



SHUBHRA RANJAN

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PSIR Answer Writing Module 2023

Test 8

Time Allowed: 1 Hour 30 Minutes

Max Marks: 120

Name: NIKITA VERMA

Test Submission Date: 30/12/2022

Email Address:

Instructions:

1. All questions are compulsory.
2. All questions are for **15 marks** each.
3. Word limit for each question is **200 words**.
4. Answers must be written in the medium authorized in the admission Certificate, which must be stated clearly on the cover of the booklet in the space provided.
5. Content of the answer is more important than its length.
6. Any page or portion of the page left blank in the Question-Cum-Answer Booklet must be clearly struck off.
7. All parts of the question should be written at one place itself.
8. **Filling all the details in BLOCK LETTERS is mandatory.**

Q. No.	Marks	Q. No.	Marks
Q1		Q5	
Q2		Q6	
Q3		Q7	
Q4		Q8	
Total Marks:		Evaluator Code:	

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	Poor	Average	Good	Very Good	Excellent
Understanding of Questions					
Structure & Flow					
(a) Introduction					
(b) Conclusion					
(c) Overall					
Subject Knowledge					
Presentation					
(a) Underline					
(b) Paragraph					
(c) Overall					

Overall Remarks:

Dear Student,



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Que.1

Critically analyse the role of President in India's Constitutional setup and in actual political process. What trends can be inferred on the basis of the analysis of the nature of the institution? (200 words, 15 Marks)

As per Article 75 of the Indian constitution, the President is the constitutional head of the state who provides stability to India's Parliamentary system.

The President is the ceremonial head of the State. Soon after the independence, there was debate on the nature of role of President in India - whether he is a mere constitutional head or has a role to play using his discretion.

The then President Rajendra Prasad used his discretion in

the Hindu Code Bill. However, MC Setalvad came in to assert that President in a Parliamentary System has no discretion and has to act as per the Council of Ministers and Prime Minister.

Later government, by the 42nd Amendment Act made it compulsory on the part of President to act on aid & advice of PM (changes in Article 568 of the President).

Another controversy is regarding the activist President is going beyond the Constitutional mandate and emerging as alternate centre of power.



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Some of the activist President include A P J Abdul Kalam. However, experts like Subash Kashyap ascertain that two centres of power i.e. PM and President can clog the functioning of the government.

Thus, the trend has been to restrict the role as a mere position of dignity. Former President Venkat Raman has best described the role of President - as an emergency lamp who is supposed to provide stability.

Therefore, it can be concluded that the President through the ceremonial functions remains an important part of Indian polity.



Que.2

As India celebrates its 75th year of independence, the glaring irony of a dysfunctional Parliament can no longer be ignored. Give reasons for the decline of Parliament. (200 words, 15 Marks)

Indian Parliament - the Keystone of India's legislative system is in a state of decline. As Pratap Bhanu Mchta and Devesh Kapur have analysed that the state of decline, dysfunctionality, disorder is defining the Parliament

The working of Parliament has seen decline because of several reasons :-

- ① Working of Parliamentary Committees has been dismal on account of non cooperation by Ministries, bypassing of scrutiny by voice vote etc.



- ② Subesh Kashyap in his review of the working of Parliament has written about the growing criminalisation of politics, under-representation of women and minorities.
- ③ Morris Jones is critical of the success of democracy in India because it is an imported institution with deep social cleavages.
- ④ The growing politicisation of role of Speaker in anti defection rule, the decline of Rajya Sabha evident with passing of ordinances, ordinary bills as money bills supports the above.

Thus, there is general consensus on decline of Parliament



However, the above view is partially true. This is so because :-

- ① The present Lok Sabha has 84 women MP's, the highest ever in India's history.
- ② The PRS data on legislative functioning has highlighted the increasing productivity of sessions.
- ③ Intra party democracy has empowered women, dalits tribals to significant Constitutional position
- ④ With the data driven technology the masses are able to voice their opinion

Though there are several challenges, democracy in India has deepened over the years and will do so as we enter Amrit Kaal



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Que.3

Discuss the contribution of Indian judiciary towards the goal of India's silent revolution. (200 words, 15 Marks)

The Indian Judiciary is the silent vanguard for India's social revolution. The judgements, orders, decrees, interpretation have tremendously impacted India's political system.

Granville Austin, in his work, 'Indian Constitution: The Cornerstone of the Nation' has ascertained that the transformative Constitution aims at establishing a liberal democratic polity which has been implemented by the Courts.

Indian Judiciary's significant contribution started with the Kesavananda Bharti Case (1973) which Zia Mody classifies as the Ten judgements that



significantly transformed India. The Judiciary established the basic structure and prevented the country from going the way towards other third world countries.

Thereafter, the Court in S.R Bommai Case preserved the federal character of the country.

Later on, Justice Krishna Iyer and Justice P.N. Bhagwati fundamentally transformed Indian Judiciary in 1990's with the introduction of Public Interest Litigation (PIL) which made the Courts open to general public.

Very Recently, through judgements like Olga Tellis case, Nartej Singh Johar Case, Aadhar judgement the Court recognised Human Rights like right to



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livelihood, consent of sexual choice and privacy recently.

However, the Court has faced backlash for its political sensitivities. P.B. Mehta writes that Indian Judiciary is a "promise of uncertainty" - the active and passive phases of the Court are determined by the government's actions at the centre.

Yet, it can't be declined that Indian Judiciary has acted against the excesses of legislature and Executive and upheld the light of India's democracy.

Que.4

Analyse the position of the Prime Minister of India in a coalition regime. (200 words, 15 Marks)

Prime Minister is the lynch
pin of India's Parliamentary
system. He functions as the
keystone of the Cabinet Ministers.
However, his position weakens
in a coalition system.

Prime Minister's position can
be understood as either
inter stellas luna minores or
'moon among stars' or
'primus inter pares' or first
among equals.

As the coalition government
is formed by several parties
coming together, each has
its own mandate, goals and



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limitations. Thus, the PM is often just first among equals. As the PM has to take care of his partners, it is often believed that Prime Minister can't take extreme decisions in a coalition. The manoeuvrability in coalition is limited.

In India, the period of coalition era started with the end of Rajiv Gandhi government in 1989. The period of early 1990's was extreme political instability with Vajpayee government for just 13 days.

The first successful 5 year tenure under PV Narsimha Rao from (1992-1997) saw the passage of significant amendments like 73 and 74th Amendment.

Since then, India has been under coalitions from 1999 to



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2014 - under grand coalition of NDA and UPA government

It was seen that PM under coalition era faced no-confidence motion several times and it was difficult to take all partners together. eg. Manmohan Singh survived the no confidence motion after Indo-US Nuclear deal

Comparatively, strongman governments like under Nehru, Indira Gandhi and now under BJP have been successful in taking hardcore decisions on economy, polity and foreign relation.

Yet, the coalition governments make politics ~~take it~~ more consociational and accommodating



Que.5

"The most obvious aspect of the functioning of the collegium system of judicial appointments and transfers is its opaqueness." In the light of this statement, examine the debates on the appointment procedure of judges to the higher judiciary in India. (200 words, 15 Marks)

The Law Minister recently criticized India's Judicial system by asserting that India is the only country ~~that~~ where 'Judges appoint themselves'. This has led to corruption, stagnation and unaccountability in the system.

At present, the Judges of Higher Judiciary - i.e. Supreme Court and High Court are appointed based on the recommendation of the Collegium consisting of CJI and top 4 Judges of the Supreme Court.

This system has faced backlash from the government as well

as some sections of the Judiciary as it doesn't promote openness, objectivity and fair chance to everyone.

To find remedy to above, the government passed the 99th Amendment proposing the National Judicial Appointments Commission (NJAC) which consisted of selection committee of PM & Law Minister.

The Court struck it down calling it unconstitutional on ground of interference in the Judiciary. [P. B. Mehta] called it a ^{medicine} ~~disease~~ worse than the disease itself.

Since then the debate has been charged with the tussle between Judiciary and Executive



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out in the open.

Experts like Upendra Baxi have called for urgent reform of the system so that functioning of the courts can improve.

Possible solutions can be setting up of a high powered committee consisting of both Judicial and administrative members who can look for alternatives. Some of them include Judicial Appointment Commission (JAC) ⁱⁿ ~~United~~ United Kingdom which is an autonomous body for appointment of Judges.



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Que.6

"73rd and 74th amendment acts provide a basic framework of decentralization of power and authorities at the grassroot level". Critically analyse. (200 words, 15 Marks)

73rd & 74th Amendment provide for the third tier of government at the urban and rural level with Municipalities and Panchayats. Some have hailed the creation ~~as~~ ^{as} empowerment while others have criticized them as half hearted reforms.

Rajni Kothari has traced the origin of local government with the growing disillusionment with globalisation and subsequent demands for strengthening the roots.



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DL Saith has ascertained that the local self governments empower the masses. The Amendments provide for three tier governments at the village level, creation of State Election Commission, devolution of funds as per Finance Commission, reservation for women in 1/3 seats etc

However, the actual framework of the ULB's and Panchayats have been disturbing

The bodies have been empowered only in terms of compulsory provisions while voluntary provisions of devolution of taxation, road construction etc have ^{not} been effectively devolved.

Though the system has been provided with skeleton, the flesh and blood of the bodies is



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missing. The institutions is presently challenged by the 4Fs funds, functions, functionary and functionality. Resource council has hampered the delivery of roles and responsibilities. Lack of staff, secretariat has drastically reduced the effectiveness of these institutions

Sociological theorists like Yogendra Yadav have ascertained that they have become the voice of vulnerable, but Atul Kohli believes the government protects the interests of capitalist at the cost of Gram Sabha. To ensure their success, more autonomy needs to be given to them so that they can empower people by greater funds.

Que. 7

How do you define grassroot movements? Do you think there is a rise of grassroot activism in India in recent times? Examine the impact of grassroot activism on Indian politics? (200 words, 15 Marks)

Grassroot movement are the micro movements which are people driven, people centred often centered around the local grievances of the vulnerable, disempowered which is reflected through their assertion through formal and informal institutions.

They are also known as local movements. Empowering the masses, they have analysed deeply by Marxist scholars. Louis Tillin in "India's Internal Reorganisation"... has talked about the growth of grassroot movement in India.

Grassroot activism in India has been on the rise. Smriti Kothari, states that the growing disillusionment of globalisation has led to rise of local movements in India.

Atul Kohli with the example of Gram Sabha movement against Vedanta steel Plant has also shown the active role of the masses in empowerment of the people.

Bhikhu Parekh has talked about the growing confluence of regional level, environment and political movements in India. The Chipko movement saw the growing assertiveness of hill people coupled with political empowerment of women and against environmental degradation.



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The Impact of the grassroots activism in India has been that of democratic deepening.

As Yogendra Yadav refers to this phenomena as disillusionment with the institutionalised politics in India. The socio-economically vulnerable people in India have been able to ascertain and speak for themselves in the form of grassroots movement either through Gram Sabhas, protests, sit-ins, bhavats etc.

Grassroot movements are the local movements which have rapidly increased in the post 1991 era and in the long run have empowered the masses.



Que.8

Federalism in India is under strain on several fronts- Constitutional, economic, political and electoral. Comment. (200 words, 15 Marks)

The Indian Constitution establishes a federal government which has faced several challenges which has even led K.C. Wheare to refer to India as a Quasi federal country.

There are several reasons for the same :-

- a) Constitutionally, there is a bias towards the Centre. 7th schedule which consists of 97 Central and 66 state subjects gives more power to centre. Apart from this Residuary power also is in the hands of Centre.
- b) Economically, there is imbalance in the revenue of centre and states. To deal with the



horizontal and ~~horizontal~~ ^{vertical} imbalances
Finance Commission (Article 280)
was formed. But, it too is biased
towards the Centre. Recently,
there has been controversy for
extension of GST Compensation
cess and sharing of cess and
surcharge

c) Politically, the misuse of
the Office of Governor to
impose President's rule and
declaring State Emergency
in case of disobedience have
emerged as grave challenges:
Growing, Inter state water
disputes and dysfunctional
inter state council is also
a challenge.

d) Electorally, because of
power tussle between parties,
there is horse trading which

leads to corruption, political
Instability and other issues.

Apart from this there are other
issues on functioning of
Rajya Sabha, role of All India
Services and others

Though there are several issues,
yet Indian federalism is based
on co-operation. As Granville
Austin has ascertained Indian
federalism is sui generis in
nature and has several
methods for resolution including
Article 131 - Original Jurisdiction
of Supreme Court, Article 262
Inter state Council, GST Council
and other party platforms.



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Space for Rough Work

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