket.
- 3) Unemployment - current rate of unemployment in India is at 17%.  
- low income, low human development
- 4) Policy paralysis: despite multiple schemes, policies are not implemented  
eg: 80% funds spent on

advertisement in Beti Bachao Beti Padhao.

- 5) Regional disparity: southern states perform well while eastern states are still backward.
- 6) COVID 19: more than 10 million people pushed into poverty
- 7) Inequality due to state policy:  
eg: 60% GST paid by bottom 30% while top 10% only pay 3% of GST.
- 8) Patriarchal norms: female labour force participation at 29%.  
*Gender disparity in employment*

### Need of the hour

- 1) Reimagining state policy for equitable development
- 2) Increasing investment in social sectors  
eg: health and education
- 3) Promoting employment opportunities  
eg: Start up India

India should promote human development in order to realise the potential of its demographic dividend.



11. Self Help Groups play a crucial role in providing self-employment, training and social mobilization, thereby ameliorating the standard of living of the rural people. Discuss. (Answer in 250 words, 15 marks)

↳ This part is not properly discussed in your answer.

SHGs are small groups of 2-10 members who come together for promoting their common interests.

They play a crucial role in providing employment, training and mobilisation thereby improving living standards in rural areas.

1) Increased credit access in unbanked rural areas ✓

eg: providing small agricultural loans

2) Diversification of income ✓

eg: SHGs involved in weaving -

eg: Van Dhan Kendras

3) It helps in women empowerment

eg: women's labour force participation

increases - SEWA ✓

4) Plays an important role in reducing  
poverty - eg: Mission 1 million -

5) SHGs played an important role  
during COVID 19

eg: making masks, setting up  
beds etc

6) SHGs have contributed to improved  
nutrition in rural areas

eg: SHGs involved in value addition  
- paneer, cheese etc.

7) Increasing employment opportunities  
in rural areas

eg: Bank Sakhis, Health Sakhis etc

Led to increase private sector

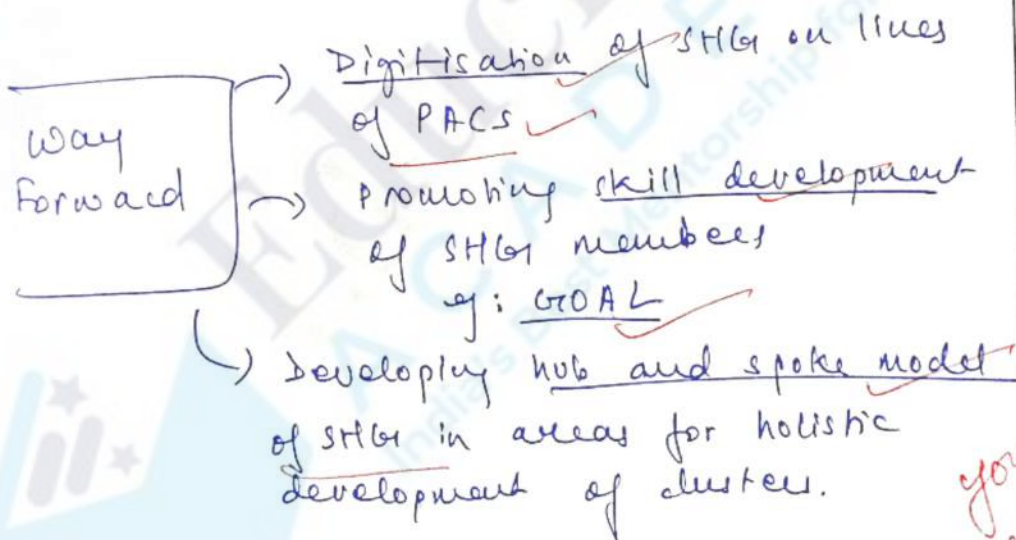
investment eg: Amazon Sakhis of  
Kerala.

Good  
examples

However, SHGs continue to face  
certain issues:

1) Decrease in credit lending  
due to low savings in COVID.

- 2) low focus on non credit activities
- 3) low technological integration and digitization — lack of internet connectivity
- 4) low scalability — confined to small groups
- 5) confined to primary sector — mostly related to agriculture.



India already has more than 8 lakh SHG as of 2023. It should be encouraged to achieve the goal of Saptarishi's inclusive development.

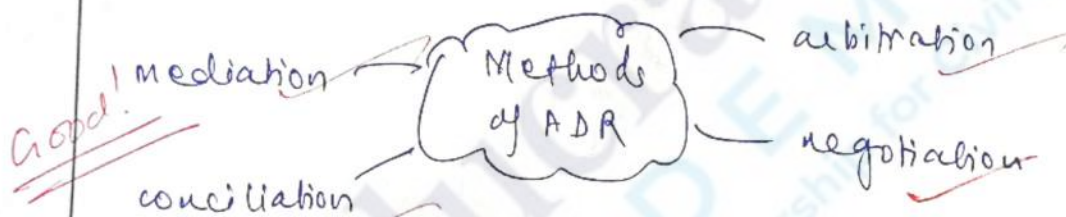
*you could have elaborated on the part - How SHG improved standing of rural people*

*This is*



12. Alternative Dispute Resolution (ADR) mechanisms, though successful in parts, have failed to take off on a larger scale in India. Analyse. Also, suggest measures that can be adopted to strengthen the ADR mechanisms. (Answer in 250 words, 15 marks)

ADR mechanisms are alternative dispute resolution mechanisms outside the mainstream legal structures of courts and judiciary.



ADR has been successful in some parts

- 1) Lok Adalats form of ADR is being widely used to reduce judicial burden
- 2) Family courts ensure quick disposal of civil matters
- 3) Mediation centres within courts eg: Haryana
- 4) Cost effective and hence preferred.

However, it has failed to take off on a larger scale due to:

1) Lack of statutory backing - no legal backing to ADR mechanisms makes it elusive

2) Low awareness among people about such mechanisms - over reliance on courts

3) Doubtful credibility of negotiators and mediators - qualifications not clear

4) Influence of money and muscle power by rural elites make citizens more averse to ADR mechanisms

5) No binding nature in case of mediation, negotiation etc - leads to case ultimately being heard by judiciary  
ADR seen as wastage of time

6) No accreditation of ADR institutes  
- low transparency

7) Consensus based decisions can also

→ Acts are present  
↓  
• Gram Nyayalaya Act  
• Legal Services Authorities Act  
• Family Court Act

→ There is binding provision or with appeal or time restrictive appeal

cause delays in judgements - no finality

Measures to strengthen ADR :

- 1) ~~Forming a Mediation and Conciliation Law~~  
~~step by step~~
- 2) Promote awareness among people on benefits of ADR eg: Mobile Lok Adalats
- 3) Setting up ADR section within courts eg: Haryana
- 4) Promoting mediation and negotiation as alternative careers - prescribe qualifications
- 5) Digitization of ADR for faster resolution eg: e Lok Adalats
- 6) Binding nature of decisions with only 1 appeal in appellate ADR
- 7) Accreditation of ADR professionals and institutions.

Writing wrong points - give negative impression

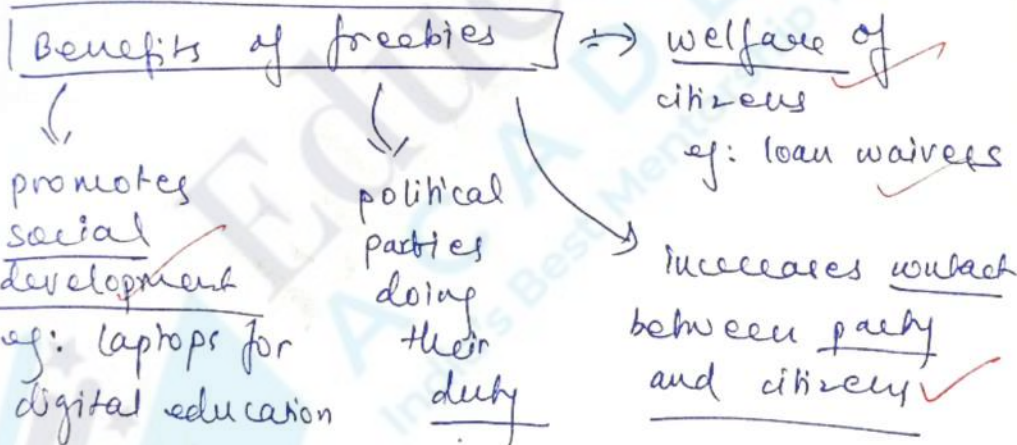
ADR can be an effective way to realise the goal of Art 39A - free legal aid to the poor and hence it should be promoted at all levels.

13. Freebies, especially ahead of elections, do more harm than good to the society. Do you agree? Give logical arguments in support of your answer. (Answer in 250 words, 15 marks)

Freebies are free gifts given to the electorate by political parties with the aim of securing their support in elections.

"Revdi Culture"  
(PM Modi)

However, freebies do more harm than good in society.



More harm than good

It increases role of money power during elections → can lead to money capitalism

- 2) Small parties are at a disadvantage  
- can lead to monopoly of powerful parties
- 3) Increases fiscal burden of government eg: loan waivers
- 4) Escapes accountability:  
giving freebies seen as compensation for non performance of previous years
- 5) Creates distorted relationship between citizens and parties  
eg: parties seen as benefactors while citizens seen as recipients
- 6) Manipulates free thinking of citizens - voting on basis of gifts rather than performance
- 7) Spill over effects eg: loan waivers lead to losses for DISCOMs and strain entire power structure.

Good points

8) Can lead to Revidi culture and quid pro quo in governance *good*

### Need of the hour

- 1) Freebies should be prohibited to reduce role of money power in elections.
- 2) Spending should be rationalised -  
spend on building schools and internet connectivity rather than giving laptops
- 3) Implement Model Code of Conduct  
to prevent irrational use of freebies
- 4) Votee awareness campaigns to promote party accountability  
eg: SVFEP
- 5) State funding of election to reduce freebies - Indrajit Gupta committee *How?*

While freebies if used rationally can promote welfare, the current misuse has led to corruption and manipulation. There is a dire need to regulate it. *Good!*

14. The frequent promulgation of ordinances is an assault on the democratic structure of the Constitution. Critically analyse. (Answer in 250 words, 15 marks)

Art 123 and 213 confer powers on President and Governor respectively to promulgate ordinances if both houses or even one house is not in session in public interest.

### Need of ordinances

- 1) Issued in public interest - promotes public welfare.
- 2) Not used as a parallel law-making power eg: not issued when House is in session.
- 3) Promotes quick decision making if House is not in session.
- 4) Consensus based ordinance - President issues it only on advice of Council of Ministers.

5) Follows protocols and rules :

eg: not used to amend constitution

6) Electoral mandate is followed as it has to be approved by the Parliament or reassembly.

However, the frequent promulgation is an result on democratic character of the constitution.

1) Forming ordinances on vague grounds - public interest not defined eg: Farm Bill Ordinance

2) It is being used to bypass legislative scrutiny

eg: Ordinance removing Art-370

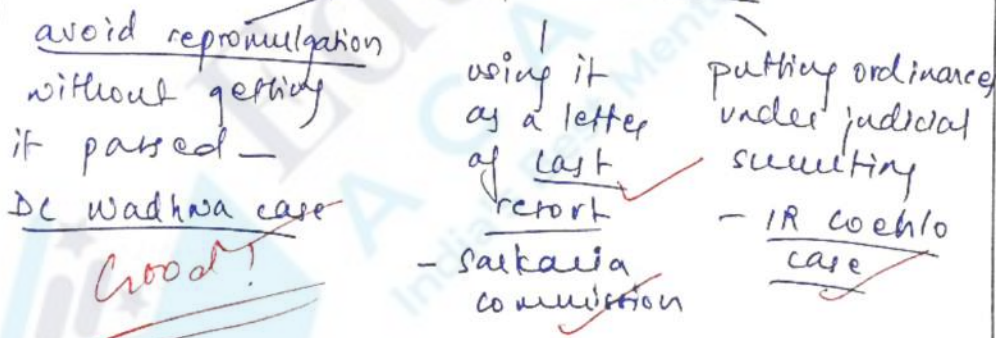
3) Encroaching on Parliament's power to make laws

eg: 44 ordinances passed during 16th Lok Sabha sessions.



- 4) Adjourning House on purpose to byp pass ordinances
- 5) Governor acting as an agent of Centre issuing ordinance on Centre's direction  
eg: Kerala Governor Weste
- 6) Frequent re-promulgation without having Parliamentary debate on it.
- 7) Using national security grounds to avoid Judicial review of ordinances

Need of the hour



Ordinances should be used only during cases of dire need in order to maintain the separation of power between executive and legislature.

15. Do you think the demand for full statehood to Delhi is logical? Critically comment considering the merits and demerits of granting complete statehood to Delhi. (Answer in 250 words, 15 marks)

Delhi, through the 69<sup>th</sup> CAA was renamed as NCT. It is a union territory with a LG as its head along with a Legislative Assembly and state government headed by Chief Minister and 7 Council of Ministers.

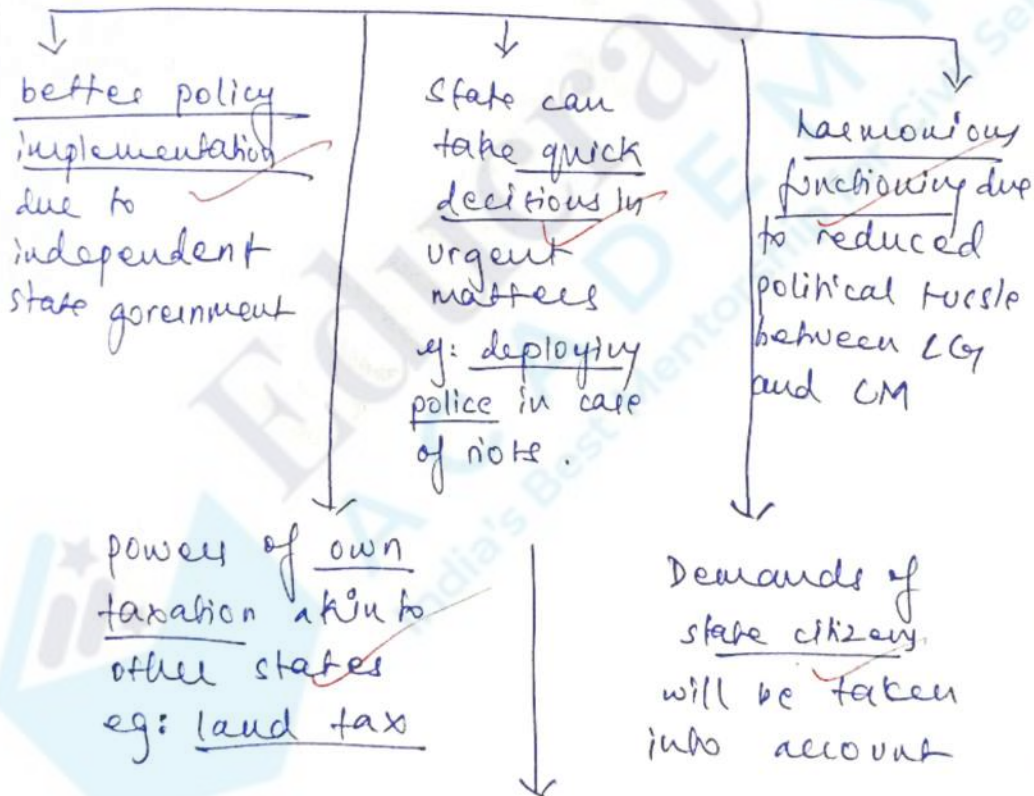
Recently, Delhi has been demanding full statehood due to:

- 1) Increasing control of centre  
eg: NCT Civil Service Ordinance prohibits legislative assembly to make rules for civil servants.
- 2) Increasing political tussle between LG and Chief Minister.

- 3) Important matters under centre  
eg: Police, land and public order.
- 4) Centre being unresponsive to state's needs

Merits of granting Delhi statehood

Merits



De duplication of efforts: Both centre and state implementing same schemes.

## Demerits

- 1) Delhi is the national capital. It is much more than merely being a state
- 2) Major institutions are located there  
eg: Supreme Court, Parliament etc  
- Their responsibility lies with Centre
- 3) No major change: Delhi already has an assembly, CMA and COM like other states
- 4) Delhi represents India in the international forum - Centre has to protect its reputation
- 5) Giving it statehood will lead to hinaat politicization of vital matters
- 6) As it is a UT, Centre can exercise proper control over it

Please write a balanced futuristic conclusion.

Delhi should not be given statehood but more powers should be devolved for its effective functioning and independence.

16. Discuss the implications of online free speech in the digital age, examining its role in fostering democratic values and the challenges it poses to regulation and governance. (Answer in 250 words, 15 marks)

With the IT Revolution in India, digital space is expanding to a great extent. India is among the top countries with most online users.

It has led to online free speech — expansion of freedom of speech and expression from physical to digital space.

### Implications

#### Positive

- 1) enhanced rights of citizens eg: online forums for speech
- 2) helps in mobilising people eg: in Nirbhaya case

#### Negative

- 1) Digital area is still unregulated to a great extent
- 2) Can promote hate speech eg: Delhi riots.



3) Gives voice to the voiceless ✓  
eg: digital uproar in Manipur case

4) Increases connectivity among different sections  
eg: e-choupals

5) Promotes realisation of rights of others ✓  
eg: Me too movement

3) Increase in fake news, deepfakes etc via digital media  
eg: deepfake pornography

4) Sensationalization of digital media news - eg: viral videos encroach privacy ✓

5) Promotes mob justice eg: cancel culture

Good!

However, it has fostered democratic values

- 1) Right to free speech and expression ✓
- 2) Inclusivity - promoting voice of marginal sections ✓

✗ Online space and speech can pose challenge to governance

- 1) Digital footprint is permanent - non removal of videos invading privacy
- 2) Fast speed of information dissemination makes it difficult to control fake news  
eg: the Delhi riots
- 3) Bypass regulations restricting free speech in physical arena.
- 4) Lack of technological development in government makes it difficult to identify such hate speech..  
eg: inability to identify deepfakes
- 5) Wider reach makes it difficult for government to control every aspect
- 6) End to end encryption can further cause problems due to secrecy.

Repeated

Way Forward

subjecting online free speech to reasonable restrictions

- ~~the~~ Shreya Singhal case

Balancing free speech and privacy - Anuradha Bhatnagar case

Technological development  
eg: URL filtering

17. Critically examine the role and relevance of Rajya Sabha in the Indian parliamentary system. Suggest some reforms to enhance its effectiveness and accountability. (Answer in 250 words, 15 marks)

Rajya Sabha is the Upper House of Indian Parliament and has 250 members out of which 12 are nominated by the President.

### Role and Relevance of Rajya Sabha

- 1) It acts as a check on the autocracy of Lok Sabha.  
eg: mandatory approval of RS needed to pass ordinary bills.
- 2) It prevents hasty and ill considered legislation.  
eg: sending back money bill for reconsideration.
- 3) Specialised members: nominated members can provide input on various fields eg: social service
- 4) Equal powers with Lok Sabha



in electing President, passing ordinance etc  
 5) It has certain special powers not available to Lok Sabha ✓

Only RS can pass a resolution for creating an All India Service ✓

If RS wishes, it can tell Parliament to form law on State List - Art 249 ✓

Only RS can pass a resolution for removal of Vice President ✓

### Issues of Rajya Sabha - unequal House

- 1) RS cannot exercise control over executive - eg: cannot initiate No confidence motion ✓
- 2) No real power to control bills.  
eg: Speaker presides over joint sittings ✓
- 3) RS lacks financial powers  
eg: money bills can be passed even if RS does not approve of it ✓
- 4) No power to curtail emergency ✓



- only Lok Sabha can pass a resolution to stop emergency
- 5) Seen as a backdoor entry for politicians not elected to Lok Sabha
  - 6) RS does decide on vote of grants

### Ways to improve it

- 1) Some financial powers should be devolved to RS
- 2) Equal number of members in joint session to balance LS hegemony
- 3) Promote actions by nominated members — mandatory presence for certain number of days in a year.
- 4) Equal representation to states for promoting regional balance
- 5) RS should be given equal powers like LS to call off President's Rule in a state

RS acts as a balancing chamber and its powers must be enhanced to promote federalism.

18. The Central Bureau of Investigation (CBI) has been facing a crisis of credibility and confidence due to various factors. Analyse the causes and consequences of this crisis and suggest measures to restore the public trust and reputation of the CBI. (Answer in 250 words, 15 marks)

CBI was set up on the recommendation of Santhanam Committee to prevent law and order crisis in the country. It derives its power from DSPB Act but is not statutory.

Recently the CBI is facing a crisis of credibility due to various factors:

- 1) CBI used for political targeting  
eg: 90% cases of CBI against opposition members (Source?)
- 2) No security of tenure - they depend on the executive for their employment
- 3) Lack of funds - CBI does not

have an independent source of income and depends on state for grants.

4) limited area of operation

eg: Need general and specific consent of state to investigate cases in states

5) Mishandling of sensitive cases

eg: Bofors scam

6) Vacancies in CBI leading to shortage of personnel and inefficiency

7) Delayed investigations raising questions on credibility

eg: 2G scam, Hawala scandal

8) Low conviction rate of cases under CBI

CBI's reputation being attacked  
- called caged parrot

states withdrawing general consent due to political interference

Implications

Lack of trust in CBI among people

call for reforms in CBI's functioning

increasing conflicts between centre and state.

Measures to restore trust in CBI

- 1) Independence and autonomous functioning - CBI to be detached from executive
- 2) Structural backing - clear roles and procedures to be operationalised
- 3) Promoting general consent as the norm
- 4) Filling vacancies in CBI
- 5) Independence of operations  
eg: No prior permission for investigating cases against senior officers
- 6) Ensuring security of tenure  
eg: 2 years tenure for CBI director
- 7) No transfers during sensitive case  
by executive - separate board

CBI should reform its image of caged parrot and should function independently.



19. How has the Supreme Court of India interpreted the law on sedition in various landmark judgments? Analyse the impact of these judgments on the freedom of speech and expression in India. Do you think sedition law is still relevant in a democratic country like India? Give reasons for your answer. (Answer in 250 words, 15 marks)

Sedition is a colonial  
era law under sec 124A of IPC  
that attempts to control speech that  
aims at causing hatred towards the  
government.

Supreme Court Judgements

1) Kedarnath Singh case:

- upheld sec 124A but ordered sparse use only in grave situations
- called for clarifying grounds of sedition.

2) 2023 case:

- upheld sedition but put 'inciting violence' as a condition to disturbing public order.

## Impact of judgements on free speech and expression

- ↳ It uses sedition as a reasonable restriction of on free speech
- ↳ By promoting its use only in specific situations it ensures a balance between rights and security

### Sedition: Need or Not

#### Need

- ↳ It protects the national security by preventing hatred
- ↳ It acts as a reasonable restriction on free speech under Art 19
- ↳ It prevents occurrence of violence against

#### Arguments against

- ↳ No clear grounds of sedition imposition  
eg: public order not defined
- ↳ Increasingly used to target political opposition  
eg: against journalists

the government

4) Other laws like UAPA  
etc cannot replace  
provisions of sedition  
act

5) Enough protection  
is given to people  
charged under sedition  
to file their case.

6) Removing sedition  
will lead to defamation,  
separation etc

3) Serves as a  
chilling effect on  
Art 19 - prevents  
any criticism of  
ruling government

4) Many countries  
have removed the  
provision  
eg: UK and  
even Pakistan

5) Colonial  
hangover eg:  
used to suppress  
media

The Law Commission has  
recently upheld sec 124A but  
has advised for cautious use  
rather than making it a political  
weapon against dissent. The  
ground for imposition should be  
clearly defined.



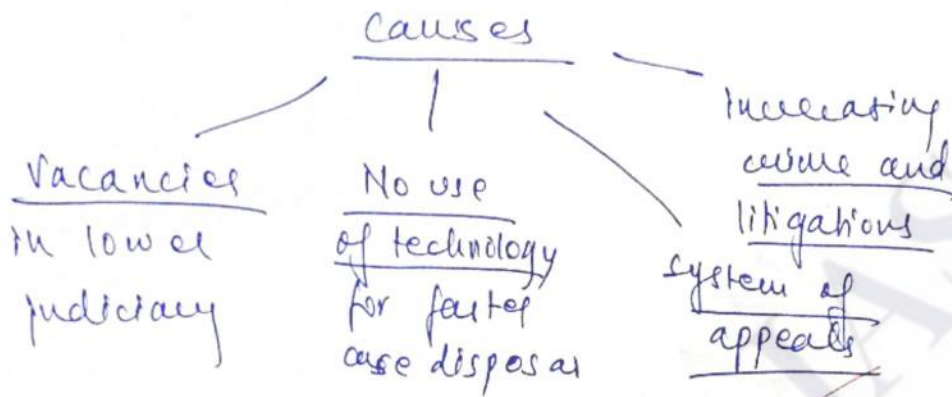
20. India's courts are well known for huge pendency of cases. Critically discuss their magnitude, consequences of this problem and remedies to address this issue. (Answer in 250 words, 15 marks)

Indian judiciary is an integrated judicial system with District, High and Supreme Court forming a hierarchical structure.

Despite being the bulwark of democracy, courts in India have a huge pendency rate.

Magnitude:

- 1) More than 70% people in prisons are undertrials - NCRB data
- 2) District courts have more than 60% land cases pending
- 3) Low judge to people ratio lead to increased pendency.



Consequences

- 1) Justice delayed is justice denied  
- cases go on for years
- 2) Erodes accountability of criminals  
eg: not convicted of crime committed
- 3) Leads to increase in undertrials  
eg: 70% undertrials in prison
- 4) Exaggerated inequality  
eg: more than 80% undertrials are from low class
- 5) Erodes trust of public in judiciary  
eg: monetary compensation for

good!

concern to victims to prevent hassle  
of judiciary

- f) increases exploitation of victims  
eg: fees of lawyers paid for years

### Measures needed

- 1) Use of technology for faster disposal eg: e courts
- 2) Promote use of ADR mechanism  
eg: Lok Adalats
- 3) ~~From~~ All India Judicial Service  
to fill up vacancies
- 4) Digitization of courts to promote transparency and trust.
- 5) Plea Bargaining: pardoning convicts who have spent more than half time of maximum punishment in trial matter
- 6) Forming fast track courts for dealing with pending cases.
- 7) Holding courts in prison to deal with increasing pendency.

Good Points