

Q1 Why are compassion and empathy core foundational values required from a civil servant? Explain with some examples. (10)

Q2 Gandhiji's thoughts and philosophy had elements of both idealism and pragmatism. Do you agree? Elucidate.

Q3 Conscience is the dog that can't bite, but never stops barking'. Elucidate the statement with relevant examples.

Q4 A major deterrent in ensuring social contract in India had been the dismal performance of quality of public service delivery. Do you concur with the statement? Elucidate.

How can this issue be resolved?

Q5 Are Chanakya's views on Governance still relevant today? Examine.

Q6 You are an official in the Ministry of Women and Child Development. Personally also, the issue of child rights is very close to you. Earlier also, you had been involved in many awareness campaigns about child rights. You recently returned from an official international trip. On return, you found that your wife had employed a 15 year old girl child as a domestic helper. You opposed this, but to your surprise, your mother also opposed you. They said that the girl is an orphan and they are in fact helping her by giving her a good life. Despite all the arguments, you are not convinced. You try to convince them, but to no avail. One of your female colleagues visited your house and was shocked to see this. She asks you to do something about it or as a last resort she might have to file a legal complaint.

(a) Analyse the Ethical issues in the case study from the perspective of different stakeholders.

(b) What options do you have? What are their merits and demerits? What final action would you take?

Q7 You have recently been appointed as the Deputy Jail Superintendent in your district's jail. Before your appointment you had heard that the Jail administration gives luxurious facilities, including many illegal things, to one of the prisoners. The prisoner happens to be an influential businessman who is running various illegal businesses from the prison itself. After the appointment, in a few days, you have verified this information as true. You complain about the same to your senior. However, his response shows that he is aware of the mishappenings. He even advises you to stay away from this matter by citing the threat to life. Indirectly, he hints that if you collude in this wrongdoing, you'll get big money. You have a family to feed. What course of action will you take in this scenario? Justify it. (20)

Ans. 1

India and US are the democracies, one being the most popular and other being the oldest respectively.

However, both constitutional systems differ in various respects.

Indian Constitutional system	US constitutional system
① It follows <u>Parliamentary</u> system of government.	① It follows <u>presidential</u> system of government.
② The separation of power is not concrete rather blurred.	② There exists <u>strict separation</u> of power between the three bodies i.e. executive, legislative and judiciary.
③ Prime Minister is the head of the government and President is the head of the state.	③ <u>President</u> is the head of the state as well as government.

④ The executive / council of ministers are taken out from the Parliament i.e. legislative only.

④ The President selects his council of ministers from various fields, not necessarily the Parliament only.

⑤ Indian states do not have secessionist powers

⑤ US states enjoy the complete autonomy.

Despite being different, the systems are similar on many grounds like:-

-) similar election of President.
-) judiciary has the power of judicial review and judicial activism.
-) Presence of upper house and lower house i.e. bicameral legislature.

Hence, both the democracies function according to their own requirements as per the conditions prevailing in their respective countries.

Ans-2

The covid-19 Pandemic has had a far-reaching consequences in every arena especially the financial health of the country.

Despite facing huge financial stress, during these days, India did not implement financial emergency.

Possible because of various reasons

1) Strong ~~financial~~ Balance of Payment during covid-19.

India had approx 13 months of Forex reserves.

2) RBI's timely interventions so as to maintain monetary policy like maintenance of repo rates, reverse repo rates, etc.

3) Good amount of contingency fund which could be used as a emergency times

4) Fiscal deficits and revenue deficits were not much distorted.

5) Assurance of Fiscal federalism by 15th finance commission.

Facts of Financial Emergency

- 1) Article 360 gives the President the power to implement financial emergency whenever he feels that the financial condition of a country is under threat.
- 2) Once proclaimed, it has to be passed by both the houses within 2 months by simple majority.
- 3) India has ~~never~~ proclaimed financial emergency though 1991 conditions were very close to declaration.
- 4) During the course of financial emergency, Parliament can cut short the salaries, ask the Governor to reserve all money bills for President's consent, salaries of judges can be reduced.

Financial emergency is a strong step which should be proclaimed only after adopting the rest of the alternatives

Ans 3

The recent debate on the implementation of "One Nation, One election" has once again highlighted the need of simultaneous elections and its fallouts.

India to implement simultaneous election:

- 1) It is a measure to unify the country once again on the lines of elections.
- 2) It's not a new practice as till 1967, the central and the state elections used to be held simultaneously.
- 3) It can save a lot of time as it will happen around the same day.
- 4) Can reduce the wastage of resources.
- 5) Can actually reduce the election expenditure that occurs in polls.

[India should not implement] :-

However, there have been views against the one nation; one election :-

- 1) chances of voting on Parochial matters.
- 2) Nationalist issue can be lost in the regional issue. Voters might not distinguish between what a nation and state issues are.
- 3) It can favour the political party which is popular and in power

Though there are challenges for the implementation of the simultaneous election, however it's a progressive step. The ECI can make necessary improvements and modifications in order to avoid the disadvantages.

Ans. 4

India, being a parliamentary system have faced crisis / criticisms from different scholars, politicians, to make a paradigm shift towards presidential system.

Parliamentary system in India is taken from the ~~1st~~ British constitution. However, recently, even Shashi Tharoor made a comment that India should make a transition to presidential system.

Reasons for this debate :-

- 1) Parliamentary system of India is less stable, whereas Presidential system is considered to be more stable.
- 2) The decreasing accountability of the government towards their actions.

3) The increasing trends of horse trading despite the constitutional provisions for Anti-defection law.
One such example - The Maharashtra Government.

4) The delays in decision-making and the skipping of sessions
eg: Recent monsoon session.

5) Despite following Parliamentary system, the deliberations, discussions, scrutiny of bills is not taking place.
eg: farm bills passed without referring to standing committee.

Constraints in this transition :-

① Colonial hangover/legacy

following British system of Parliamentary form from colonial times.

2) ~~Not a reg~~ Independence of judiciary makes sure that blurring of separation of Power don't occur.

3) The Constitution itself guarantees the stable, accountable form of Parliamentary democracy.

4) Importance of Prime Minister as a leader in people's minds.

So, shifting from a pge-old Parliamentary system to Presidential system is not a justified step as of now.

There should be reforms like :-

o) 15 point reform programme.

o) Strong Anti-defection law.

o) Maintaining Political stability

o) Strengthened Separation of Power.

Above way forwards can actually help in strengthening our own Parliamentary form of government

Ans 5

"Separation of Power" as a principle was put forward by Montesquieu in the 18th century so as to ensure stable political system.

Indian polity is a parliamentary form of government which is different from the strict 'separation of power' and 'checks and balances' of Presidential system.

India has been able to ensure:-

- 1) The legislatures are the main law-making body and they are the ones making laws of the country. eg: Arbitration and Conciliation Act 2021
- 2) It makes sure that the executive is responsible to the Parliament. eg:
There have been times the Lok Sabha has been dissolved following no-confidence motion.

3) The judiciary ensures checks and balances by debering the constititionality of the laws
Eg: 99th Ameridmit Act of NSAAC was stuck down because of being unconstititonal.

4) 'Separation of Powers' are maintained through the executives doing their goverance functions.

Eg: focus on budget making by the Execulines.

5) Parliament ensure checks and balances over judiciary by passing ^{removal} ~~perfect~~ motions against judges.

However there have been concerns over blurring 'separation of powers' principle! —

1) Excessive delegated legislation to the executive —

2) Judicial overreach in the matters of legislature like staying of Farm laws by Supreme Court

3) Frequent Passages of ordinances by the President so as to curb legislative functions.

4) Delays in sessions of parliaments and then passing laws without Parliamentary scrutiny

All these are leading to the issues of not strictly following separation of powers.

1) Judiciary should ensure checks and balances by judicial review and not by judicial overreach.

2) The ordinances frequency should be reduced to bare minimum

3) legislatures should not enter every law-making power is exclusive

Hence, 'Separation of Power' and 'checks and balances' are necessary principles which should be followed.