Q1. "The most significant achievement of modern law in India is the constitutionalization of environmental problems by the Supreme Court". Discuss this statement with the help of relevant case laws. **(150 words) [10]**

Approach to question:

1. **Subhash Kumar v. State of Bihar (1991):** Recognized the right to a clean and healthy environment as a fundamental right under Article 21 of the Constitution.

2. **M.C. Mehta v. Union of India (1986):** Used Public Interest Litigation (PIL) to address environmental issues effectively, leading to the closure of hazardous industries near the Taj Mahal.

3. **Vellore Citizens Welfare Forum v. Union of India (1996):** Incorporated the precautionary principle and emphasised sustainable development in balancing economic progress and environmental protection.

Answer:

The Supreme Court of India has significantly shaped environmental protection by constitutionalizing environmental problems. This essay explores the Court's key achievements in this area through landmark judgments.

1. **Recognition of the Right to a Healthy Environment:**

   Case: Subhash Kumar v. State of Bihar (1991)

   The Court acknowledged the right to a clean and healthy environment as a fundamental right (Article 21).

   Emphasized the state's duty to safeguard and enhance the environment.

2. **Public Interest Litigation (PIL) for Environmental Activism:**

   Case: M.C. Mehta v. Union of India (1986)

   PIL used effectively to address environmental issues.

   Resulted in closing hazardous industries near the Taj Mahal to protect its environment and heritage.

3. **Precautionary Principle and Sustainable Development:**

Case: Vellore Citizens Welfare Forum v. Union of India (1996)

Stressed the importance of sustainable development, balancing economic progress with environmental concerns.

The Supreme Court's pioneering judgments have constitutionally elevated environmental problems in India. By recognizing the right to a healthy environment, promoting PIL as a tool for activism and introducing principles like the precautionary approach and sustainable development, the Court has laid a strong foundation for environmental protection.

Q2. "Rights of movement and residence throughout the territory of India are freely available to the Indian citizens, but these rights are not absolute". Comment.

(150 words) [10]

Approach to question:

1. The Indian Constitution grants the right to move freely and settle in any part of the country to all citizens.

2. However, this right is subject to reasonable restrictions imposed by the State in the interests of the general public or for the protection of scheduled tribes.

3. These restrictions can be imposed by the government under certain conditions such as public order, security, morality and health.

4. The restrictions can be imposed through the use of laws such as the Armed Forces (Special Powers) Act, which grants special powers to the armed forces in certain areas of the country.

Answer:

Rights of movement and residence are fundamental rights guaranteed under Article 19 of the Indian Constitution. While these rights are available to all Indian citizens, they are not absolute and can be subject to reasonable restrictions in certain situations. This concise answer discusses the scope of these rights, the restrictions imposed and the necessity for such limitations.

Points:

1. **Right to movement:**

   Guaranteed under Article 19(1)(d) of the Constitution.

Freedom of movement throughout India subject to reasonable restrictions (Article 19(5)).

2. **Restrictions on the right to movement:**

Imposed during national emergencies, war, or internal disturbances.

Restrictions in specific areas for maintaining public order.

3. **Restrictions on the right to residence:**

Imposed in certain areas for maintaining public order.

Restrictions on individuals posing threats to national security or public safety.

4. **The need for reasonable restrictions:**

Restrictions necessary to maintain public order, morality and the interests of the general public.

The rights of movement and residence in India are fundamental to its citizens, but not absolute. They are subject to reasonable restrictions based on public order, morality and the interests of the general public.

Q3. **To what extent, in your opinion, has the decentralisation of power in India changed the governance landscape at the grassroots?**
(150 words) [10]

Approach to question:

1. The decentralisation of power in India has been a gradual and ongoing process that aims to empower the local governance bodies and ensure effective service delivery to the citizens.

2. The 73rd and 74th constitutional amendments of 1992 are considered a landmark in India's decentralisation efforts, as they provided constitutional recognition to the Panchayati Raj institutions and urban local bodies.

3. It has also enabled the local governance bodies to plan and implement development programs based on the local needs and priorities.

Answer:

Decentralisation of power in India has been a transformative reform in the country's governance system over the past few decades. This process has brought about substantial changes at the grassroots level, impacting local governance and citizen engagement.

Extent of Change Brought about by Decentralisation:

1. **Empowerment of Local Governments:** The constitutional status granted to Panchayati Raj Institutions (PRIs) and Urban Local Bodies (ULBs) has empowered them to take up local governance responsibilities and implement development schemes effectively.

2. **Greater Participation and Inclusion:** Decentralisation has increased people's involvement in the decision-making process, with Gram Sabhas providing a platform for local communities to discuss and address local issues.

3. **Improved Service Delivery:** Local governments are now better equipped to provide essential services like water supply, sanitation and healthcare, catering to local needs more efficiently.

4. **Increased Accountability:** Decentralisation has made local governments more accountable to their citizens through budget publication, progress reports, social audits and public hearings.

Decentralisation has significantly transformed India's governance landscape at the grassroots level. Nevertheless, addressing challenges related to financial resources and capacity building will be essential to unlock the full potential of decentralisation for inclusive and sustainable development.

Q4. **Discuss the role of the Vice-President of India as the Chairman of the Rajya Sabha.**
(150 words) [10]

Approach to question:

The Vice-President of India serves as the Chairman of the Rajya Sabha and plays a vital role in the functioning of the upper house of the Indian Parliament. The following are the key responsibilities:

1. **Conducting the proceedings of the Rajya Sabha:** The Vice-President is responsible for ensuring that the proceedings of the Rajya Sabha are conducted in an orderly and efficient manner.

2. **Maintaining order and decorum:** The Vice-President is responsible for maintaining order and decorum in the Rajya Sabha and for ensuring that members of the house adhere to the rules of procedure and conduct.

Answer:

Article 63 of the Indian Constitution mentions the post of Vice-President. The Vice-President of India holds the second-highest constitutional post in the country and plays a crucial role as the Chairman of the Rajya Sabha. As the presiding officer of the Upper House of Parliament, the Vice-President's role is vital to its smooth functioning and effective decision-making.

Role of the Vice-President as the Chairman of the Rajya Sabha:

1. **Presiding Officer:** The Vice-President presides over the proceedings of the Rajya Sabha, maintaining order and ensuring adherence to the House's rules and procedures.

2. **Administrative Head:** As the administrative head, the Vice-President oversees the day-to-day functioning of the Rajya Sabha, including supervising the activities of the House's Secretariat.

3. **Powers and Functions:** The Chairman possesses powers to interpret the House's rules, address points of order raised by Members and adjourn the House if necessary due to disruptions.

The role of the Vice-President of India as the Chairman of the Rajya Sabha is crucial in ensuring the smooth functioning of the Upper House. With responsibilities ranging from presiding over proceedings to breaking ties in votes, the Vice-President's active involvement helps maintain order and enables effective decision-making in the interest of the nation.

Q5. **Discuss the role of the National Commission for Backward Classes in the wake of its transformation from a statutory body to a constitutional body.** **(150 words) [10]**

Approach to question:

1. The National Commission for Backward Classes (NCBC) was established in 1993 as a statutory body. In 2018, it was transformed into a constitutional body with more power and autonomy.

2. The NCBC has the responsibility to investigate and recommend measures to improve the social and economic conditions of backward classes.

3. It is also tasked with identifying and classifying communities as backward classes and examining requests for inclusion or exclusion from the list.

4. The NCBC's decisions are binding on the central and state governments.

Answer:

The National Commission for Backward Classes (NCBC) was established in 1993 as a statutory body with the primary responsibility of investigating and recommending the inclusion or exclusion of communities in the list of backward classes. The change was introduced through the 102nd Constitutional Amendment Act, 2018. Article 338B of the Indian Constitution was amended to accommodate this transformation.

1. **Constitutional Status:** The NCBC's transformation has granted it greater autonomy and independence, elevating its status to that of a constitutional body, similar to the National Commissions for Scheduled Castes and Scheduled Tribes.

2. **Power to Safeguard Rights:** The NCBC can now safeguard the rights and interests of socially and educationally backward classes, including investigating and addressing cases of discrimination.

3. **Increased Financial Powers:** The NCBC now possesses the power to investigate and monitor the allocation and utilization of funds designated for the welfare of backward classes by central and state governments.

4. **Recommendations on Reservation:** The NCBC can recommend measures to advance socially and educationally backward classes, including suggestions on reservation in educational institutions and government jobs.

The transformation of the NCBC from a statutory body to a constitutional body has granted it greater powers and responsibilities. As a constitutional body, the NCBC can now examine complaints, safeguard rights, recommend measures for advancement and monitor fund utilization.

Q6. **The Gati-Shakti Yojana needs meticulous coordination between the government and the private sector to achieve the goal of connectivity. Discuss.** **(150 words) [10]**

Approach to question:

1. The Gati-Shakti Yojana is a program aimed at improving infrastructure and connectivity in India.

2. The program aims to integrate various modes of transportation such as railways, roads, airways and waterways.

3. Meticulous coordination between the government and the private sector is essential to achieve the goal of connectivity.

4. The private sector can bring in expertise, technology and funding to complement government efforts.

Answer:

The Gati-Shakti Yojana is a flagship initiative of the Government of India aimed at creating an integrated, multimodal transportation network to enhance connectivity and reduce logistics costs. To achieve this ambitious goal, effective coordination between the government and the private sector is essential.

1. **Investment:** Both the government and the private sector need to contribute to the significant investments required for infrastructure development, with the private sector focusing on last-mile connectivity and logistics infrastructure.

2. **Technology Adoption:** The private sector can provide expertise and solutions in adopting modern technology like GPS-enabled tracking and digital documentation to optimize the transportation network.

3. **Skill Development:** Private sector involvement in training and skill development programs ensures a competent workforce to operate and maintain the transportation infrastructure.

The success of the Gati-Shakti Yojana hinges on seamless coordination between the government and the private sector. By pooling resources, expertise and efforts, they can create a modern, interconnected transportation network that will bolster connectivity and reduce logistics costs in India.

Q7. **The Rights of Persons with Disabilities Act 2016, remains only a legal document without intense sensitisation of government functionaries and citizens regarding disability. Comment.** **(150 words) [10]**

Approach to question:

1. The Rights of Persons with Disabilities Act, 2016, is a comprehensive legislation that aims to ensure equality, non-discrimination and empowerment of persons with disabilities in various spheres of life.

Answer:

The Rights of Persons with Disabilities Act, 2016, is a significant legislation in India aimed at protecting and promoting the rights of persons with disabilities. However, its successful implementation hinges not only on legal provisions but also on sensitizing government functionaries and citizens about disability-related issues. This discussion emphasizes the importance of sensitization in ensuring the effective enforcement of the Act.

Importance of Sensitization for Effective Implementation of the Act:

1. **Understanding Disability:** Sensitization helps government functionaries and citizens comprehend disability and the challenges faced by persons with disabilities, fostering empathy and inclusivity.

2. **Implementation of the Act:** Sensitization ensures that government functionaries understand the Act's provisions and responsibilities, leading to respectful and dignified implementation.

3. **Accessibility:** Sensitization promotes awareness of barriers faced by persons with disabilities and fosters the creation of accessible products, services and infrastructure.

The effectiveness of the Rights of Persons with Disabilities Act, 2016, lies in the sensitization of government functionaries and citizens. Sensitization fosters understanding, accessibility, employment opportunities, social inclusion and ultimately, the realization of the Act's objectives.

Q8. Reforming the government delivery system through the Direct Benefit Transfer Scheme is a progressive step, but it has its limitations too. Comment. **(150 words) [10]**

Approach to question:

1. The Direct Benefit Transfer (DBT) Scheme aims to provide financial benefits to the intended beneficiaries in a transparent and efficient manner.

2. DBT has resulted in significant savings in government expenditure, reduction in leakages and fraudulent activities and improved targeting of beneficiaries.

3. The government needs to continuously monitor and evaluate the scheme to identify and address the limitations to ensure that the intended benefits reach the targeted beneficiaries.

Answer:

The Direct Benefit Transfer (DBT) Scheme, launched in 2013, aimed to provide benefits and subsidies directly to beneficiaries' bank accounts, enhancing transparency and efficiency in government schemes. While the DBT scheme has been partially successful in achieving its objectives, it also faces limitations that need to be addressed for more comprehensive implementation.

Limitations of the DBT Scheme:

1. **Inclusion and Exclusion Errors:** The scheme is prone to errors, leading to benefits going to ineligible beneficiaries while excluding deserving ones, eroding the trust in the system.

2. **Access to Banking Services:** Success depends on accessible banking infrastructure, but many remote areas lack such facilities, hindering effective implementation.

3. **Digital Literacy:** Digital transactions requirement may be a challenge for beneficiaries, particularly in rural areas with limited exposure to technology.

4. **Infrastructure Challenges:** Weak technological infrastructure in certain regions can result in delays and errors during benefit transfers.

The DBT scheme is a step towards improving the government delivery system, but addressing its limitations is crucial for its full potential. Ensuring inclusivity, facilitating banking access, promoting digital literacy, enhancing infrastructure, safeguarding social security spending and preventing middlemen interference are essential measures to optimize the scheme's impact and achieve its intended goals effectively.

Q9. "India is an age-old friend of Sri Lanka". Discuss India's role in the recent crisis in Sri Lanka in the light of the preceding statement. **(150 words) [10]**

Approach to question:

1. India has had historical and cultural ties with Sri Lanka for centuries, which have been further strengthened by various agreements and treaties between the two countries.

2. India has been involved in various initiatives in Sri Lanka, such as providing assistance in post-war reconstruction and supporting development projects.

3. In recent years, India has also been concerned about the geopolitical situation in Sri Lanka, particularly in relation to China's increasing influence in the region.

4. India has called for a peaceful resolution to the recent crisis in Sri Lanka and has expressed support for democratic principles and human rights in the country.

Answer:

India and Sri Lanka have a long-standing relationship, rooted in cultural and historical ties. Recently, India's role in the crisis in Sri Lanka has been a subject of discussion.

This discussion examines India's involvement in the context of being an age-old friend of Sri Lanka.

1. **Historical Ties:** India and Sri Lanka have a shared history, with India playing a significant role in Sri Lanka's independence movement and participating in the peace process in the country.

2. **Recent Crisis:** The recent crisis in Sri Lanka involved a power struggle between the President and Prime Minister. India expressed concerns and advocated for a peaceful resolution to maintain regional peace and stability.

3. **Economic and Security Interests:** India has considerable economic and security interests in Sri Lanka, being a major development partner and trade ally. India also has security concerns related to Chinese infrastructure projects in Sri Lanka.

India's role in the recent crisis in Sri Lanka reflects its commitment to being a true friend to the country. The historical ties, economic and security interests, diplomatic efforts and humanitarian assistance demonstrates India's sincere efforts to support Sri Lanka and foster peace and prosperity in the region.

Q10. Do you think that BIMSTEC is a parallel organisation like SAARC? What are the similarities and dissimilarities between the two? How are Indian foreign policy objectives realised by forming this new organisation? (150 words) [10]

Approach to question:

BIMSTEC (Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation) and SAARC (South Asian Association for Regional Cooperation) are two regional organisations in South Asia that aim to promote cooperation and integration among their member states.

Similarities:

1. Both BIMSTEC and SAARC are regional groupings that encompass countries in South Asia and/or neighbouring regions.

2. Both organisations have a similar institutional structure, including a summit of heads of state/government, a council of ministers and a secretariat.

Dissimilarities:

SAARC has a Free Trade Agreement, but BIMSTEC doesn't have the same.

SAARC maintains permanent diplomatic relations at the United Nations as an observer.

Answer:

BIMSTEC (Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation) and SAARC (South Asian Association for Regional Cooperation) are regional organizations in South and Southeast Asia with similar objectives of promoting cooperation and integration. This discussion explores whether BIMSTEC is a parallel organization to SAARC, the similarities and dissimilarities between the two and how Indian foreign policy objectives are realized through BIMSTEC.

BIMSTEC and SAARC:

1. **Parallel Organization:** BIMSTEC and SAARC are often seen as parallel organizations since both aim to promote regional cooperation and integration.

2. **Similarities:** Both organizations have India as a key member and share objectives like poverty reduction, economic development and regional connectivity. Both are inter-regional organization of South Asia and focus on economic and regional cooperation.

3. **Dissimilarities:** BIMSTEC has seven member countries, while SAARC has eight. BIMSTEC's success in economic cooperation sets it apart from SAARC, which has faced political impediments. SAARC maintains permanent diplomatic relations at the United Nations as an observer, but BIMSTEC does not have this.

   SAARC is more about territorial connectivity (BBIN Motor Vehicle Agreement) while BIMSTEC focuses more on maritime association.

While both BIMSTEC and SAARC aim to enhance regional cooperation and integration, BIMSTEC has excelled in economic cooperation. India's foreign policy objectives are effectively realized through BIMSTEC, providing India with opportunities to expand influence, foster connectivity and promote economic cooperation in the region.

Q11. Discuss the procedures to decide the disputes arising out of the election of a Member of the Parliament or State Legislature under the Representation of the People Act, 1951. What are the grounds on which the election of any returned candidate may be declared void? What remedy is available to the aggrieved party against the decision? Refer to the case laws. (250 words) [15]

Approach to question:

Procedures to decide disputes arising out of elections under The Representation of the People Act, 1951:

1. A petition can be filed by any candidate or voter in the High Court or Supreme Court within a stipulated time frame.

2. The petition must be accompanied by an affidavit and necessary documents.

3. The election commission may also report any irregularity to the court.

4. The court then investigates the matter and the case proceeds to trial.

5. The court may call for evidence and cross-examination of witnesses.

Answer:

The Representation of the People Act, 1951, is a critical legislation that outlines procedures to resolve disputes arising from the election of the Members of Parliament or State Legislatures in India.

Procedures to Decide Disputes Arising from Election:

1. **Filing Election Petition:** Within 45 days of the election, the aggrieved party files an election petition in the High Court of the respective state.

2. **Hearing and Examination:** The High Court hears the parties, examines witnesses and reviews evidence.

3. **Final Order:** The High Court passes a final order, either dismissing the petition or declaring the election of the returned candidate void.

Grounds for Declaring Election Void:

1. **Corrupt Practices:** Any bribery, coercion, undue influence, or corrupt practice committed by the returned candidate or their agents.

2. **Election Offences:** Any election offence committed by the returned candidate or their agents.

3. **Disqualification of Candidate:** Any disqualification of the candidate as specified in the Constitution or the Act.

Remedies Against the Decision:

1. **Appeal to Supreme Court:** The aggrieved party can appeal the High Court's decision in the Supreme Court within a specific timeframe.

2. **Hearing and Evidence Examination:** The Supreme Court may hear the parties, examine evidence and pass a final order.

The Representation of the People Act, 1951, lays down comprehensive procedures for resolving election disputes. The grounds for declaring elections void, along with remedies available in the form of appeals to the Supreme Court, ensure fair electoral practices and uphold the sanctity of the democratic process.

Q12. Discuss the essential conditions for exercise of the legislative powers by the Governor. Discuss the legality of re-promulgation of ordinances by the Governor without placing them before the Legislature.

(250 words) [15]

Approach to question:

Essential conditions for the exercise of legislative powers by the Governor:

1. The Governor must act on the aid and advice of the Council of Ministers.

Legality of re-promulgation of ordinances by the Governor without placing them before the Legislature:

1. The Supreme Court has held that re-promulgation of ordinances by the Governor without placing them before the Legislature is unconstitutional and an abuse of power.

2. The court has also observed that the re-promulgation of ordinances undermines the constitutional scheme of separation of powers and violates the principle of checks and balances.

Answer:

The Governor, as the head of a state, holds legislative powers granted by the Constitution. This answer discusses the essential conditions for the Governor's exercise of legislative powers and analyzes the legality of re-promulgation of ordinances without placing them before the legislature, with reference to relevant case laws.

Essential Conditions for Exercise of Legislative Powers by the Governor:

1. **Executive Responsibility:** The Governor must act on the advice of the Council of Ministers, who are collectively responsible to the Legislative Assembly, to maintain the principles of parliamentary democracy.

2. **Consistency with Union Laws:** The Governor's legislative actions must align with Union laws, avoiding any contradiction or conflict with central legislation.

3. **Prior Assent of President:** The Governor cannot enact laws that oppose the President's assent, ensuring constitutional harmony between state and central authorities.

4. **No Legislative Power in Union Territories:** The Governor lacks legislative powers in Union Territories, as they fall under the direct control of the Union government.

Legality of Re-promulgation of Ordinances by the Governor without Placing before Legislature:

1. **Krishna Kumar Singh vs State of Bihar:** The Supreme Court ruled that re-promulgation of ordinances without placing them before the legislature is unconstitutional.

2. **Limited Use of Ordinances:** The court stressed that ordinances should be used sparingly and only in urgent situations, not as a convenient alternative to regular legislative procedures.

3. **Denying Democratic Participation:** Re-promulgation denies citizens' right to participate in the legislative process and contradicts the principles of democracy.

The exercise of legislative powers by the Governor is conditional upon executive responsibility, constitutional provisions, consistency with Union laws, prior Presidential assent and non-applicability in Union Territories. However, re-promulgation of ordinances without presenting them before the legislature is unconstitutional, as established by the Supreme Court.

Q13. "While the national political parties in India favour centralisation, the parties regional are in favour of State autonomy". Comment.

(250 words) [15]

Approach to question:

1. National political parties in India advocate for a strong central government to ensure uniformity and consistency in policies and programs.

2. However, regional parties believe in decentralization of power and greater autonomy for states to address specific issues and concerns unique to each state.

3. Regional parties argue that federalism and decentralization are crucial for ensuring effective governance and development at the grassroots level.

4. The tension between centralization and state autonomy is not new and has been a recurring theme in Indian politics.

Answer:

In India, there has been a long-standing divide between national political parties, which favour centralization of power and regional parties, which demand greater autonomy for states. This difference in opinion is rooted in historical, cultural and constitutional factors.

Reasons for Centralization by National Political Parties:

1. **Historical Legacy:** India's history, particularly during British rule, has seen a strong centralized government. National parties continue to advocate centralization as it aligns with the colonial legacy.

2. **National Security:** National parties believe that a centralized government is essential to ensure national security and protect the country from external threats.

3. **Economic Development:** National parties argue that centralization can pool resources and investments, leading to more significant economic development across the country.

Reasons for State Autonomy by Regional Parties:

1. **Diverse Cultures and Languages:** India's diversity in languages, cultures and traditions fuels the demand for state autonomy to safeguard and promote regional identities.

2. **Local Issues:** Regional parties assert that state governments are better equipped to address local issues and cater to the specific needs of their regions.

3. **Grassroots Democracy:** Regional parties believe that greater state autonomy leads to greater people's participation and empowerment at the grassroots level.

Implications of the Divide Between National and Regional Parties:

1. **Political Stability:** The divide can lead to instability in the government, making it challenging to form stable and cohesive policy frameworks.

2. **Centre-State Relations:** The difference in opinion can strain relations between the central government and state governments, creating hurdles in cooperative federalism.

The divide between national and regional parties on centralization and state autonomy has deep-rooted historical, cultural and constitutional origins. Striking a balance between centralization and decentralization is crucial for achieving harmonious governance and ensuring equitable representation of regional aspirations.

Q14. Critically examine the procedures through which the Presidents of India and France are elected. (250 words) [15]

Approach to question:

1. The President of India is elected indirectly through an Electoral College consisting of members of Parliament and state legislatures, while the President of France is elected directly by the people through a two-round voting system.

2. In India, the Election Commission conducts and supervises the election process, while in France the Constitutional Council is responsible for verifying the validity of the election and declaring the results.

3. The role of political parties in the election process is significant in both countries, with alliances and coalitions playing a crucial role in India and party affiliations and ideologies playing a crucial role in France.

Answer:

The procedures for electing the Presidents of India and France are distinct, reflecting the unique political systems of the two countries. In India, the President is elected by an Electoral College, while in France, the President is elected through a two-round system based on popular vote.

Election of the President of India:

1. **Eligibility:** Any Indian citizen over 35 years of age who meets certain qualifications can contest the presidential election.

2. **Voting Process:** A secret ballot is used and each member of the Electoral College has one vote. The single transferable vote system is employed.

3. **Simple Majority**: The President is elected by securing a simple majority of the Electoral College's votes.

4. **Article 54 and 55:** Article 54 of the Indian Constitution specifies the manner of election of the President, while Article 55 defines the composition of the Electoral College.

Criticism:

1. The electoral college system is criticized for being opaque and lacking transparency, as citizens do not directly participate in the election.

2.   The system can lead to the election of a candidate who lacks a popular mandate, as the focus is on securing votes from elected representatives rather than from citizens.

Election of the President of France:

1.   **Eligibility:** Any French citizen over 18 years of age can contest the presidential election.

2.   **Two-Round System:** The election is conducted using a two-round system. If no candidate obtains an absolute majority in the first round, a second round is held.

3.   **Popular Vote:** The President is elected by obtaining a majority of the popular votes in the second round.

While the Indian system aims to give representation to state governments, the French system emphasizes popular mandate. A balance between direct citizen participation and regional representation is essential for ensuring democratic legitimacy and political stability in the presidential election processes of both countries.

Q15. **Discuss the role of the Election Commission of India in the light of the evolution of the Model Code of Conduct.**

(250 words) [15]

Approach to question:

1.   The Election Commission of India (ECI) is a constitutional body responsible for conducting free and fair elections in the country.

2.   The MCC is a set of guidelines that aims to ensure that the election process is conducted in a free and fair manner and that no political party or candidate indulges in any activity that can influence voters.

3.   ECI's role in implementing the MCC has been crucial in preventing the misuse of power and money during elections and ensuring a level playing field for all political parties and candidates.

Answer:

The Election Commission of India (ECI) under Article 324 of Indian constitution is an independent and impartial functioning body. The Election Commission of India (ECI) is entrusted with the responsibility of conducting free and fair elections in the country. To maintain the integrity of the election process and regulate the conduct of political parties and candidates, the ECI introduced the Model Code of Conduct (MCC) in the 1960s. Over the years, the MCC has evolved to address emerging challenges in the political landscape.

Evolution of the MCC:

1.   **Introduction of the MCC:** The MCC was first introduced to prevent political parties and candidates from indulging in unethical practices during elections. It aimed to create a level playing field for all stakeholders.

2.   **Enforcement of the MCC:** The ECI is responsible for enforcing the MCC during the election period. It monitors compliance and takes action against those who violate its provisions.

Role of the ECI:

1.   **Enforcement and Implementation:** The ECI plays a crucial role in ensuring that all political parties and candidates adhere to the MCC. It takes action against violations and issues necessary guidelines to enhance its effectiveness.

2.   **Level Playing Field:** The MCC ensures a level playing field for all contestants, preventing unfair advantages and malpractices.

3.   **Promoting Ethical Conduct:** The MCC promotes ethical conduct in elections, fostering a healthy democratic process.

Significance of the MCC:

1.   **Fair Elections:** The MCC is instrumental in ensuring free and fair elections by curbing corrupt practices and undue influence.

2.   **Preventing Misuse of Power:** The MCC prevents the misuse of government resources by incumbent parties during the election period.

The ECI has played a crucial role in the evolution and enforcement of the Model Code of Conduct. The MCC has been a significant tool in ensuring free and fair elections in India, preventing unethical practices and promoting ethical conduct.

Q16. **Besides the welfare schemes, India needs deft management of inflation and unemployment to serve the poor and the underprivileged sections of the society. Discuss.** **(250 words) [15]**

Approach to question:

1.   Inflation and unemployment can severely impact the poor and underprivileged, as rising prices and lack of job opportunities can push them deeper into poverty.

2.   Effective policies to control inflation and stimulate job growth can create a more stable economic environment, which can lead to better living standards for all sections of society.

3.   It is important to strike a balance between welfare schemes and sound economic policies to promote sustainable and inclusive growth.

Answer:

India's progress in welfare schemes has undoubtedly provided support to the poor and underprivileged sections of society. However, to ensure sustained benefits, it is crucial to address other critical economic challenges such as inflation and unemployment.

1.   **Impact of Inflation on the Poor:** Inflation erodes the purchasing power of the poor, making basic necessities more expensive and reducing their standard of living.

High inflation can lead to a rise in food and fuel prices, disproportionately affecting the vulnerable sections of society that spend a significant portion of their income on these essentials.

2. **Unemployment and Poverty:** High unemployment rates hinder economic growth and exacerbate poverty, as jobless individuals struggle to meet their basic needs.

   Unemployment contributes to social issues like crime and unrest, affecting the poor and marginalized communities disproportionately.

3. **Inclusive Economic Growth:** Inclusive economic growth ensures that the benefits of development are distributed equitably across all sections of society.

   Targeted policies that uplift marginalized communities and promote social inclusion can help alleviate poverty and reduce income disparities.

4. **Importance of Data and Research:** Sound economic policies should be backed by accurate data and research to understand the specific needs of the poor and underprivileged sections.

   Evidence-based policy making can lead to more effective welfare schemes that directly address the root causes of poverty and unemployment.

While welfare schemes have been instrumental in supporting the poor and underprivileged sections of society, effective management of inflation and unemployment is equally crucial. A comprehensive approach that addresses both immediate needs and long-term economic challenges will help in building a stronger and more equitable society.

Q17. Do you agree with the view that increasing dependence on donor agencies for development reduces the importance of community participation in the development process? Justify your answer.

(250 words) [15]

Approach to question:

1. Donor agencies play a crucial role in providing financial assistance to developing countries for their developmental needs.

2. In such cases, donor agencies may impose their own development models and policies, which may not be appropriate for the local context.

3. On the other hand, if donor agencies work in close collaboration with the local community, they can help to build local capacity and empower the community to take ownership of the development process.

Answer:

The dependence on donor agencies for development has increased over the years, but whether it has reduced the importance of community participation in the development process is a topic of debate. Here are some points to consider:

Arguments in favour of the view:

1. Donor agencies often impose their own priorities and agendas on the development process, which may not necessarily align with the needs and aspirations of the local communities.

2. The funds provided by donor agencies often come with conditions and strings attached, which limit the flexibility of the recipient country to design and implement their own development programs.

3. Donor agencies may also create a culture of dependency, where the recipient countries become reliant on external aid and do not invest enough in building their own capacity and institutions.

Arguments against the view:

1. Donor agencies often prioritise community participation in the development process and mandate that recipient countries consult and engage with local communities in project design and implementation.

2. Donor agencies also support the development of local institutions and capacity building, which can enhance community participation in the development process.

3. The funds provided by donor agencies can supplement the resources available to recipient countries and thus enable them to better serve the needs of their communities.

In conclusion, while it is true that increasing dependence on donor agencies can limit the autonomy of recipient countries and undermine the importance of community participation in the development process, it is also important to recognize that donor agencies can play a positive role in enhancing community participation, building local capacity and supplementing the resources available to recipient countries.

Q18. The Right of Children to Free and Compulsory Education Act, 2009, remains inadequate in promoting incentive-based system for children's education without generating awareness about the importance of schooling. Analyse. **(250 words) [15]**

Approach to question:

1. The Right of Children to Free and Compulsory Education Act, 2009, provides free and compulsory education to all children between the ages of 6 to 14 years.

2. The act focuses on making education a fundamental right of every child and providing access to quality education.

3.   There is lack of awareness among parents and communities about the benefits of education and the need for their children to attend school regularly.

4.   This has resulted in high drop-out rates and poor attendance levels in schools, particularly in rural areas.

Answer:

The Right of Children to Free and Compulsory Education Act, 2009, commonly known as the RTE Act, was passed to ensure that all children between the ages of 6 and 14 receive free and compulsory education. However, the effectiveness of the RTE Act in promoting an incentive-based system for children's education remains questionable.

Limitations of the RTE Act in promoting an incentive-based system for children's education:

1.   **Lack of awareness:** There is a lack of awareness among parents and children about the importance of schooling, especially in rural areas, resulting in low enrolment and high drop-out rates.

2.   **Inadequate infrastructure:** Many schools lack proper facilities, making attending school uncomfortable for children and reducing their incentive to attend.

3.   **Socioeconomic factors:** Children from economically disadvantaged backgrounds may not have the incentive to attend school due to the need to work and support their families.

Steps to address the inadequacies of the RTE Act:

1.   **Raising awareness:** Conduct awareness campaigns and community mobilization to promote the importance of schooling among parents and children.

2.   **Upgrading infrastructure:** Invest in improving school infrastructure, including classrooms, toilets and drinking water facilities, to create a more conducive learning environment.

3.   **Addressing socioeconomic factors:** Provide financial incentives to economically disadvantaged families to encourage children's school attendance.

While the RTE Act is an important step towards ensuring education for all children, it falls short in promoting an incentive-based system for schooling due to awareness gaps, poor education quality, inadequate infrastructure, socioeconomic challenges and lack of accountability. The government must address these inadequacies to make the RTE Act more effective in generating incentives for children's education and ensuring the right to free and compulsory education for every child in the country.

Q19. **How will I2U2 (India, Israel, UAE and USA) grouping transform India's position in global politics?**   **(250 words) [15]**

Approach to question:

1.   The I2U2 grouping represents a significant shift in India's foreign policy as it brings together countries with diverse backgrounds and interests.

2.   It also serves as a counterbalance to China's growing influence in the region and may provide India with a platform to assert itself in global politics.

3.   Therefore, while it offers opportunities for India, it also poses challenges that need to be addressed through a balanced and pragmatic approach.

Answer:

I2U2 is a new geopolitical grouping comprising India, Israel, the United Arab Emirates (UAE) and the United States of America (USA). The group emerged after the UAE and Israel normalised their relations in September 2020 and the USA brokered the Abraham Accords Peace Agreement.

The grouping is expected to have a transformative effect on India's position in global politics in the following ways:

1.   **Strengthening Strategic Ties:** The I2U2 grouping will strengthen India's strategic ties with the USA, Israel and the UAE. This will provide India with an opportunity to expand its influence in the Middle East and the Gulf region.

2.   **Combating Terrorism:** The I2U2 grouping will work towards combating terrorism and radicalization in the region. India has been a victim of terrorism for a long time and this grouping will provide it with an opportunity to work closely with other countries to combat this menace.

3.   **Balancing China's Influence:** The grouping will help India in balancing China's influence in the region. The USA and Israel are already wary of China's growing influence in the Middle East and India can leverage this to build a coalition against China's expansionist policies.

4.   **Greater Diplomatic Clout:** The I2U2 grouping will enhance India's diplomatic clout in the region and globally. The USA is one of the most influential countries in the world and Israel and the UAE have strong ties with the USA. This will provide India with an opportunity to increase its diplomatic engagement with other countries.

In conclusion, the I2U2 grouping has the potential to transform India's position in global politics by strengthening its strategic ties, enhancing economic cooperation, combating terrorism, balancing China's influence and increasing its diplomatic clout.

Q20. "Clean energy is the order of the day". Describe briefly India's changing policy towards climate change in various international fora in the context of geopolitics. (250 words) [15]

Approach to question:

1. India is the third-largest emitter of greenhouse gases after China and the US and faces a severe climate change challenge.

2. The country has taken several steps towards reducing emissions, such as launching the National Action Plan on Climate Change in 2008 and the International Solar Alliance in 2015.

3. The country has set ambitious targets to increase the share of renewable energy in its energy mix, aiming for 450 GW by 2030 and has been actively promoting electric vehicles to reduce carbon emissions from the transport sector.

Answer:

Climate change is a global challenge that requires collective action and India has been advocating for a common but differentiated responsibility in international climate negotiations. India has implemented various measures to tackle climate change and promote clean energy sources domestically.

India's Policy towards Climate Change:

1. India has pledged to reduce the intensity of its carbon emissions by 33-35% from its 2005 levels by 2030, as part of its Nationally Determined Contributions (NDCs) under the Paris Agreement.

2. India has actively participated in international fora like the United Nations Framework Convention on Climate Change (UNFCCC) and the Conference of Parties (COP) to engage in global climate discussions and negotiations.

3. The principle of common but differentiated responsibilities is at the core of India's stance, emphasizing that developed countries should bear a greater burden due to their historical contributions to global carbon emissions.

India's Policy towards Geopolitics of Climate Change:

1. India's climate change policy is influenced by energy security concerns. It aims to reduce dependence on fossil fuel imports and enhance energy security by transitioning to renewable energy sources.

2. With increased availability of renewables, India's dependence on coal imports has decreased, reducing vulnerability to global energy price fluctuations.

3. India's evolving policy towards climate change demonstrates its commitment to mitigating carbon emissions and embracing clean energy.

4. Geopolitical factors, including energy security and diplomatic relations, play a role in shaping India's approach to climate change on the global stage.

5. Through active participation in international fora, India advocates for collective action and emphasizes the importance of common but differentiated responsibilities in addressing climate change.

India's changing policy towards climate change reflects its recognition of the urgent need for clean energy and sustainable development. By actively participating in international fora and forging alliances, India aims to contribute to global efforts to combat climate change while pursuing its national development goals.