

VISION IAS

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Time → 2 hrs 40 mins

GENERAL STUDIES (TEST CODE : 1812)

Name of Candidate	Prince Raj		
Medium Eng./Hindi	English	Registration Number	624717
Center	Online	Date	27/08/2022

INDEX TABLE		
Q. No.	Maximum Marks	Marks Obtained
1	12.5	
2	12.5	
3	12.5	
4	12.5	
5	12.5	
6	12.5	
7	12.5	
8	12.5	
9	12.5	
10	12.5	
11	12.5	
12	12.5	
13	12.5	
14	12.5	
15	12.5	
16	12.5	
17	12.5	
18	12.5	
19	12.5	
20	12.5	

Total Marks Obtained:

Remarks:

INSTRUCTIONS

1. Do furnish the appropriate details in the answer sheet (viz. Name, Registration Number and Test Code).
उत्तर पुस्तिका में सूचनाएं भरना आवश्यक है (नाम, प्रश्न-पत्र कोड, विद्यार्थी क्रमांक आदि)।
2. There are **TWENTY** questions printed in **ENGLISH & HINDI** इसमें बीस प्रश्न हैं अंग्रेजी और हिन्दी में छपे हैं।
3. **All questions are compulsory.**
सभी प्रश्न अनिवार्य हैं।
4. The number of marks carried by a question/part is indicated against it.
प्रत्येक प्रश्न/भाग के अंक उसके सामने दिए गए हैं।
5. Answers must be written in the medium authorized in the Admission Certificate, which must be stated clearly on the cover of this Question-Cum-Answer (QCA) Booklet in the space provided. No marks will be given for answers written in medium other than the authorized one.
प्रश्नों के उत्तर उसी माध्यम में लिखे जाने चाहिए जिसका उल्लेख आपके प्रवेश पत्र में किया गया है और उस माध्यम का स्पष्ट उल्लेख प्रश्न-सह-उत्तर (क्यूसीए) पुस्तिका के मुख्य पृष्ठ पर अंकित निर्दिष्ट स्थान पर किया जाना चाहिए। उल्लिखित माध्यम के अतिरिक्त अन्य किसी माध्यम में लिए गए उत्तर पर कोई अंक नहीं मिलेंगे।
6. Word limit in questions, if specified, should be adhered to.
प्रश्नों में शब्द सीमा, जहाँ विनिर्दिष्ट है, का अनुसरण किया जाना चाहिए।
7. Any page or portion of the page left blank in the Question-Cum-Answer Booklet must be clearly struck off.
उत्तर पुस्तिका में खाली छोड़ा हुआ पृष्ठ या उसके अंश को स्पष्ट रूप से काटा जाना चाहिए।

16-B, 2nd Floor, Above National Trust Building, Bada Bazar Marg, Old Rajinder Nagar, Delhi-110060

Plot No. 857, 1st Floor, Banda Bahadur Marg (Opp Punjab & Sindh Bank), Dr. Mukherjee Nagar
Delhi- 110009

Answer all the questions in NOT MORE THAN 200 WORDS each. Content of the answers is more important than its length. All questions carry equal marks.

12.5X20=250

1. What are the basic functions of a constitution? Illustrate in the context of the Indian Constitution.

संविधान के मूल कार्य क्या हैं? भारतीय संविधान के संदर्भ में उदाहरण प्रस्तुत करते हुए समझाइए।

Constitution is the fundamental law of the land. It governs the relationship between citizens and government, between citizens and citizens.

Basic functions of Constitution →

1) To provide social, economic and political justice.

eg. (i) DPSP talks of welfare state
→ Social justice.

(ii) Economic opportunities to citizens.

→ Freedom of profession, Preventing concentration of wealth.

(iii) Fundamental rights talk of political justice by treating everyone equal

2) To constitute a secular state.
eg) Article 25-28 talks of freedom of religion

3) To establish peace and harmony in the society.
eg) Fundamental duty Article 51 A.
talks of fraternity, brotherhood, etc.

4) To let the country prosper on national as well as international fora.
eg) ASI talks of international peace.

Thus, Constitutions of a country defines the way in which a country moves. and is essential for fulfilling desire of a prosperous country.

2. Highlighting the functions of National Green Tribunal, discuss its importance and limitations.
राष्ट्रीय हरित अधिकरण के कार्यों पर प्रकाश डालते हुए, इसके महत्व और सीमाओं पर चर्चा कीजिए।

National Green Tribunal (NGT) is a statutory body constituted under NGT Act.

Importance of NGT →

- 1) To quickly resolve environmental disputes.
- 2) To provide remedies to those affected due to environmental projects.
- 3) Reduce burden on judiciary.
- 4) Facilitate environmental projects by providing speedy justice.
- 5) Restricts illegal projects, encroachments of govt. or private players.

Limitations of NGT →

- 1) No fixed formula for providing compensation to victims.
- 2) No uniformity in procedure for different cases.
- 3) Judgements of NGT are appealed in High Court and Supreme Court which unnecessarily increases the litigation burden.
- 4) Sometimes, unwanted interference to gain material benefits.

NGT is an important body to oversee environmental disputes and thus it has reduced litigations to a large extent. However, reforms are needed in NGT at this moment.

3. Bring out the difference between the First Past the Post (FPTP) and Proportional Representation (PR) systems. Also, explain the merits and demerits of each for a country like India.

पहले खंभा छूने वाली पद्धति (फर्स्ट पास्ट द पोस्ट सिस्टम: FPTP) और आनुपातिक प्रतिनिधित्व (PR) पद्धति के मध्य अंतर स्पष्ट कीजिए। साथ ही, भारत जैसे देश के लिए प्रत्येक के गुणों और दोषों की भी व्याख्या कीजिए।

First Past the Post (FPTP) and Proportional Representation (PR) systems are used for election purpose.

FPTP

1) One who secures most votes wins.

2) Irrespective of no. of votes secured, victory is declared.

3) Lok Sabha and state legislative assembly elections follow this.

PR

1) A fixed % of votes need to be secured for victory

2) No. of votes needed

$$= \frac{100}{\text{No. of seats for which voting is done}} + 1$$

3) President, Vice President, Rajya Sabha MPs elections follow this.

★ FPTPMerits

- 1) Easy to understand especially when we have low literacy rate.
- 2) Less time consuming.
- 3) Elected representative can be made responsible for their constituency by electors.

Demerits

- 1) Doesn't represent true choice of electors.
- 2) Winner may not have support of majority of population.

★ PRMerits

- 1) True choice of electors represented.
- 2) Majority support is there.
- 3) Preferable when multiple seats are to be filled.

Demerits

- 1) Difficult to understand the process.
- 2) More time consuming.
- 3) Elected representative are not responsible directly to electors.

Both FPTP and PR have their merits and demerits. For elections like general elections, where voters are in ~~in~~ in ~~crores~~ crores, FPTP being simple process is preferable whereas in elections like that of President where less voters are there, PR is appropriate.

4. The Indian Constitution strikes a balance between flexibility and rigidity.
Comment.
भारतीय संविधान लचीलेपन और कठोरता के बीच एक संतुलन स्थापित करता है। टिप्पणी कीजिए।

Indian Constitution is a living, organic document which is ever evolving. It perfectly balances flexibility and rigidity.

Flexibility →

- 1) Many Constitutional Amendments can be made with a simple majority
eg. ~~Art~~ Article 2 - Article 5 regarding alteration of state boundaries.
- 2) Even fundamental rights can be amended according to demand of the situation.

Rigidity →

- 1) Amendments affecting federalism require special majority of more than

$\frac{2}{3}$ rd members present and voting and also ratification by more than 50% states

↳ Such requirements make Constitution very rigid.

2) Amendments changing basic structure doctrine will be declared null and void. Thus, difficult to amend.

Our Constitution is mixture of English and American Constitution and thus has perfect blend of rigidity and flexibility.

5. What is a pressure group? Describing the functions that it performs, explain how it is different from a political party.

दबाव समूह क्या है? इसके द्वारा किए जाने वाले कार्यों का वर्णन करते हुए, स्पष्ट कीजिए कि दबाव समूह किस प्रकार राजनीतिक दल से भिन्न होते हैं।

Pressure groups are group of people with similar interest who come together to influence working of government or an organisation.

Functions of pressure groups →

1) To influence policy making of government.

2) To raise and fulfill demands of sections of people whom they represent.

3) To keep a check on misuse of powers by influential people in government.

4) To ensure that laws are being followed in working of organisations.

Difference of pressure group as compared to political party is such that -

- 1) It doesn't participate in elections.
- 2) It doesn't capture any power in the government.
- 3) They are not responsible, to the citizens.
- 4) They are only concerned with interest of their section of people.
- 5) They can't directly influence or make legislations.

Hence, pressure groups have advantages which are needed for smooth working and fulfillment of ideas of democracy or welfare state.

6. Mentioning the functions that are performed by the UPSC, discuss its working as the 'watchdog of the merit system' in India.
UPSC द्वारा किए जाने वाले कार्यों का उल्लेख करते हुए, भारत में 'योग्यता प्रणाली के प्रहरी' के रूप में इसकी कार्य-प्रणाली पर चर्चा कीजिए।

UPSC is a Constitutional body constituted under Article 315. It derives its powers and functions directly from Constitution.

Functions performed by UPSC →

- 1) To recruit candidates for All India Services, Central Services and other services in Government of India.
- 2) To provide the politicians, ministers with candidates of specialised knowledge in different field.
- 3) Conduct exams for different services.
- 4) Makes rules, laws for facilitation of exams.

UPSC as watchdog of the merit system →

1) UPSC conducts examinations to test different aspects of candidate thus attracting merits.

2) Services offered under UPSC exams are diversified which attract merits.

3) Ranging from civil administration to defence services, it conducts many exams.

Thus, UPSC being a very important body lures suitable candidates and thus act as watchdog of merit system.

7. What are the various instruments available to the legislature to uphold the accountability of the executive in India?

भारत में कार्यपालिका की जवाबदेही बनाए रखने के लिए विधायिका के पास उपलब्ध विभिन्न साधन क्या हैं?

Legislature and executive are important organs of the Government which together governs the way in which system works.

Executive in India is responsible to the legislature.

Instrument of accountability →

1) Discussion and deliberation in the Parliament vis-a-vis passing of any bill.

2) Standing committees of Parliament which scrutinises the bill has legislatures from opposition as well.

3) Passing of bills require majority votes of legislatures

4) Cut Motion → to raise questions of importance to ask for executive's accountability.

5) Question Hour → where opposition legislatures ask question to ministers.

These instruments ensure that executive are working according to wish of public indirectly represented through legislatures.

Don't write anything in margin (near time & page no.)

8. Discuss the federal and unitary features of the Indian Constitution.
 भारतीय संविधान की संघीय और एकात्मक विशेषताओं पर चर्चा कीजिए।

Indian Constitution is federal in nature with ^{some} unitary features.

Federal features ⇒

1) Schedule 7 of Indian Constitution talks of union, state and concurrent list. Thus, subjects are clearly allotted to states.

2) Rajya Sabha members represent the states.

3) Constitution amendment affecting federalism require ratification of more than 50% states.

4) States have full autonomy vis-a-vis state subjects enumerated in Constitution.

5) Grants, loans, etc. are given to states by the union as per needs.

6) GST Council has equal representation of states.

Unitary Features ⇒

- 1) All India Services officers work in states but are under Central Government
- 2) In During emergency, powers of state are usurped by the Union
- 3) Union Government has exclusive rights regarding territorial change in state boundaries.
- 4) States have to follow union when matter is related to international agreement, treaties, etc.
- 5) States have no right to secede from the Union.

Thus, Indian Constitution has perfect blend of federal and unitary features which keep country intact and at the same time provide autonomy to the states for their growth.

9. Compare and contrast the Indian Judicial system with the American Judicial system.

अमेरिकी न्यायिक प्रणाली और भारतीय न्यायिक प्रणाली के मध्य समानताओं एवं विषमताओं का उल्लेख कीजिए।

Judiciary is an important organ of
Governance.

Similarities b/w Indian & American
judicial system →

- 1) Both allow judicial activism.
- 2) They can declare any law as null and void if it violates some basic tenets of constitution.
- 3) They are independent of legislature and executive.
- 4) They have been given security of term and tenure.

Differences →

Indian Judiciary

→ Same court for union as well as state laws.

→ Separation of powers
↳ can perform functions of legislature or executive in some cases

eg → Cracker ban in Delhi was done by Supreme Court

American Judiciary

→ one ^{higher} court for central laws and other for provincial laws.

→ Separation of functions
↳ can't perform function of legislature or executive

10. Give an account of the functions performed by the National Commission for Backward Classes.

राष्ट्रीय पिछड़ा वर्ग आयोग द्वारा किए जाने वाले कार्यों का विवरण दीजिए।

National Commission for Backward Classes (NCBC) is a Constitutional body established for looking at plight of Backward Classes (BC).

Functions performed by NCBC →

- 1) To look into conditions of BCs and their problems.
- 2) To suggest measures for improvement of their conditions.
- 3) To prepare a report of recommendations and present it before Parliament.
- 4) To look into inclusion and exclusion of castes into BC category.
- 5) To ^{ask for} provide relief for people of BC who have been harassed or have been victims.

6) ~~To recommend changes for improving conditions~~

NCBCs have powers to investigate and examine anyone in relation to performing their duties. They have acted as safeguard for BCS people and are very important constitutional body -

11. Explain the significance of local bodies in strengthening the democratic spirit in India.

भारत में लोकतांत्रिक भावना को मजबूत बनाने में स्थानीय निकायों का महत्व स्पष्ट कीजिए।

Local governance is performed in India since ages. After 73rd Constitutional Amendment Act 1992, statutory status has been granted to local bodies which has strengthened democratic spirit in India.

Significance →

- 1) People in remotest places have been involved in governance through local bodies.
- 2) Local bodies can understand specific problem of a particular area.
- 3) Stakeholders are directly involved which represents democracy in true value.

- 4) Voices of common man are being reflected in local legislations which truly strengthens democracy
- 5) Grievances are able to be solved with consensus.
- 6) Easier for public to reach local bodies.

Thus, idea of democracy is being fulfilled due to local governance and we need to strengthen funds, functions and functionaries of such local bodies.

12. Highlighting the reasons behind judicial pendency in India, mention the steps, which can be taken to address this problem.

भारत में न्यायिक कार्यवाही में विलंब हेतु उत्तरदायी कारणों पर प्रकाश डालते हुए, उन कदमों का उल्लेख कीजिए, जिसे इस समस्या का समाधान किया जा सकता है।

More than 5 crore cases are pending in India in upper judiciary ~~High~~ ~~Courts~~ which has created great litigation burden on judicial system.

Reasons for judicial pendency →

- 1) Pendency of judges in lower courts is very high.
- 2) Stringent procedures even for petty cases unnecessarily delays the verdict.
- 3) ~~Also~~ Excess appeal for judgements from lower courts goes to higher courts.
- 4) Ambiguous legislations create loopholes which are exploited and create litigations.

Steps to address the problem →

- 1) Vacancies which are pending in the courts should be filled.
- 2) Clear cut ~~for~~ differentiation on which cases can be appealed.
- 3) Online delivery of judgements will fasten the processes.
- 4) Procedures for petty cases can be made lenient.
- 5) Special courts for ~~specific~~ specific cases on the sidelines of family court should be established for faster judgements.

Judicial pendency is a major problem which has grappled India and needs to be rectified soon because it is rightly said that Justice delayed is Justice denied.

13. The position of Legislative Councils in State Legislatures is much weaker than the Rajya Sabha in Parliament. Analyse.

राज्य विधान-मंडलों में विधान परिषदों की स्थिति संसद में राज्य सभा की तुलना में अत्यधिक कमजोर है। विश्लेषण कीजिए।

Legislative Council is the second house in State legislature similar to Rajya Sabha in Parliament.

only 6 states - Bihar, U.P., Maharashtra, Karnataka, Andhra Pradesh, Telangana at present has legislative councils.

* Legislative Council is weaker when compared to Rajya Sabha because →
1) Rajya Sabha can reject any bill (other than money bill) in which case, bill doesn't pass whereas legislative council (LC) can only delay it and withhold for 1 time.

2) RS has special powers in certain cases eg- Bill related to All India Services in which case, only RS can initiate the bill.

No such power is with LC.

3) Apart from money bills, RS has almost equal power with Lok Sabha (LS) but in case of LC, it is subordinate to Legislative Assembly (LA)

4) If ~~Lok Sabha~~ LA passes a bill twice, it has to be passed by LC whereas RS can reject a bill any no. of times (other than money bill)

5) Legislative Council can be ~~abolished~~ abolished by Legislative Assembly but Rajya Sabha is permanent house and can't be abolished.

This shows that LC has less power at state level when compared with RS but still it is important because it prevents from knee-jerk legislation.

14. Explaining the meaning of Contempt of Court, discuss the arguments that are advanced in its favour as well as against it.

न्यायालय की अवमानना का अर्थ स्पष्ट करते हुए, इसके पक्ष और साथ ही विपक्ष में प्रस्तुत किए जाने वाले तर्कों की विवेचना कीजिए।

Contempt of Court refers to disobedience of Court's order or taking steps which ^{could} hinder the working of the Court.

Need of Contempt of Court →

- 1) To avoid any potential hindrance in Court's working.
- 2) To maintain sanctity of Court's order; in absence of which everything would be chaotic.
- 3) For maintaining law ~~is~~ ^{and} order in the country.
- 4) To establish trust and respect for Courts.

Why contempt of court is dangerous?

- 1) It ^{can} muzzle voice of public.
- 2) Constructive criticism is suppressed.
- 3) Makes court ^{very} powerful which can eventually lead to suppression of independent voices.
- 4) Powerful people can exploit this to harass public.
- 5) Makes judges above criticism which is not a good precedent for democratic country.

It is important to outline conditions and situations where contempt proceedings could be initiated. Then only it would serve the desired purpose else its exploitation would worsen the situation.

15. What are the grounds of disqualification of membership of the Parliament and state legislatures, as mentioned in The Representation of People Act 1951?

संसद और राज्य विधान-मंडलों की सदस्यता से निरर्ह घोषित किए जाने के आधार क्या हैं, जैसा कि लोक प्रतिनिधित्व अधिनियम, 1951 में उल्लेख किया गया है?

Representation of People Act 1951 was brought to lay down procedures for election as well as grounds of disqualification.

Grounds of disqualification for MPs & MLAs →

- 1) Below 21 years of age
- 2) Convicted in cases which has punishment of more than 2 years
- 3) Not disclosing income and property details.
- 4) Involved in child, women trafficking
- 5) Filling nomination details wrongly.
- 6) Disclosing false information.

16. Explain the procedure through which the Constitution of India can be amended. Also, discuss its limitations.
 उस प्रक्रिया का वर्णन कीजिए जिसके माध्यम से भारत के संविधान में संशोधन किया जा सकता है। साथ ही, इसकी सीमाओं पर भी चर्चा कीजिए।

Constitution of India is a living, organic document which is ever evolving.

Several amendments have been brought in it till this day.
Article 368 talks of amendment of Constitution.

Procedure of amendment →

1) By Simple Majority → Some amendments require 50% present and voting members to be done.

eg → Article 3, 4 regarding territorial change of a state.

2) By ^{Special} Absolute majority → $\frac{2}{3}$ rd members present and voting + >50% of total strength of the house.

eg → ~~Formation of All India Services~~
~~National Emergency~~
 Constitutional Amendment Bill not

affecting federalism.

- 3) Constitutional Amendment affecting federalism → 2/3rd members present and voting + > 50% ratification by states.

Limitations →

- 1) Conflict between A368 and other provisions like Fundamental Rights, DPSP.
- 2) Amendments affecting Basic Structure Doctrine (BSD) can't be done. It would be declared null and void.
- 3) Stringent norms in cases where 50% ratification by states is required makes Constitution very rigid and practically impossible to amend.

In changing times, there is need of having an evolved Constitution accommodating various needs of the present time. Thus, amendment is a very needed feature of Constitution.

17. The Union list prevails over the other lists in terms of distribution of legislative powers in the Indian Constitution. Discuss.

भारतीय संविधान में विधायी शक्तियों के वितरण के संदर्भ में, संघ सूची को अन्य सूचियों पर वरीयता प्राप्त है। चर्चा कीजिए।

Schedule 7 of the Indian Constitution divides different subjects into Union, State and Concurrent list.

However, some subjects become overlapping due to concurrence of some subjects in different list.

* How Union list prevails in terms of legislative powers?

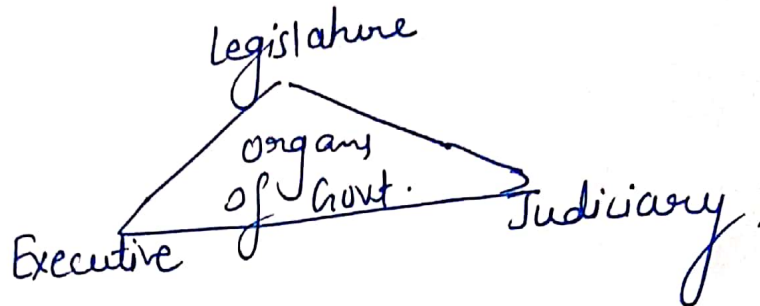
1) If overlapping laws are there, Union laws will be followed.

2) For meeting international treaties, agreements, Union laws can be made to replace any existing state laws.

- 3) Many a times, Union laws are made to bring uniformity in state laws throughout the country.
- 4) In case of conflict, priority to union laws.
- 5) Important subjects of national importance, ~~although~~ even if they are to be administered by the state has been kept in union list.
- which shows that they prevail over other list.

Union laws are needed to maintain unity & integrity of the nation and to make India into a cultural entity. Hence, it is required that they prevail over other laws however state autonomy should not be affected as provided in Constitution.

18. The doctrine of Separation of Powers is the bedrock of Indian parliamentary democracy. Discuss.
'शक्ति के पृथक्करण का सिद्धांत' भारतीय संसदीय लोकतंत्र का आधार है। चर्चा कीजिए।



3 organs - Legislature, Executive, Judiciary decide working of the country's administration.

A balance is required between the 3 organs. For which, Separation of Powers has been provided in

Indian parliamentary democracy.

→ Separation of power states that 3 organs will perform their roles independently but they are not barred from performing function of other organ.

eg → Executive perform function of legislature → Delegated legislation or Executive legislation for bringing

Small changes in legislation.

Similarly, judiciary interferes in legislature's work when needed

eg → Delhi High Court ~~was~~ banned fire crackers in Delhi.

Vishakha guidelines by Supreme Court. → on basis of which laws were further made.

And ~~the~~ legislatures are part of executive. Hence, they perform executive function.

Thus, 3 organs perform their designated function taking support or guidance from other organs.

19. Explaining the power of the President to promulgate ordinances, mention the various limitations that exist in this context.

अध्यादेश प्रख्यापित करने की राष्ट्रपति की शक्ति को स्पष्ट करते हुए, इस संदर्भ में विद्यमान विभिन्न सीमाओं का उल्लेख कीजिए।

Article 123 empowers the President of India to promulgate ordinances in special conditions.

Limitations on this power →

1) Ordinance can be promulgated only when ~~is~~ either or both of the house is not in session.

2) Ordinances only for those subjects on which Parliament is empowered to make laws.

3) Once both the house is in session, ordinance needs to be tabled and passed ~~within~~ ^{within} 6 months, else ordinance would be declared null and void.

- 4) Such ordinances can be promulgated only when there are sufficient reasons to show that without such there were dire need of such ordinance and without which there would be massive effect on country's administration.
- 5) When the house is back in session, reasons are to be explained for such action.

Thus, power of promulgation of ordinance should be last resort and it should be used only when there is no other alternative else its frequent use will usurp the sanctity of legislature.

20. Despite often being described as "first among equals", the position of the Prime Minister vis-a-vis other ministers in the Council of Ministers is one of pre-eminence. Discuss.

प्रायः "समकक्षों में प्रथम" के रूप में वर्णित होने के बावजूद, प्रधान मंत्री की स्थिति मंत्रि-परिषद् की तुलना में सर्वप्रधान है। चर्चा कीजिए।

Position of Prime Minister is described as "first among equals" because he is also from among one of the members of Parliament.

But, his position in Council of Ministers is one of pre-eminence because of special powers he holds →

- 1) Prime Minister (PM) selects the Council of Ministers.
- 2) He is head of Council of Ministers.
- 3) His resignation ~~is~~ automatically leads to dissolution of Council of Ministers.
- 4) Council of Ministers have to follow PM's dictation else the minister will have to resign from the post.

5) Being the leader of Ministers, he represent them at different platform.

6) PM takes the responsibility of success and failures of different ministries.

7) PM defends his ministers in public.

Thus, PM enjoys special powers and leads his council of ministers. That's why his position is one of pre-eminence.