

# VAJIRAM & RAVI

SURESHOT MAINS TEST SERIES 2025

## GENERAL STUDIES Subjective Assessment Test - 3 (Polity - 3)

Time allowed: 90 minutes

Maximum Marks: 125

ADMIN. NO.: 1 6 0 0 0 0 8 3

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SUBMISSION DATE: 31 / 07 / 2024

UPSE CSE 2025

AIR - 952

### QUESTION PAPER SPECIFIC INSTRUCTIONS

**Please read each of the following instructions carefully before attempting questions:**

There are **TEN** questions printed in **ENGLISH**. All the questions are compulsory.

The number of marks carried by a question/ part is indicated against it. Word limit in questions, wherever specified, should be adhered to. Any page or portion of the page left blank in the Question-cum-Answer Booklet must be clearly struck off.

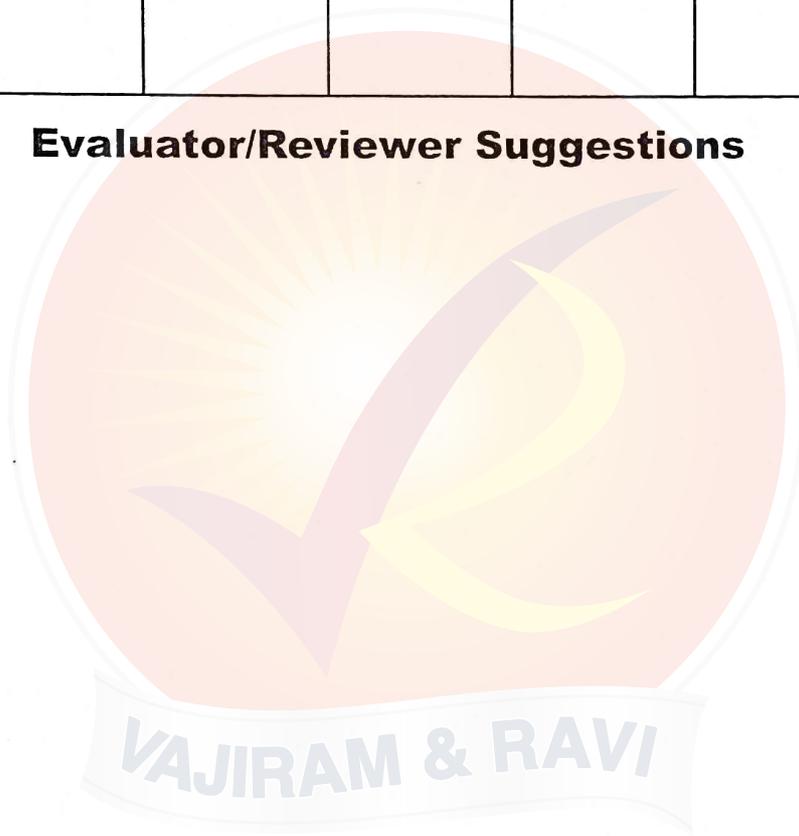
Q No.	Marks	Q No.	Marks
Q1	/10	Q6	/15
Q2	/10	Q7	/15
Q3	/10	Q8	/15
Q4	/10	Q9	/15
Q5	/10	Q10	/15
Total		/125	

### Follow these steps to avail the facility of mentoring –

1. Go through the soft copy of your evaluated answer sheet and analyse all the comments and suggestions given.
2. Call 9717565805 between 11:00 am to 5:00 pm to fix your mentoring slot.
3. Please follow the mentoring appointment timings properly.

Parameters	Excellent	Very Good	Good	Average	Poor	Very Poor
Language and Articulation						
Structure and Presentation						
Conceptual clarity and Content						
Number of Attempted questions						

### Evaluator/Reviewer Suggestions





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(Answer questions in NOT MORE than the word limit specified for each in the parenthesis. Content of the answer is more important than its length.)

1. Discuss the role of the Election Commission of India (ECI) as an autonomous constitutional authority responsible to conduct free and fair elections in India.

(10 marks, 150 words)

Article 324 provides for an autonomous constitutional Election Commission of India (ECI) responsible for the superintendence, direction and control of free and fair elections in our country.

Role of ECI in the conduct of free and fair elections —

- Court for party recognition, settling disputes and allotting parties the election symbols
- Advises the President and Governor regarding disqualification of MPs and MP MLAs.
- Administrative role —
  - \* determining electoral constituencies according to the Delimitation Commission Act.
  - \* revising the electoral roll
  - \* establishing the model code of conduct (MCC) to be observed by all candidates.

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The ECI also faces challenges in conducting free and fair elections -

- Electoral malpractices which include vote-buying, booth capturing, rigging, etc
- Implementing MCC - In April 2024, 200 complaints received on code violations.
- ECI lacks financial autonomy - it is noted by the Parliament.

## Way Forward

- Law Commission Report - equal protection to all members of ECI in the constitution and an independent Secretariat to be created for ECI.
- Rigorous enforcement of MCC
- Innovation in the voting system for greater transparency.

A robust and autonomous ECI is the fundamental requirement for every vote to be counted and every voice to be heard ensuring a vibrant democracy.

Students should not write anything inside the box

Introduction	Suggestions:
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Presentation	
Marks:	

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2. 'Indian Constitution has adequate provisions to ensure independence and autonomy for the office of Comptroller and Auditor General of India.' Comment. (10 marks, 150 words)

The Comptroller and Auditor General (CAG) is the guardian of the public purse. The head of the Indian Audit and Accounts Department, CAG is an independent office (Art 148)

Constitutional provisions ensuring autonomy of CAG -

- Term of Office of CAG is 6 years or up to age of 65, provided in Art 148 and CAG Act 1971, thus there is security of tenure.
- Expenditure (salaries, allowances, pensions) are charged on the Consolidated Fund of India.
- CAG is not eligible for further office under Central or State Government.
- CAG can be removed only in the manner similar to the Supreme Court judges.

Areas where more independence is required regarding CAG -

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- Appointment process - appointed by President which can signify lack of transparency.
- The CAG's scope of audit is limited.  
In UK - CAG acts as comptroller and auditor, whereas in India - only as auditor.
- Removal terms of proven misbehaviour and incapacity are not clear.

What can be done to increase autonomy of CAG?

- CAG's audit rights can be expanded to include PPPs and government corporations outside its current ambit, eg. NGOs and DRDA
- Regarding appointment, Former CAG Vinod Rai's collegium system idea can be examined.

In order to achieve the goal of a Viksit Bharat, the autonomy of CAG is of great importance for a robust and transparent financial system.

Students should not write anything inside the box

Introduction	Suggestions:
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3. 'The National Council for Transgender Persons (NCTP) plays an important role in safeguarding and promoting the rights of the transgender community.' Analyse.

(10 marks, 150 words)

NCTP is a statutory body under the 2019 Transgender Persons Act. It safeguards the rights of the transgender community.

Functions of  
NCTP

formulation of policies and programmes regarding transgender.

monitor the implementation of the policies and programmes

coordinate the activity of all departments regarding the transgender matters.

address the grievances of transgender persons.

The role played by NCTP in safeguarding transgender rights -

- provides representation to transgender persons. Eg. Laxmi Narayan Tripathi
- policy development advises on policies for greater empowerment of transgenders, including 'Third Gender' in job applications.
- creates awareness, to reduce discrimination while simultaneously advocating for transgender rights.
- NCTP played a crucial role in the Transgender Persons Act, 2019, ensuring legal recognition to transgenders.

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NCTP also has certain limitations -

- cannot issue transgender certificates (done by DM)
- only advisory role
- inadequate representation to transgender (only 5 transgender members in NCTP)

Way Forward -

- NCTP should be given more autonomy and decision-making capabilities.
- the representation of transgenders should be enhanced. (from diverse socio-economic backgrounds)
- A greater and stronger legal framework.

As mentioned in our Fundamental Rights, every person, irrespective of their gender identity, can aspire to lead a life of dignity. NCTP can help achieve this goal making India a true Vishwa Guru.

Students should not write anything inside the box

Introduction	Suggestions:
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4. 'Zonal councils play a significant role in promoting harmonious relations among Indian states.' Discuss. (10 marks, 150 words)

Zonal Councils (ZC) are Statutory bodies established under the State Reorganisation Act 1956. Advisory forum for promoting interstate cooperation with the Union.



Role of Zonal Councils in promoting harmonious relations among Indian states —

- promoting unity and integration with a region. Eg. North Eastern ZC - cultural exchange among northeastern states.
- interstate cooperation on conflicting issues.  
31st Northern ZC in Amritsar addressed water related and Chandigarh claim issues.
- dispute resolution and policy coordination.
- addressing regional security issues.  
NE ZC in insurgency issues.
- Reduce regionalistic tendencies - promote exchange of ideas, socio-economic development - enhancing Team India spirit.

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Still the ZCs face certain challenges —

- Limited enforcement powers — only advisory in nature.
- Limited budget — Resource constraints impact the functioning adversely.
- political rivalries between states — leaving issues unresolved.
- Limited participation — limited meetings.

Suggestion for effective functioning of ZCs —

- Sarkaria Commission — empowerment recommendation.
- Punchhi Commission suggested meeting twice a year — enhancing participation.
- Resource allocation — creating a permanent dedicated fund for ZCs.

In order for effective cooperative federalism with ZCs — Coordination, Cooperation and Consultation — it is inevitable for the Zonal Councils to function efficiently.

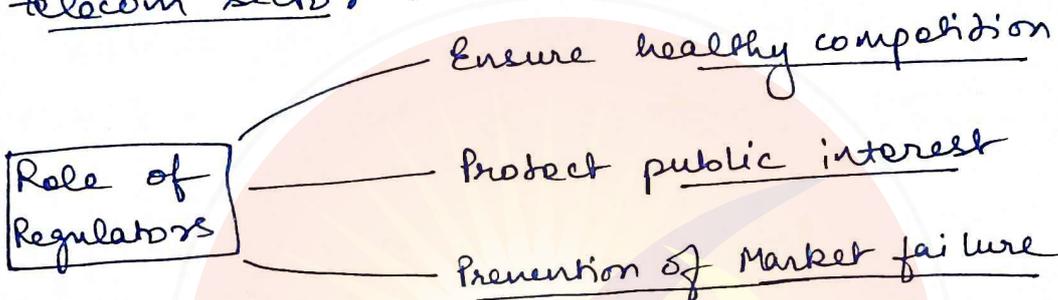
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5. 'Overlapping jurisdictions of regulatory bodies creates duplication and confusion.'  
Examine the statement with reference to SEBI and Competition Commission of India. (10 marks, 150 words)

Regulatory bodies are independent institutions which maintain a desired standard in a specific sector. Example - TRAI - telecom sector.



Overlapping jurisdiction of regulatory bodies creates duplication and confusion as -

- cost of compliances are duplicated.
- creates confusion and increases legal complexities.

[Jet Airways - Etihad deal was obstructed due to difference in views of CCI and SEBI].

- creates delays which increase the cost of doing business.
- affects ease of doing business and business plans.

[Failure of merger - Reliance Communications and Airtel].

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Areas of overlapping jurisdiction of SEBI and CCI -

- insider trading issue .
- merger and acquisition of business units.  
(CCI has wider jurisdiction)
- predatory pricing and market dominance lead to abuse instead of healthy competition

Measures needed for an efficient regulatory environment -

- Memorandum of Understanding for a clear understanding of mutual responsibility
- Legislative action to clarify legal mandate in SEBI Act 1992 and Competition Act 2002.  
(amendments needed)
- Joint task force for greater collaborations.

A clear regulatory framework is essential for a streamlined regulation which will foster economic growth and strengthen Indian economy .

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6. What are the provisions of the Representation of the People Act, 1951, related to disqualification of candidates? Analyse their impacts on decriminalisation of politics in India. (15 marks, 250 words)

The Representation of the People Act 1951 (RPA) governs the conduct of elections and qualification and disqualification of candidates. In 2023 Rahul Gandhi was disqualified in a defamation case.

Key provisions related to disqualification of candidates under RPA 1951 -

- Section 8 - promoting enmity between groups, hoarding, adulteration, dowry, etc.
- Section 8A(1) - corrupt practices during election.
- Section 9(1) - government servant dismissed due to corruption or disloyalty.
- Section 9(A) - certain contract with the government.
- Section 10 - holding offices under a government company.
- Section 10(A) - if candidate fails to lodge the account of his election expenses within time limit (violation of section 77(1) RPA)

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Impact of RPA 1951 on decriminalization of Politics -

- promotes accountability by acting as a deterrent - disqualifying candidates with criminal convictions.

Eg. Tamil Nadu former CM Jayalalitha disqualified in disproportionate asset case in 2014.

- increase public awareness regarding criminal record of candidates.
- legal framework for holding individuals accountable for criminal activities.
- helps in promoting clean and ethical politics.

Challenges associated with RPA 1951 on decriminalization of politics -

- low awareness among voters.
- delay in disposal of cases - abuse of legal procedures like appeals.
- inadequate inner party democracy money power of candidates with criminal background comes to the forefront.

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Recommendations to enhance effectiveness of RPA 1951 in decriminalizing politics in India -

- 2nd ARC report - Right to correct information on candidates.
- Empower and educate citizens about their voting rights - SVEEP Program.
- Supreme Court 2017 order for establishing fast-track pending cases special courts related to elected representatives.
- Enhanced role of media and civil society organisations in monitoring and reporting criminal backgrounds of candidates.

A collaborative approach involving the various stakeholders (citizens, civil society and government) is essential to ensure free and fair elections for a robust democracy.

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Introduction	Suggestions:
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7. 'National Human Rights Commission in India ensures social justice for the marginalized and vulnerable sections of society, yet it remains a toothless tiger.'  
Explain. (15 marks, 250 words)

The National Human Rights Commission (NHRC) in India was established under the Protection of Human Rights Act 1993 in conformity with the Paris Principles 1991.

Role of NHRC in ensuring social justice for the marginalized and vulnerable sections of society -

- Investigation and Redressal - NHRC played a huge role in justice to victims of custodial deaths. (DK Basu case)
- Awareness and Advocacy - The 'Know Your Rights' Campaign - educating vulnerable communities about their rights.
- Intervention in Atrocities - In the 2018 Bhima Koregaon violence, ensuring accountability of law enforcers.
- In areas of insurgency and terrorism protecting human rights. (NHRC recommended to pay ₹5 lakh to the victim's kin in Manipur violence 2009).

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NHRC faces certain challenges and thus, remains a toothless tiger —

- Limited enforcement powers — lacks the power to penalise human right offenders as its recommendations are not binding.

- political interference affects its efficacy

UN-linked GANHRI deferred the accreditation of NHRC second year in a row.

- heavy backlog of cases with limited jurisdiction over certain cases.

NHRC cannot investigate cases older than one year and also cases pertaining to service matters.

- limited resources and staff.

Suggestions / Recommendations to improve efficacy of NHRC —

- Recommendations of Commonwealth Human Rights Initiative (CHRI) —

- \* making NHRC decisions enforceable with clear and well-defined powers.

- \* include armed forces in its ambit.

- \* include civil society human rights activists as members (done in amendment Act 2019)

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- Increase budgetary allocations.
- Time bound investigation and disposal of cases.

NHRC works on agenda of promoting human rights and peace as also outlined in UN Universal declaration of Human Rights. Addressing challenges and implementing reforms will increase the efficiency of NHRC in protecting human rights in India.

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Introduction	Suggestions:
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8. The Goods and Services Tax (GST) was introduced as a major indirect tax reform in India. What are the key functions of the GST Council? Also highlight the issues in its functioning and suggest reformative measures. (15 marks, 250 words)

Goods and Services Tax (GST) is a destination based tax, introduced in 2017 for streamlining the indirect tax regime and create One nation, One Tax and One Market in India.

Art 279 A(1) provides for a GST Council, constituted by the President for smooth implementation of GST.

Key Functions of GST Council -

- Goods and services classification -  
5 slabs of GST - 0%, 5%, 12%, 18%, 28%
- Turnover threshold for supplier services fixed at ₹ 20 lakh.
- Emergency provisions - During Covid 19 rationalisation of duty on medical supplies.
- Levy of GST on petroleum products to be notified by GST Council  
Art 279 A(5).

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## Issues in the functioning of GST Council -

- Disproportionate voting power as highlighted by Tamil Nadu finance minister - where Goa has equal say despite huge population difference.
- Acrimonious meetings which lead to mistrust between Centre and States (West Bengal Finance Minister).
- Excessive delegations which lead to delays as expressed by Punjab Finance Minister.
- Constitutional Ambiguities - recommendations of GST Council are not binding on the States as observed by Supreme Court. (Mohit Minerals Case) - can lead to constitutional crisis.

## Reformative measures for GST Council -

- Proportional representation with a weighted voting system.
- Enhanced communication, open dialogues for trust-building between Union and States.

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- Constitutional amendment to make ~~the~~ <sup>Council</sup> decisions binding on States for better clarity.
- Setting up of a dispute resolution mechanism.

For the GST Council to evolve into a robust institution, continuous dialogue and collaboration is required which will in turn promote cooperative federalism in India.

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Introduction	Suggestions:
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9. Elaborate on the significance of the Model Code of Conduct (MCC) during elections. Also, analyze the feasibility of providing statutory status to MCC.

(15 marks, 250 words)

Model Code of Conduct (MCC) is the set of guidelines framed up by the ECI in 1979, for the conduct of candidates and parties during elections.

Significance of MCC -

- ensures fair campaign practices - ministers cannot combine their official visits with electioneering works.
- prevent spread of hate speech and communal tensions.
- Ministers cannot use derogatory speeches against opponents - more focus on issues rather than personal attacks.
- curb bribery and corrupt practices, and provide a level playing field to all.
- Neutrality of government officials by a ban on transfers.

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## Feasibility of providing statutory status to MCC -

### Merits

- Statutory status would make MCC legally enforceable.
- allow stronger punitive measures in case of violations of MCC.
- standardising electoral conduct rules - making MCC uniformly applicable.
- deterrent effect - promoting fair electoral practices.
- increase public trust in elections.

### Demerits

- Statutory status risks legal overreach - infringing autonomy of political parties.
- limit ECI flexibility to adapt to changing electoral dynamics.
- logistic challenges - legal framework for statutory status can be resource-intensive.
- poorly crafted legislation can be exploited for political advantages.

### Suggestion -

- 2013, Standing Committee Personnel, Public Grievance, Law and Justice - recommended making MCC legally binding to address its limitations.

Write  
the  
part)

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anything in  
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The effective implementation of Model Code of Conduct is essential for fair and impartial elections which is the framework of a vibrant and robust democracy.



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Introduction	Suggestions:
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10. 'The National Commission for Backward Classes (NCBC) was formed to uphold equity in development opportunities for the backward classes.' Discuss. Also, explain how constitutional recognition further expands its role.

(15 marks, 250 words)

The Statutory NCBC was created under the National Commission for Backward Classes Act, 1993. Currently, NCBC has been made a Constitutional body under Art 338(B). [102nd CAA, 2018]

NCBC upholds the equity in development opportunities for Backward classes by -

- Identification of backward classes - providing assistance for development.
- Investigation of living conditions of socially and educationally backward classes (SEBCs).
- Monitor the implementation of various welfare schemes for SEBCs.
- Power of a civil court in SEBCs matters.
- Advisory role under Art. 338 (B) - provide advices to Union and State governments regarding SEBC matters.
- Recommends measures to provide safeguards for SEBCs in reports to President.

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(Don't write anything in this part)

Limited role of NCBC as a statutory body earlier -

- could not recommend the creamy layer limit.
- could not investigate any grievances of OBCs.

important role in recommendation to include or exclude in the central OBC list

Expanded role after Constitutional Status-

- Now recommendations of NCBC have greater impact.
- At par with other commissions like National Commission for Scheduled Castes and Scheduled Tribes.
- enhanced role in influencing policies for welfare of the backward classes.
- Safeguard against any possible encroachment.

Despite greater powers, NCBC has certain limitations -

- limited resources - budget and human resource
- advice and recommendations not binding on the executive.

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- limited role in defining socio-economic backwardness.

In order to promote the true social justice as enshrined in the preamble, the recommendations of NCBC's need to be implemented to enhance the quality of life of backward classes.  
This will lead to 'Sabka Saath, Sabka Vikas'

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Introduction	Suggestions:
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