



SHUBHRA RANJAN

Always Ahead

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PSIR Answer Writing Module 2023

Test 8

Time Allowed: 1 Hour 30 Minutes

Max Marks: 120

Name: VISHWAJEET GUPTA

Test Submission Date: 30-01-2023

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:	

For any issue related to PSIR Test Series, write only at testseries@shubhrranjan.com



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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)

The position of President in a parliamentary setup is to ensure continuity in administration and an impartial head of State.

The role of President as envisaged in Art. 78 of Constitution is to represent the nation : 'The First Person'. All executive decisions and international treaties are signed in the name of President. President is, however, supposed to act on aid ~~or~~ and advice of Prime Minister.

Apart from the ceremonial role, President also enjoys certain degree of



'discretion' in inviting the leader of largest party (electorally) to form government.

The Ordinances are also passed by the Presidential order.

Moreover, President is regarded as the 'supreme commander' of all forces.

It has been observed in day-to-day functioning that President's role and involvement has often been active.

The use of 'Pocket Veto' by Zail Singh, Populist nature of A.P.J. Abdul Kalam, etc. Active political interventions such as by K.R. Narayanan is not considered healthy in a democratic setup. It causes confusion about the centre of power i.e., President or Prime Minister.



On the basis of the nature of institution
Supreme Court in Ram Jawaya vs
State of Punjab (1995) held that the
institution is ceremonial. Presidential
activism is not appreciated in a
parliamentary political system.

Nonetheless, the occasional intervention
by the President has served the
interest of people against executive
excesses. Eg., Post Office Amendment Bill

It would not be appropriate to call
the institution as mere rubber-stamp.
President should use powers if there
~~cost~~ is violation of Constitution.



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)

Parliament is the central tenet in Indian political setup. The institution has been in decline due to inactive populace and changing social-economic realities. Political parties have also played their role.

Various reasons have been observed :

- a) Loss of legislative time due to walkouts, protests, etc.
- b) Lack of legislative skills in coming Parliamentarians.
- c) Insufficient debates due to lesser working hours / sitting days.

Eg- Both houses are not sitting for even 120 days in a year.



- d) The ~~winner~~ ability to win elections by a candidate is preferred over his/her qualifications.
- e) Further, the tenure of 'Committees' is one year only. It takes more than that to actively contribute to Parliamentary Committees.
- f) Even Committees do not witness adequate participation.
- g) Absenteeism in Parliament as well as Committees.

According to PRS Legislative Research, more than 15% of time is lost due to protests. The total sitting days have witnessed gradual & continuous decline.



Parliament has a very significant role in the working of political democracy. It acts as a check on governmental excesses and regulator of public purse. The Opposition also holds the government responsible for its actions.

Therefore, it is high time to raise the efficiency ~~and~~ of Parliament in Azadi Amrit Kaal (2022-2047). The nation should be proud of the organs of government. The goals of makers of Constitution can only be achieved by a vibrant and functioning Parliament.



Que.3

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

Indian judiciary was envisioned to play an active role by Nehru. The institution has been true to the standards when considering its contribution in upliftment of downtrodden and depressed classes.

After independence, judiciary remained under shadow of executive but soon asserted itself as an independent participant in achieving social democracy.

Some prominent contributions include

Right to Information (RTI),

Public Interest Legislation (PIL),

Right to Livelihood as extended form of Right to life, Rights to

Privacy, Verdicts on Homosexuality (Sec 377),
etc.



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Over time judiciary has also upheld the sanctity of local level governments, ensuring regular elections, timely results & smooth functioning.

Issues of women and dalits have been adequately addressed by the judiciary through verdicts in *Sayara Bano* judgement, etc.

Environmental issues have been addressed by judiciary asking executive to implement measures to curb pollution.

In Olga Tellis case, Supreme Court upheld the rights of hawkers and street vendors.



Therefore, judiciary has ~~been~~^{shown} an active involvement in the silent revolution.

Prataf Bhanu Mehta however argued that judiciary is a self-perpetuating and politicised institution. It asserts itself when other organs are weak / less powerful.

Upendra Bakshi considers such ~~as~~ a criticism rather harsh. He highlighted the impartial and progressive nature of judicial verdicts.

Hence, judiciary has been an upholder of Constitutionalism and implemented 'rule of law' substantively -



Que.4

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

The Prime Minister has been referred to as 'primus inter pares' (first among equals). PM acts as the head of government and is the most powerful institution in political setup.

It is to be noted here that the institution though central to the polity, is not always all-powerful. § The varying power dynamics in Lok Sabha has a direct effect on the position.

A strong majority is favourable but a coalition government exerts its pressure on the PM. A coalition government was observed during 1989-2014 in India.



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The Prime Minister has to always consult the alliance members before taking any decision. Any strong decision has to be passed with consensus which is hard to achieve in coalition.

Coalition members reflect their sectional interests based on region, ideology, language, etc. An ~~over~~ all-encompassing consensus is a hard bargain.

Evidently, the push & pull of coalition politics usurps powers of the PM.

Eg., UPA government could not sign Nuclear deal without support of Samajwadi Party because 'Left' pulled their support.



Scholars like Rajni Kothari & Yogendra Yadav have praised coalition politics because there is a vast opportunity for localised power centres to exert their influence.

Whereas, others have argued that the strong character of institution of PM should not be compromised. It is the only way to go ~~ad~~ ahead with taking & implementing tough decisions.

The position of PM has been swaying ever since adoption of Constitution.

An occasional aberration of coalition politics is also necessary for 'democratic upsurges'. (Yogendra Yadav)



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 Collegium system evolved through a series of Supreme Court verdicts. The system does not find mention in original Constitution has been the ground of vehement criticism.

The proponents of the Collegium System argue that it is necessary for the independence of judiciary. Supreme Court judges have expressed open criticism to executive's involvement in appointment of judges. This has been argued because there is a threat of political colouring of judges in higher judiciary.



Opponents, however, pointed out that there is no country in democratic world where judges choose judges. In United States, the only organ not involved in appointment of judges is judiciary. Ambedkar also stated in Constituent Assembly debates that there can be no 'imperio among imperials'.

Further, the NJAC Act ~~which~~ was passed by the legislature with overwhelming support, even by state legislatures. It was struck down by Supreme Court going against the will of elected representatives.

Some have also criticised ^{this} judicial procedure as 'tyranny of unelected'.



Scholars like Pratap Bhanu Mehta have argued for transparency and accountability in judicial processes.

Whereas Upendra Bakshi has defended judiciary as a progressive institution.

The debate has valid grounds but to force the judiciary maybe detrimental to judicial delivery system. A consensus should be evolved regarding the procedure of appointments of judges. A committee comprising representation from judiciary as well as legislature would be a welcome step in ~~ensu~~ eradicating opaqueness.



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 and 74th amendment acts aims to fulfil the aspirations of Gandhiji.

A decentralised governance structure can go a long way in ensuring last-mile delivery of services (Antyodaya).

The amendments establish Panchayati Raj and Urban Local Bodies as third tier of government in the country.

The powers however remain to be devolved by state governments.

Constitutional amendments have formed the 'skeleton' wherein powers and authority are to be passed on by respective state governments.



The problems of funds, functions and functionaries (3F) are prevalent in all states.

Though the institutions of State Finance Commission and State Election Commission are formed, effective implementation of their mandates has been questionable.

Reservation has been provided to women under Article 243D. Third of total representatives are women but the quality of their participation is to be improved.

The revenue sources have also been limited due to GST, ineffective collection and corruption.



These initiatives have to come riddled with problems. It is essential to make these institutions work on 'Subsidiarity principle' (2nd ARC).

Mani Shankar Jais Committee has also pointed out that "bad Panchayati Raj is worse than no Panchayati Raj".

The formation of parallel authorities and Special Purpose Vehicles also rob the authority of third tier.

Hence, it becomes essential to reform the local level government, ensure their efficient functioning to ~~realise~~ leverage the true potential of people's participation.



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 movements are defined as the raising voice of local leaders about local issues being ineffectively raised by institutional methods.

It is a radical method to call for attention.

The root causes of grassroot movements have been under-development, corruption, inefficient service delivery mechanisms and unfair / inadequate local participation.

Scholars like Gautam Navlakha have argued that activist's voices are being oppressed. National Crime Records Bureau and Central Govt's reports tabled in Parliament show a reduction in violent movements.



Impact of such grassroots activism has been ~~the~~ witnessed since the adoption of Constitution. Inadequate concern about rural & urban poor reflected in socialist movements across Ganga plains.

Underdevelopment concerns led to use of violence in Naxalite movement.

The impact has been in rise of local leaders, global attention to issues, media coverage, judicial pronouncements and Government's attempts to address the problems.

Therefore, such grassroots movements have become the last resort by masses to express their concern.



However, such an expression against state is not considered healthy by ~~mean~~ norms of democracy.

There stands a high risk of external involvement and hijacking of issue.

It is better to raise concerns through institutional methods such as

local level government, peaceful protests and holding local representative accountable.

Thus, it can be concluded that the involvement of populace in such movements reflect dissatisfaction which needs to be addressed more responsibly.



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Que.8

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

Indian model of 'holding together' federalism comes with its own set of challenges. A constitutional framework to deal with such challenges has been very helpful.

Intrinsic to the Constitution ^{are} ~~is~~ the federal features ~~of~~ with a unitary bias.

The Union has overriding powers over states under Article ~~25~~ 356, 365.

Further, India is considered an indestructible union of destructible states.

The economic aspect in case of tax collection (GST), power to raise funds from ~~f~~ market also show an imbalance. Finance Commission is regarded as biased as well.



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States are not allowed to borrow from market in case of pending dues to Union. Moreover, the taxes available for collection by states are low yielding and rigid.

The political setup also highlights power of Union over states. Governor has become an agent of Union. The voices of states are not adequately represented in Rajya Sabha.

Electorally, the power of Election Commission of India affect both states as well as Centre. However, states have no say in ^{selection} ~~elections~~ of Election Commissioners.



The existing water disputes, territorial disputes, implementation of GST, imposition of lockdown during COVID 19 have also become flashpoints.

However, it is to be noted that every model of ~~federal~~ federation is sui generis.
(Granville Austin)

It would be more appreciated if states are regularly consulted in matters affecting them.

Anirudh Burman in his book "How COVID 19 affected Indian federalism" argued that contemporary events have tilted the balance of powers in favour of Centre.

A consensual, collaborative approach seems to be the way forward.



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Space for Rough Work

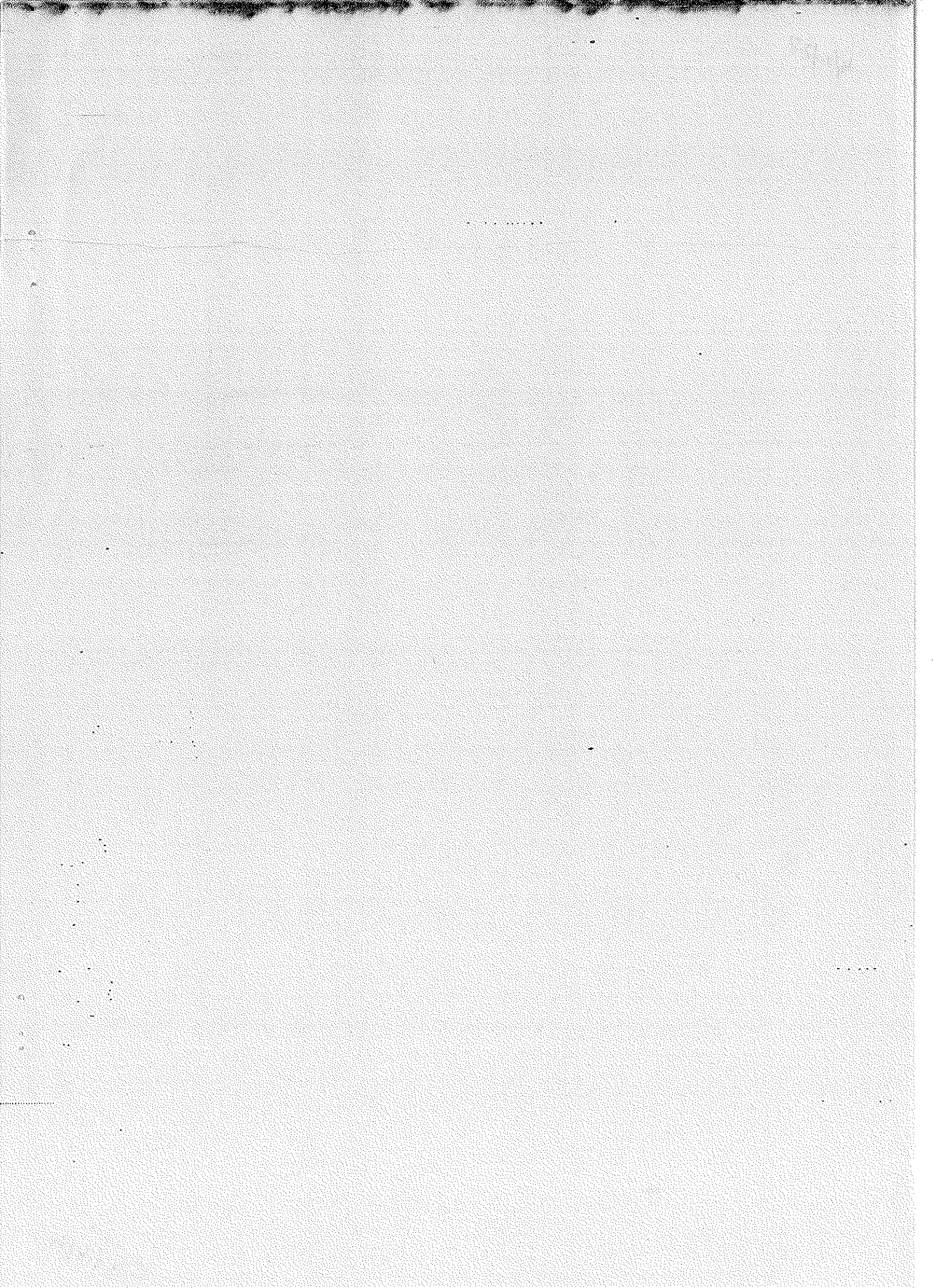


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