

## Indian Polity



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## TNPSC GROUP 1 MAINS - 2023- REVISION INDIAN POLITY

### Section - A

விரிவாக விடையளிக்கும் வினாவகை

**Detailed answer type question**

ஒவ்வொன்றிற்கும் 150 சொற்களுக்கு மிகாமல் விடையளிக்கவும்

**Answer not exceeding 150 words each**

ஒவ்வொரு வினாவிற்கும் 10 மதிப்பெண்கள்

**Each Question carries 10 marks**

**Answer any 10 questions out of 13 questions.**

கொடுக்கப்பட்டுள்ள 13 வினாக்களில் எவையேனும் 10 வினாக்களுக்கு விடையளிக்கவும்

1. **Presidential form of Government for India is suitable or not? Give critical comment.**

இந்தியாவிற்கு ஜனாதிபதி ஆட்சி முறை பொருத்தமானதா இல்லையா? விமர்சனக் கருத்தைத் தெரிவிக்க.

2. **Explain "fraternity" as mentioned in the preamble of the constitution of India.**

இந்திய அரசியலமைப்பின் முன்னுரையில் குறிப்பிடப்பட்டுள்ள "சகோதரத்துவம்" என்பதை விளக்குக.

3. **Assess the functioning of the Right to Information Act (2005) in strengthening democracy in India.**

இந்தியாவில் ஜனநாயகத்தை வலுப்படுத்துவதில் தகவல் அறியும் உரிமைச் சட்டத்தின் (2005) செயல்பாட்டை மதிப்பிடுக.

4. **Examine the processes of making law in India. Also discuss the role of Standing Committees in reviewing a bill.**

இந்தியாவில் சட்டம் உருவாக்கும் செயல்முறைகளை ஆராய்க, ஒரு மசோதாவை மதிப்பாய்வு செய்வதில் நிலைக்குழுக்களின் பங்கு பற்றியும் விவாதிக்க

**5. Media plays a crucial role in public policy making. Discuss with reference to the example of one print and one electronic media that influenced policy.**

பொதுக் கொள்கை வகுப்பதில் ஊடகங்கள் முக்கியப் பங்காற்றுகின்றன. கொள்கையில் தாக்கத்தை ஏற்படுத்திய ஒரு அச்சு மற்றும் ஒரு மின்னணு ஊடகத்தின் உதாரணத்தைப் பற்றி விவாதிக்க.

**6. Do you think India is an emerging power? Comment**

இந்தியா வளர்ந்து வரும் சக்தி என்று நினைக்கிறீர்களா? கருத்திடுக

**7. What is the concept of religious personal laws in the light of the recent debate around Uniform Civil code in the country.**

நாட்டில் ஒரே மாதிரியான குடிமைச் சட்டத்தைப் பற்றிய சமீபத்திய விவாதத்தின் வெளிச்சத்தில் மத தனிப்பட்ட சட்டங்களின் கருத்து என்ன?

**8. Critically examine the main issues raised during the Constituent Assembly debates on Minority Rights in India.**

இந்தியாவில் சிறுபான்மையினர் உரிமைகள் மீதான அரசியல் நிர்ணய சபை விவாதங்களின் போது எழுப்பப்பட்ட முக்கிய பிரச்சினைகளை விமர்சன ரீதியாக ஆராய்க.

**9. "Distribution of legislative powers between the Union and the states has been heavily tilted in favour of the Union." Explain**

"யூனியன் மற்றும் மாநிலங்களுக்கு இடையேயான சட்டமன்ற அதிகாரங்களின் பகிர்வு யூனியனுக்கு ஆதரவாக பெரிதும் சாய்க்கப்பட்டுள்ளது." விளக்குக.

**10. "The Supreme Court in Maneka Gandhi's case has revolutionised the law relating to personal liberty under Article 21 of the constitution? Explain its new dimension.**

"மேனகா காந்தியின் வழக்கில் உச்ச நீதிமன்றம் அரசியலமைப்பின் 21வது பிரிவின் கீழ் தனிப்பட்ட சுதந்திரம் தொடர்பான சட்டத்தில் புரட்சியை ஏற்படுத்தியுள்ளதா? அதன் புதிய பரிமாணத்தை விளக்குக.

**11. Explain the concept of Socio-Economic rights enshrined under the Indian Constitution.**

இந்திய அரசியலமைப்பின் கீழ் உள்ள சமூக-பொருளாதார உரிமைகளின் கருத்தை விளக்குக.

12. Are you satisfied with the teeth provided to the National Human Rights Commission in protecting the Human Rights in India?

இந்தியாவில் மனித உரிமைகளைப் பாதுகாப்பதில் தேசிய மனித உரிமைகள் ஆணையத்திற்கு வழங்கப்பட்டுள்ள அதிகாரத்தால் நீங்கள் திருப்தியடைகிறீர்களா?

13. What are the major challenges before Panchayati Raj Institutions.

பஞ்சாயத்து ராஜ் நிறுவனங்களின் முன் உள்ள முக்கிய சவால்கள் என்ன?

## Section - B

விரிவாக விடையளிக்கும் வினாவகை

Detailed answer type question

ஒவ்வொன்றிற்கும் 250 சொற்களுக்கு மிகாமல் விடையளிக்கவும்

Answer not exceeding 250 words each.

ஒவ்வொரு வினாவிற்கும் 15 மதிப்பெண்கள்

Each Question carries 15marks.

Answer any 13 questions out of 12 questions.

கொடுக்கப்பட்டுள்ள 13 வினாக்களில் எவையேனும் 10 வினாக்களுக்கு விடையளிக்கவும்

1. Write short notes on | சிறுகுறிப்பு வரைக

a) Mandamus | மாண்டமாஸ்

b) Functions of state Finance Commission | மாநில நிதி ஆணையத்தின் செயல்பாடுகள்

2. Explore the role of judiciary in promoting judicial activism and public interest litigation in India. How does the judiciary play an active role in addressing social and environmental concerns and influencing policy decisions through its judicial pronouncements?

இந்தியாவில் நீதித்துறை செயல்பாடு மற்றும் பொது நல வழக்குகளை ஊக்குவிப்பதில் நீதித்துறையின் பங்கை ஆராய்க. சமூக மற்றும் சுற்றுச்சூழல் கவலைகளை நிவர்த்தி செய்வதிலும் அதன் நீதித்துறை அறிவிப்புகள் மூலம் கொள்கை முடிவுகளில் செல்வாக்கு செலுத்துவதிலும் நீதித்துறை எவ்வாறு செயலில் பங்கு வகிக்கிறது?

3. **Critically analyse the position of the Governor as provided under the Constitution of India. Also enumerate the Sarkaria Commission recommendations on the appointment of Governor.**

இந்திய அரசியலமைப்புச் சட்டத்தின் கீழ் வழங்கப்பட்டுள்ள ஆளுநரின் நிலையை விமர்சன ரீதியாக பகுப்பாய்வு செய்க. ஆளுனர் நியமனம் தொடர்பான சர்க்காரியா கமிஷன் பரிந்துரைகளையும் பட்டியலிடுக.

4. **"The Constitution of India has vested in the Election Commission of India the superintendence, direction and control of the entire process for conduct of elections to Parliament and Legislature of every State and to the offices of President and Vice-President of India" in the light of the statement Discuss the need to have a relook at the independence of ECI.**

"ஒவ்வொரு மாநிலத்தின் நாடாளுமன்றம் மற்றும் சட்டமன்றத்திற்கும், இந்திய குடியரசுத் தலைவர் மற்றும் துணைக் குடியரசுத் தலைவர் அலுவலகங்களுக்கும் தேர்தல் நடத்துவதற்கான முழு செயல்முறையின் கண்காணிப்பு, வழிகாட்டுதல் மற்றும் கட்டுப்பாடு ஆகியவற்றை இந்திய அரசியலமைப்புச் சட்டம் இந்திய தேர்தல் ஆணையத்திடம் வழங்கியுள்ளது" இக்கூற்றின் வெளிச்சத்தில் இந்திய தேர்தல் ஆணையத்தின் சுதந்திரத்தை மறுபரிசீலனை செய்ய வேண்டியதன் அவசியத்தைப் பற்றி விவாதிக்க.

5. **As the Russia - Ukraine War continues to divide US, it is time for the NAM to take its place in the world again'. Discuss.**

ரஷ்யா - உக்ரைன் யுத்தம் அமெரிக்காவை பிளவுபடுத்துவது தொடர்வதால், அணி சேரா இயக்கம் மீண்டும் உலகில் அதன் இடத்தைப் பிடிக்கும் நேரம் இது. விவாதிக்க

6. **What constitutes the Doctrine of Basic Structure with reference to the Constitution of India?**

இந்திய அரசியலமைப்பைக் குறிக்கும் அடிப்படைக் கட்டமைப்பின் கோட்பாடு என்ன?

7. **Critically examine the extent to which Directive Principles of State Policy have been implemented, so far.**

அரசு நெறிமுறைக் கோட்பாடுகள் இதுவரை எந்த அளவிற்கு செயல்படுத்தப்பட்டுள்ளன என்பதை விமர்சன ரீதியாக ஆராய்க.

8. **Discuss the role and powers of the Speaker of the Tamilnadu Legislative Assembly.**

தமிழ்நாடு சட்டமன்றத் தலைவரின் பங்கு மற்றும் அதிகாரங்களைப் பற்றி விவாதிக்க.

9. **Identify the limitations of working of Lokpal in India.**

இந்தியாவில் லோக்பால் செயல்படுவதற்கான வரம்புகளை அடையாளம் காண்க.

**10. The right to constitutional remedies is often described as the most fundamental of all the fundamental rights. Explain.**

அரசியலமைப்பு தீர்வுகளுக்கான உரிமை பெரும்பாலும் அனைத்து அடிப்படை உரிமைகளிலும் மிக அடிப்படையானது என்று விவரிக்கப்படுகிறது. விளக்குக

**11. Examine the provisions under Art-356 of Indian Constitution.**

இந்திய அரசியலமைப்பின் 356வது பிரிவின் கீழ் உள்ள விதிகளை ஆராய்க

**12. "The philosophy of the Indian Constitution. was shaped during the nationalist struggle." Comment**

"இந்திய அரசியலமைப்பின் தத்துவம். தேசியவாதப் போராட்டத்தின் போது உருவானது." கருத்திடுக.

**13. Briefly discuss about the privileges and immunities given to the Parliament and its members.**

பாராளுமன்றத்திற்கும் அதன் உறுப்பினர்களுக்கும் வழங்கப்படும் சலுகைகள் மற்றும் விலக்குகள் பற்றி சுருக்கமாக விவாதிக்க.

## INDIAN POLITY FULL TEST – KEYS

<b>Question</b>	<b>Presidential form of Government for India is suitable or not? Give critical comment.</b> இந்தியாவிற்கு ஜனாதிபதி ஆட்சி முறை பொருத்தமானதா இல்லையா? விமர்சனக் கருத்தைத் தெரிவிக்க
<b>Introduction</b>	India chose a parliamentary form of government primarily because the constitution-makers were greatly influenced by the system in England. Another reason the founding fathers saw was that the parliamentary model would only work to accommodate the varied and diverse groups within our population.
<b>Approaching the answer</b>	<b>factors that contributed to India choosing a parliamentary system:</b>



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- ✍ **Accountability:** Due to colonial experience, India opted for a system of continuous accountability of executive through parliamentary system.
- ✍ **Prior Experience:** Indian leadership already had some experience of running the parliamentary system under the Acts of 1919 and 1935.
- ✍ The presidential system has the president as the chief executive and as source of all executive power. Therefore, a danger of personality cult to perpetuate existed.
- ✍ Since the executive is a part of the legislature, and generally holds the majority, therefore it is easier to pass laws and implement them (reduced possibility of deadlock between executive and legislature).
- ✍ India being a diverse country, parliamentary system ensures a more representative and diverse cabinet. Therefore, it was more suitable to Indian needs.

**presidential form of government is not suitable for India for a number of reasons.**

- ✍ **Political Diversity:** India is a diverse country with numerous political parties representing different regional, cultural, and social interests. A presidential system may struggle to accommodate and represent this diverse array of voices effectively.
- ✍ **Coalition Politics:** India's political landscape has often been characterized by coalition governments at the national and state levels. A presidential system might not easily accommodate the dynamics of coalition-building, which have been instrumental in providing stability and representation in India's parliamentary system.
- ✍ **Gridlock and Stability:** India's size and complexity demand a government that can respond effectively to emerging challenges. A presidential system could result in political gridlock and difficulties in passing essential legislation, potentially compromising stability and governance.



	<p>✍ <b>Potential for Authoritarianism:</b> Given India's diverse society, a strong presidency with vast powers could raise concerns about the potential for authoritarian tendencies and the marginalization of certain groups.</p>
<b>Conclusion</b>	<p>Despite the trend toward presidentialization, the root of parliamentary form of government is well founded. The constitution has provided various mechanism and institutions to preserve parliamentary form of government. Supreme court has also held that parliamentary form of government forms the basis structure of the constitution.</p>

<b>Question</b>	<p><b>Explain "fraternity" as mentioned in the preamble of the constitution of India.</b></p> <p>இந்திய அரசியலமைப்பின் முன்னுரையில் குறிப்பிடப்பட்டுள்ள "சகோதரத்துவம்" என்பதை விளக்குக.</p>
<b>Introduction</b>	<p>Fraternity is one of the four foundational principles of the Indian Constitution, along with justice, liberty, and equality. It is mentioned in the preamble of the Constitution, which states that India is a "sovereign, socialist, secular, democratic republic" that ensures "fraternity" among all its citizens.</p>
<b>Approaching the answer</b>	<p><b>Fraternity in the Indian Context</b></p> <ul style="list-style-type: none"> <li>✍ Fraternity guarantees two things, according to the Preamble: human dignity and national integrity.</li> <li>✍ The word "integrity" was added by the 42nd Amendment Act, 1976.</li> <li>✍ "Dignity of the individual" signifies that the Constitution not only ensures material betterment and maintains a democratic set-up, but that it also recognizes that the personality of every individual is sacred.</li> <li>✍ However, fraternity cannot exist unless the dignity of each individual is preserved and respected.</li> <li>✍ To maintain this dignity, each individual must be guaranteed certain minimal justiciable rights.</li> <li>✍ The term "national unity and integrity" encompasses both psychological and territorial aspects of national integration.</li> </ul>

	<ul style="list-style-type: none"> <li>✍ India is described as a 'Union of States' in Article 1 of the Constitution to make it apparent that the States have no power to secede from the Union, emphasising the Indian Union's indestructibility.</li> <li>✍ This will be promoted through single citizenship.</li> <li>✍ The goal of fraternity as a whole is to break down social barriers such as caste, class, colour, religion, and so on.</li> <li>✍ Liberty, equality, and fraternity create a trinity in the sense that separating one from the other undermines democracy's core aim.</li> </ul> <p><b>Constitutional Provisions emphasizing Fraternity</b></p> <ul style="list-style-type: none"> <li>✍ The principles of liberty, equality, and fraternity, according to Ambedkar, should not be treated separately.</li> <li>✍ They form a trinity in the sense that separating one from the other defeats the very purpose of democracy.</li> <li>✍ The 42nd constitutional amendment act gave practical shape to the ideals. It established fundamental responsibilities. According to Article 51A(e), it is every citizen's duty to promote harmony and the spirit of common brotherhood.</li> <li>✍ According to India's Preamble, both individual dignity and national unity necessitate fraternity.</li> </ul>
<b>Conclusion</b>	Fraternity is a term that describes a sense of brotherhood as well as an emotional connection to a nation and its citizens. Ambedkar dreamed of an India in which divisions of caste and religion would gradually fade away in the spirit of fraternity. Therefore, investing in the concepts like fraternity would save society from fragmentation.

<b>Question</b>	<p><b>Assess the functioning of the Right to Information Act (2005) in strengthening democracy in India.</b></p> <p>இந்தியாவில் ஜனநாயகத்தை வலுப்படுத்துவதில் தகவல் அறியும் உரிமைச் சட்டத்தின் (2005) செயல்பாட்டை மதிப்பிடுக</p>
<b>Introduction</b>	India always took pride in being the largest democracy, but with the passing of the Right to Information Act in 2005, it has also become an accountable, interactive and participatory democracy.

**Approaching  
the answer**

**RTI Act and its impact on India's democracy:**

- ✍ **Increased Transparency:** The RTI Act has brought greater transparency to the functioning of government institutions and departments. It allows citizens to seek information about government policies, decisions, and actions, thus promoting openness and reducing the opacity of administrative processes.
- ✍ **Empowering Citizens:** The Act empowers citizens to actively participate in the democratic process by providing them with the tools to seek information and hold public officials accountable. It enables citizens to make informed decisions and monitor the government's actions, fostering an informed and engaged citizenry.
- ✍ **Curbing Corruption:** The RTI Act has acted as a powerful tool in the fight against corruption. By exposing corrupt practices and facilitating access to information about government spending and contracts, it has served as a deterrent to corrupt officials.
- ✍ **Holding Public Authorities Accountable:** The Act holds public authorities accountable by making them answerable to citizens for their actions and decisions. This has led to greater responsibility and a more responsive government.
- ✍ **Enhancing Good Governance:** The Act has contributed to the improvement of governance practices in India. It encourages public authorities to adopt more transparent and accountable practices, leading to better administration and service delivery.
- ✍ **Bridging Information Asymmetry:** The RTI Act helps bridge the information gap between the government and the public. It ensures that information is not monopolized by those in power and promotes a more equitable distribution of information.
- ✍ **Challenging Bureaucratic Delays:** The Act has been instrumental in reducing bureaucratic delays and inefficiencies. Public officials are required to respond to information requests promptly, leading to increased efficiency in the functioning of government offices.

	<p>✍ <b>Impact on Media and Civil Society:</b> The RTI Act has bolstered investigative journalism and the work of civil society organizations by providing them with access to crucial information. It has strengthened their role as watchdogs and facilitators of public accountability.</p> <p><b>Impact of RTI Act</b></p> <ul style="list-style-type: none"> <li>✍ RTI Act exposed corruption and scams like the Satyendra Dubey case, leading to public scrutiny and demands for accountability.</li> <li>✍ It improved public services by revealing irregularities in the PDS distribution, resulting in greater accountability and improved service delivery.</li> <li>✍ The Act ensured government accountability during the Commonwealth Games scam, as activists used it to seek information about fund utilization and decisions.</li> <li>✍ Enabled social justice by granting access to education records, reducing discrimination, and promoting transparency in admissions and evaluations.</li> <li>✍ Enhanced environmental governance by providing activists with information on environmental clearances, enabling monitoring and accountability for industrial projects' impact.</li> </ul>
<b>Conclusion</b>	<p>Right to Information Act (2005) has undoubtedly strengthened democracy in India by enhancing transparency, accountability, and citizen participation. However, addressing the challenges and ensuring effective implementation and enforcement of the Act will be critical to maximizing its impact on India's democratic processes and governance.</p>

<b>Question</b>	<p><b>Examine the processes of making law in India. Also discuss the role of Standing Committees in reviewing a bill.</b></p> <p>இந்தியாவில் சட்டம் உருவாக்கும் செயல்முறைகளை ஆராய்க., ஒரு மசோதாவை மதிப்பாய்வு செய்வதில் நிலைக்குழுக்களின் பங்கு பற்றியும் விவாதிக்க</p>
<b>Introduction</b>	<p>Law-making is the fundamental duty of Parliament. Legislative proposals are brought before either house of the Parliament of India in the form of a bill. A bill is the draft of a legislative proposal, which, when passed by</p>

	both houses of Parliament and assented to by the President, becomes an act of Parliament.
<b>Approaching the answer</b>	<p><b>Steps in Law Making</b></p> <ul style="list-style-type: none"> <li>✍ <b>Introduction of the Bill:</b> A bill can be introduced in either house of Parliament (Lok Sabha or Rajya Sabha) by a minister or a private member. In the case of money bills, they can only be introduced in the Lok Sabha.</li> <li>✍ <b>First Reading:</b> The first reading is a formal stage where the title and objectives of the bill are read out, and its introduction is agreed upon by the members. There is no debate at this stage.</li> <li>✍ <b>Committee Stage:</b> After the first reading, the bill is referred to a standing committee for scrutiny. Standing committees are permanent committees of Parliament that are responsible for examining bills and other matters referred to them by the House.</li> <li>✍ <b>Second Reading:</b> After the standing committee has reported its recommendations, the bill is taken up for consideration in Parliament again. At this stage, there is a general discussion on the bill.</li> <li>✍ <b>Amendments:</b> After the general discussion, members of Parliament can propose amendments to the bill. Amendments are changes to the text of the bill.</li> <li>✍ <b>Third Reading:</b> Once all amendments have been considered, the bill is taken up for a third reading. At this stage, there is a vote on the bill. If the bill is passed by a majority of members of Parliament, it is sent to the President for assent.</li> <li>✍ <b>Assent by the President:</b> If the President assents to the bill, it becomes an Act of Parliament. An Act of Parliament is a law that has been passed by both Houses of Parliament and has received the assent of the President.</li> </ul> <p><b>Role of Standing Committees in Reviewing a Bill:</b></p>

- ✍ **Committee Stage:** After the first reading, the bill is referred to a parliamentary committee for detailed examination. The role of Standing Committees comes into play during this stage.
- ✍ **Detailed Examination:** Standing Committees are specialized committees comprising members from both houses of Parliament. They conduct an in-depth examination of the bill, scrutinizing its provisions, objectives, and implications. They may invite stakeholders, experts, and the public for consultations to gather diverse perspectives.
- ✍ **Expertise and Specialization:** Standing Committees have expertise in specific sectors and domains, which enables them to review bills related to those areas more effectively. For example, there may be Standing Committees on finance, defense, health, etc.
- ✍ **Amendment Proposals:** The committees may propose amendments to the bill to improve its effectiveness, clarity, and alignment with the intended objectives.
- ✍ **Report and Recommendations:** Once the Standing Committee completes its review, it submits a report to Parliament, outlining its findings, recommendations, and proposed amendments to the bill.
- ✍ **Second Reading:** After the Standing Committee's report is presented, the bill undergoes the second reading. Members of Parliament debate the bill, and amendments, if any, are discussed and voted upon.
- ✍ **Voting and Passage:** Following the debate and voting on amendments, the bill is put to vote. If it is approved by a simple majority in the house where it was introduced, it moves to the other house for consideration.
- ✍ **Consideration in the Other House:** The bill goes through similar stages in the other house, and any amendments made by that house are sent back to the first house for concurrence.
- ✍ **President's Assent:** Once both houses agree on the final version of the bill, it is sent to the President of India for assent. The President's assent turns the bill into an act, and it becomes a law.

<b>Conclusion</b>	Overall, the Standing Committees play a crucial role in the lawmaking process in India. They help to ensure that bills are well-drafted, meet the needs of the people, and are made in a transparent and participatory manner.

<b>Question</b>	<p><b>Media plays a crucial role in public policy making. Discuss with reference to the example of one print and one electronic media that influenced policy.</b></p> <p>பொதுக் கொள்கை வகுப்பதில் ஊடகங்கள் முக்கியப் பங்காற்றுகின்றன. கொள்கையில் தாக்கத்தை ஏற்படுத்திய ஒரு அச்சு மற்றும் ஒரு மின்னணு ஊடகத்தின் உதாரணத்தைப் பற்றி விவாதிக்க.</p>
<b>Introduction</b>	The media plays a significant role in policy making in India by shaping public opinion, highlighting important issues, and influencing policymakers. Both print and electronic media have the power to impact policy decisions through their coverage and reporting.
<b>Approaching the answer</b>	<p><b>The media plays a crucial role in policy-making in India.</b></p> <ul style="list-style-type: none"> <li>✍ <b>Informing the public about policy issues:</b> The media provides the public with information about policy issues, such as the need for a new law or the impact of a proposed policy. This helps to create awareness about policy issues and allows the public to participate in the policy-making process.</li> <li>✍ <b>Holding the government accountable:</b> The media can hold the government accountable for its actions by reporting on policy decisions and their impact on the people. This helps to ensure that the government is responsive to the needs of the people.</li> <li>✍ <b>Influencing public opinion:</b> The media can influence public opinion on policy issues by publishing editorials, opinion pieces, and news articles that take a particular stance on an issue. This can help to shape public opinion and influence policy decisions.</li> </ul>



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	<p>examples of how the print and electronic media have influenced policy-making in India:</p> <ul style="list-style-type: none"> <li>✍ <b>Print media:</b> The newspaper <i>The Hindu</i> played a key role in the passage of the Right to Information Act (RTI) in 2005. The newspaper published a series of articles that highlighted the need for an RTI law and the challenges faced by people in accessing information from the government. This helped to create public awareness about the RTI issue and put pressure on the government to pass the law.</li> <li>✍ <b>Electronic Media:</b></li> </ul> <p>NDTV's coverage helped raise awareness about the need to decriminalize consensual same-sex relationships and promote LGBTQ+ rights in India. The media's role in presenting different perspectives and highlighting human rights issues significantly contributed to the eventual scrapping of Section 377 by the Indian Supreme Court in 2018.</p>
<b>Conclusion</b>	<p>These examples illustrate how both print and electronic media can influence policy making in India. Through their coverage, reporting, and advocacy, the media can shape public discourse, raise awareness about critical issues, and bring about positive changes in policies and laws.</p>

<b>Question</b>	<p><b>Do you think India is an emerging power? Comment</b> இந்தியா வளர்ந்து வரும் சக்தி என்று நினைக்கிறீர்களா? கருத்திடுக</p>
<b>Introduction</b>	<p>India is often considered an emerging power due to its significant economic, geopolitical, and demographic factors. The country's economic growth, vast population, and increasing global influence have positioned it as one of the major players on the world stage.</p>
<b>Approaching the answer</b>	<p><b>factors contribute to India's status as an emerging power:</b></p> <ul style="list-style-type: none"> <li>✍ <b>Economic Growth:</b> India has experienced rapid economic growth over the past few decades, making it one of the world's largest</li> </ul>

	<p>economies. It has a sizable middle-class population and a growing consumer market, attracting investments and business opportunities.</p> <ul style="list-style-type: none"> <li>✍ <b>Demographic Advantage:</b> India has a young and large population, offering a significant workforce and potential consumer base. If harnessed effectively, this demographic advantage can fuel economic growth and development.</li> <li>✍ <b>Technological Advancements:</b> India has made significant advancements in technology and innovation. It has a thriving IT and software industry and is becoming a hub for research and development in various fields.</li> <li>✍ <b>Geopolitical Influence:</b> India's strategic location in South Asia gives it geopolitical importance. It maintains diplomatic ties with various countries and actively participates in regional and international forums.</li> <li>✍ <b>Military Strength:</b> India has a robust defense infrastructure and is one of the world's largest importers of military equipment. It also engages in defense collaborations and partnerships with other countries.</li> <li>✍ <b>Space Exploration:</b> India's space program has achieved several milestones, including successful missions to Mars and the Moon, demonstrating its technological capabilities on the global stage.</li> <li>✍ <b>Soft Power:</b> India's rich cultural heritage, diverse traditions, and soft power, including Bollywood and yoga, have also contributed to its global influence and popularity.</li> <li>✍ <b>Vibrant democracy:</b> India is the world's largest democracy. The Indian political system is robust and stable, and it has been able to withstand many challenges over the years.</li> </ul>
<b>Conclusion</b>	<p>while India is undoubtedly an emerging power with substantial economic, geopolitical, and demographic influence, it still faces several developmental challenges. Its journey towards becoming a fully developed and influential global power requires ongoing efforts in various areas to address internal issues and maintain its trajectory of growth and influence on the world stage.</p>

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<b>Question</b>	<p><b>What is the concept of religious personal laws in the light of the recent debate around Uniform Civil code in the country.</b></p> <p>நாட்டில் ஒரே மாதிரியான குடிமைச் சட்டத்தைப் பற்றிய சமீபத்திய விவாதத்தின் வெளிச்சத்தில் மத தனிப்பட்ட சட்டங்களின் கருத்து என்ன?</p>
<b>Introduction</b>	<p>The concept of a Uniform Civil Code (UCC) in India has been a contentious issue for decades. The UCC calls for a unified set of laws governing personal matters such as marriage, divorce, adoption, and inheritance for all citizens, regardless of their religion.</p>
<b>Approaching the answer</b>	<p><b>Constitutional and Legal Provisions of Personal Laws</b></p> <p><b>Article 25 of the Constitution</b></p> <ul style="list-style-type: none"> <li>✍ Guarantees freedom of religion</li> <li>✍ Allows recognition of personal laws for specific religious communities</li> <li>✍ Not subject to constitutional challenge if it complies with other provisions</li> </ul> <p><b>Constitutional Provisions: Article 44 of Directive Principles</b></p> <ul style="list-style-type: none"> <li>✍ Non-enforceable guiding principle for government</li> <li>✍ Aim: Securing a UCC for all citizens</li> </ul> <p><b>Supreme Court Judgments</b></p> <ul style="list-style-type: none"> <li>✍ Shah Bano Begum v. Union of India (1985) <ul style="list-style-type: none"> <li>• Personal laws should not be discriminatory</li> <li>• Should align with gender equality and non-discrimination principles</li> </ul> </li> <li>✍ Sarla Mudgal v. Union of India (1995) <ul style="list-style-type: none"> <li>• Personal laws should not discriminate against women</li> <li>• Emphasizes adherence to gender justice and equality</li> </ul> </li> </ul> <p><b>Law Commission Views</b></p>

- ✍ Recommended UCC in 85th Report (1978) and 170th Report (2008)
- ✍ UCC necessary for citizen rights and national unity
- ✍ Personal laws may not align with gender justice and equality

#### **Proponents of UCC argue:**

1. **Equality and Justice:** A UCC would eliminate the discrimination that arises from the application of different laws to various religious groups, ensuring equal rights and justice for all citizens.
2. **Gender Equality:** Uniform laws can potentially address gender inequalities present in some religious personal laws, particularly those related to divorce, inheritance, and women's rights.
3. **Secularism:** A UCC aligns with the principle of secularism enshrined in the Indian Constitution, treating all citizens equally before the law, irrespective of their religious background.
4. **National Integration:** A common civil code can foster national unity by promoting a sense of common identity and citizenship among diverse religious communities.

#### **Opponents of UCC argue:**

1. **Protection of Minority Rights:** Critics argue that a UCC might infringe upon the cultural and religious rights of minority communities, who might view it as an imposition on their religious practices and traditions.
2. **Complexity and Diverse Society:** India is a diverse country with various religious and cultural practices. Implementing a one-size-fits-all civil code may not be practical given the complexities of the society.
3. **Political Resistance:** Several political and religious groups have resisted the implementation of a UCC, fearing it might alienate their vote bank and lead to social unrest.
4. **Gradual Reforms:** Some argue that instead of imposing a uniform code, it is better to gradually reform religious personal laws to

	align them with constitutional principles of equality and gender justice.
<b>Conclusion</b>	The debate over the UCC is likely to be a long and complex one. There are strong arguments on both sides of the issue, and it is not clear whether a UCC will ever be enacted in India.

<b>Question</b>	<p><b>Critically examine the main issues raised during the Constituent Assembly debates on Minority Rights in India.</b></p> <p>இந்தியாவில் சிறுபான்மையினர் உரிமைகள் மீதான அரசியல் நிர்ணய சபை விவாதங்களின் போது எழுப்பப்பட்ட முக்கிய பிரச்சினைகளை விமர்சன ரீதியாக ஆராய்க.</p>
<b>Introduction</b>	The starting point of discussion on incorporation of minority rights in the Indian Constitution was the Objectives Resolution moved by Pandit Jawaharlal Nehru in the Constituent Assembly. several critical issues were raised and discussed by the framers of the Constitution. These issues reflect the complex task of ensuring protection and representation for religious, linguistic, and cultural minorities in a diverse and pluralistic society.
<b>Approaching the answer</b>	<p><b>main issues raised in the debates were:</b></p> <ul style="list-style-type: none"> <li>✍ <b>Definition of Minority:</b> One of the primary issues was the definition of "minority." There were varying opinions on whether the definition should be based on numerical strength, historical and social factors, or a combination of both. Some argued that religious minorities should be determined based on the proportion of their population in the country, while others emphasized historical disadvantage and the need to protect vulnerable communities.</li> <li>✍ <b>Safeguards for Minority Rights:</b> The Constituent Assembly debated the extent of safeguards to be provided for minority rights. Questions arose on whether certain minority rights should be</li> </ul>

explicitly enumerated in the Constitution or left to be protected by general provisions. There were discussions on whether the Constitution should guarantee separate personal laws for different religious communities or promote a Uniform Civil Code to ensure uniformity and gender justice.

✍ **Reservation and Representation:** The question of reservation and representation for minorities in various legislative bodies and public services was intensely debated. The framers grappled with the dilemma of providing adequate representation to minorities without compromising the principle of meritocracy or undermining the interests of the majority.

✍ **Minority Educational Institutions:** Another significant issue was the protection of minority educational institutions' rights to establish and administer their educational institutions. The framers discussed the balance between the autonomy of such institutions and the state's authority to ensure quality education and equity.

✍ **Language and Cultural Rights:** The Constituent Assembly also debated the preservation and promotion of minority languages and cultures. The framers had to balance the promotion of India's rich cultural diversity with the need for a common national language and cultural identity.

✍ **Affirmative Action:** The debates focused on whether affirmative action policies should be implemented for minority communities facing socio-economic backwardness and discrimination. There were differing opinions on the scope and effectiveness of such measures.

✍ **National Integration vs. Minority Rights:** The Assembly grappled with the challenge of maintaining national unity and integration while respecting and protecting the rights of minority communities. The discussions sought to strike a balance between fostering a sense of common citizenship and preserving the distinct identities of various minority groups.

✍ **Minority Vs. Majority Rights:** There were concerns about potential conflicts between minority and majority rights. Some

	<p>argued that minority rights might lead to separatism or create a sense of alienation, while others stressed the need to protect minorities from potential tyranny of the majority.</p> <p><b>Constituent Assembly ultimately decided to include a number of provisions in the Constitution to protect the rights of minorities.</b></p> <ul style="list-style-type: none"> <li>✍ <b>Article 14:</b> This article guarantees equality before the law to all citizens, regardless of their religion, race, caste, sex, or place of birth.</li> <li>✍ <b>Article 15:</b> This article prohibits discrimination on the basis of religion, race, caste, sex, or place of birth.</li> <li>✍ <b>Article 29:</b> This article guarantees the right of minorities to conserve their culture, language, and script.</li> <li>✍ <b>Article 30:</b> This article guarantees the right of minorities to establish and administer educational institutions of their choice.</li> </ul>
<b>Conclusion</b>	<p>The provisions of the Constitution on minority rights have been interpreted and applied in a variety of ways over the years. There have been a number of cases in the Supreme Court that have dealt with the issue of minority rights. In general, the Supreme Court has interpreted the provisions of the Constitution in a way that protects the rights of minorities.</p>

<b>Question</b>	<p><b>"Distribution of legislative powers between the Union and the states has been heavily tilted in favour of the Union." Explain</b></p> <p>"யூனியன் மற்றும் மாநிலங்களுக்கு இடையேயான சட்டமன்ற அதிகாரங்களின் பகிர்வு யூனியனுக்கு ஆதரவாக பெரிதும் சாய்க்கப்பட்டுள்ளது." விளக்குக.</p>
<b>Introduction</b>	<p>The distribution of legislative powers between the Union (Central government) and the states in India is outlined in the Seventh Schedule of the Indian Constitution. It categorizes subjects into three lists: the Union List, the State List, and the Concurrent List. Each list determines the scope of legislative authority for the Union and the states.</p>
<b>Approaching the answer</b>	<p><b>distribution of powers is heavily tilted in favor of the Union</b></p>

- ✍ **Extensive Union List:** The Union List contains subjects on which only the Central government can legislate. It includes crucial matters like defense, foreign affairs, currency, communication, and atomic energy. This gives the Union substantial control over essential policy areas.
- ✍ **Residuary Powers with the Union:** The Constitution grants residuary powers, i.e., the power to legislate on matters not explicitly listed in any of the lists, to the Union. This gives the Central government significant authority to legislate on any subject not explicitly assigned to the states, making it more powerful in terms of lawmaking.
- ✍ **Concurrent List Ambiguity:** The Concurrent List contains subjects on which both the Union and the states can legislate simultaneously. However, if there is a conflict between a Union law and a state law on the same subject, the Union law prevails. This ambiguity can tilt the balance of power in favor of the Union.
- ✍ **Article 356 (President's Rule):** Article 356 of the Constitution empowers the President to impose President's Rule in a state if the state government fails to function according to the Constitution. This gives the Union the authority to dissolve state governments and exercise control over state affairs in exceptional circumstances, potentially undermining state autonomy.
- ✍ **Financial Dependency:** States heavily rely on financial assistance from the Central government for various development projects and welfare schemes. This financial dependency can limit the autonomy of states and give the Union leverage in shaping state policies. . For example, the Union government has the resources to fund large-scale projects, such as the construction of railways and highways. The state governments do not have the same resources, and they may not be able to implement these projects effectively.
- ✍ **Interstate Council:** The Constitution provides for the establishment of an Interstate Council to discuss and resolve



	<p>disputes between the Union and the states. However, this council has limited powers, and decisions ultimately rest with the Union.</p> <p>✍ <b>Single Citizenship:</b> India follows the principle of single citizenship, where every citizen is a citizen of India and not of any specific state. This emphasizes the centralized nature of Indian citizenship, further tilting the balance of power in favor of the Union.</p>
<b>Conclusion</b>	<p>distribution of legislative powers in India is skewed in favor of the Union due to the extensive Union List, residuary powers with the Union, the prevailing Union laws in case of conflict, financial dependency of states, and other provisions that strengthen the Central government's authority.</p>

<b>Question</b>	<p>"The Supreme Court in Maneka Gandhi's case has revolutionised the law relating to personal liberty under Article 21 of the constitution? Explain its new dimension.</p> <p>"மேனகா காந்தியின் வழக்கில் உச்ச நீதிமன்றம் அரசியலமைப்பின் 21வது பிரிவின் கீழ் தனிப்பட்ட சுதந்திரம் தொடர்பான சட்டத்தில் புரட்சியை ஏற்படுத்தியுள்ளதா? அதன் புதிய பரிமாணத்தை விளக்குக.</p>
<b>Introduction</b>	<p>Article 21 of the Constitution of India guarantees the right to life and personal liberty to all citizens. However, the scope of this right was not clearly defined in the Constitution. In Maneka Gandhi v. Union of India, the Supreme Court gave a broad interpretation to Article 21 and held that it includes the right to personal liberty, which is not confined to freedom from physical restraint.</p>
<b>Approaching the answer</b>	<p><b>new dimensions of Article 21</b></p> <p>✍ <b>Expanded Scope of Personal Liberty:</b> Prior to the Maneka Gandhi case, the interpretation of Article 21 was limited to procedural aspects, focusing mainly on the right to life and personal liberty. The case broadened the scope of personal liberty to include various fundamental rights, making it more comprehensive and substantive.</p>



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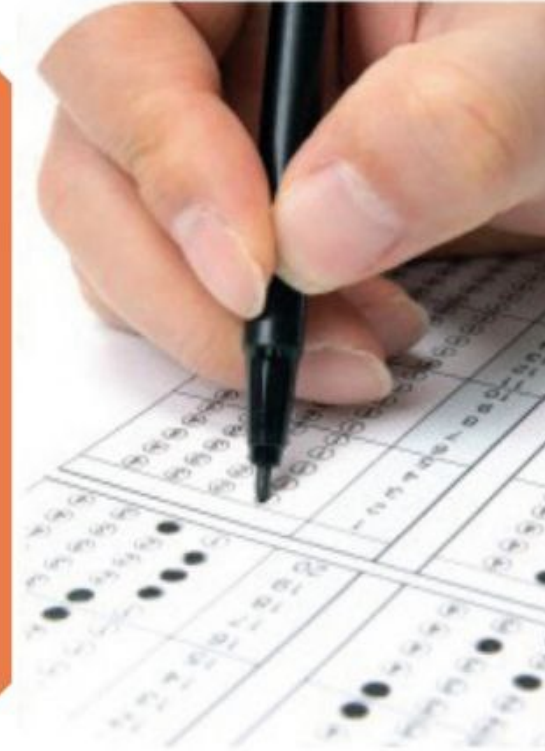
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	<ul style="list-style-type: none"> <li>✍ <b>Procedural Due Process:</b> The Supreme Court held that the phrase "procedure established by law" in Article 21 does not merely mean any procedure prescribed by law but must be just, fair, and reasonable. This introduced the concept of "procedural due process," which ensures that any law depriving a person of their life or personal liberty must adhere to principles of fairness and reasonableness.</li> <li>✍ <b>Right to Travel Abroad:</b> The case recognized the right of an individual to travel abroad as an essential aspect of personal liberty. The court emphasized that this right could not be curtailed arbitrarily or without following the principles of natural justice.</li> <li>✍ <b>Right to Hearing and Representation:</b> The judgment reinforced the importance of providing a fair opportunity to be heard and to have proper legal representation before any adverse action is taken against an individual impacting their life or personal liberty.</li> <li>✍ <b>Substantive Due Process:</b> The court held that Article 21 encompasses not only procedural due process but also substantive due process. This means that the state cannot take away a person's life or personal liberty arbitrarily or without just cause, even if the proper procedure is followed.</li> <li>✍ <b>Right to Privacy:</b> Though not explicitly mentioned in the Constitution, the Maneka Gandhi case laid the foundation for recognizing the right to privacy as an intrinsic part of personal liberty under Article 21.</li> <li>✍ <b>Judicial Review:</b> The judgment established that the courts have the authority to review administrative and executive actions to ensure they do not violate the principles of natural justice and individual rights.</li> </ul>
<b>Conclusion</b>	<p>The Supreme Court's decision in Maneka Gandhi v. Union of India has revolutionized the law relating to personal liberty in India. The Court has given a broad interpretation to Article 21 and has held that it includes a wide range of rights. This decision has made it more difficult for the government to restrict the personal liberty of citizens.</p>

<b>Question</b>	<p><b>Explain the concept of Socio-Economic rights enshrined under the Indian Constitution.</b></p> <p>இந்திய அரசியலமைப்பின் கீழ் உள்ள சமூக-பொருளாதார உரிமைகளின் கருத்தை விளக்குக.</p>
<b>Introduction</b>	<p>In the Indian Constitution, socio-economic rights are primarily enshrined under Part IV, which contains the Directive Principles of State Policy. Unlike fundamental rights (Part III) that are justiciable and enforceable in courts, Directive Principles are non-justiciable and provide guiding principles for the government in policymaking.</p>
<b>Approaching the answer</b>	<p><b>Socio-Economic rights enshrined under the Indian Constitution.</b></p> <ul style="list-style-type: none"> <li>✍ <b>Right to Adequate Means of Livelihood</b> (Article 39(a)): This directive principle seeks to ensure that citizens have the opportunity to earn a livelihood that is sufficient to support a decent standard of living. It emphasizes minimizing economic inequalities.</li> <li>✍ <b>Right to Equal Pay for Equal Work</b> (Article 39(d)): This directive principle calls for men and women to receive equal pay for the same work. It aims to eliminate gender-based wage disparities.</li> <li>✍ <b>Right to Public Assistance in Case of Unemployment, Old Age, Sickness, and Disablement</b> (Article 41): This directive principle advocates for the state to provide social assistance and support to individuals who are unemployed, elderly, sick, or disabled.</li> <li>✍ <b>Right to Work, Education, and Public Assistance for Children (Article 39(f))</b>: This directive principle emphasizes that children should be given opportunities to grow in a healthy manner and should be protected against exploitation.</li> <li>✍ <b>Right to Health and Maternity Relief</b> (Article 42): This directive principle calls for the provision of public health facilities and maternal benefits to ensure the well-being of citizens, especially women and children.</li> <li>✍ <b>Right to Housing (Article 43)</b>: This directive principle focuses on securing adequate housing and shelter for all citizens, particularly those belonging to marginalized and vulnerable sections of society.</li> </ul>

	<p>✍ <b>Right to Protect Children from Abuse and Exploitation</b> (Article 45): This directive principle directs the state to take measures to protect children from being forced into labor or any work that is harmful to their health and development.</p>
<b>Conclusion</b>	<p>The Supreme Court of India has played a significant role in the interpretation and enforcement of socioeconomic rights. In a number of cases, the Court has held that the government has a duty to take steps to provide education, health care, housing, food, and employment to all citizens. The Court has also held that the government cannot deny these rights to any citizen on the basis of their caste, religion, or sex.</p>

<b>Question</b>	<p><b>Are you satisfied with the teeth provided to the National Human Rights Commission in protecting the Human Rights in India?</b> இந்தியாவில் மனித உரிமைகளைப் பாதுகாப்பதில் தேசிய மனித உரிமைகள் ஆணையத்திற்கு வழங்கப்பட்டுள்ள அதிகாரத்தால் நீங்கள் திருப்தியடைகிறீர்களா?</p>
<b>Introduction</b>	<p>National Human Rights Commission was established in 1993 as an independent statutory body to protect and promote human rights in India. It has been granted certain powers to inquire into human rights violations, recommend remedial action, and monitor the implementation of its recommendations.</p>
<b>Approaching the answer</b>	<p>While the NHRC plays a crucial role in addressing human rights issues, there have been debates about the effectiveness of its powers and teeth in protecting human rights in the country.</p> <p><b>Power of NHRC</b></p> <ul style="list-style-type: none"> <li>✍ To inquire suo motu or on a petition presented to it by a victim or any person on his behalf into any matter relating to the violation of human rights or abetment thereof by a public servant.</li> <li>✍ To intervene in any proceeding relating to human rights being conducted by a court or other authority.</li> <li>✍ To recommend to the government the taking of measures for the protection of human rights.</li> </ul>

**Despite these powers, the NHRC has been criticized for its lack of effectiveness in protecting human rights in India.**

✍ **Limited Enforcement Powers:** The NHRC's recommendations are not binding, and it does not have the power to enforce its decisions or take direct action against violators. Its role is largely advisory and dependent on the willingness of the concerned authorities to implement its recommendations.

✍ **Jurisdictional Limitations:** The NHRC has jurisdiction only over violations by government authorities. It cannot investigate human rights violations by non-state actors or private entities, limiting its scope of action.

✍ **Capacity and Resources:** The NHRC's effectiveness is also dependent on its capacity and resources. Adequate funding and infrastructure are essential for carrying out its functions effectively.

✍ **Challenges in Implementation:** Even when the NHRC makes recommendations, there have been instances where the implementation has been slow or inadequate. This can be due to various factors, including administrative and political considerations.

✍ **Public Awareness and Accessibility:** Public awareness about the NHRC and its role in protecting human rights is crucial for its effectiveness. Ensuring accessibility to marginalized and vulnerable communities can be a challenge.

✍ **Independence and Autonomy:** The NHRC's effectiveness also depends on its independence and autonomy from the government and other institutions. Ensuring its impartiality is essential for public trust and confidence.

**Conclusion**

Despite these criticisms, the NHRC has played a significant role in protecting human rights in India. The Commission has investigated a number of cases of human rights violations and has recommended to the government the taking of measures to prevent such violations from

	happening in the future. Continuous efforts and reforms are necessary to enhance the NHRC's teeth and its ability to safeguard human rights effectively in India.
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<b>Question</b>	<b>What are the major challenges before Panchayati Raj Institutions.</b> பஞ்சாயத்து ராஜ் நிறுவனங்களின் முன் உள்ள முக்கிய சவால்கள் என்ன?
<b>Introduction</b>	The term Panchayati Raj in India signifies the system of rural local self-government along with development. It has been established in all the states of India by the Acts of the state legislatures to build democracy at the grass-root level. It was constitutionalized through the 73rd Constitutional Amendment Act of 1992. Rajasthan was the first state to establish Panchayati Raj in 1959 and was followed by Andhra Pradesh, which also adopted the system in 1959.
<b>Approaching the answer</b>	<p><b>Significance of Panchayati Raj Institution</b></p> <ul style="list-style-type: none"> <li>✍ <b>Promote Democratic Representation:</b> The Panchayati Raj Institution system increases cooperation among people, democratic participation, and decentralization through the three levels such as Gram Panchayat at the village level, Block Panchayat, or PanchayatSamiti at the intermediate level, and Zilla Panchayat at the district level.</li> <li>✍ <b>Effective and Efficient Planning</b> The Gram Panchayats (GPs) in India have been entrusted to provide basic services in the villages and plan for local economic development. The Gram Panchayat Development Plan (GPDP) which is being developed by the Gram Sabhas improves the efficiency of public services.</li> <li>✍ <b>Ensures Good Governance:</b> Good Governance has two important pillars such as 'Consensus-oriented' and 'Participation'. The Panchayati Raj Institutions help in ensuring both the pillars of Good Governance.</li> </ul> <p><b>challenges before Panchayati Raj Institutions are:</b></p> <ul style="list-style-type: none"> <li>✍ <b>Lack of financial resources:</b> Panchayati Raj Institutions (PRIs) often lack the financial resources they need to carry out their functions effectively. This is due to a number of factors, including</li> </ul>

	<p>inadequate allocation of funds by the government, poor tax collection, and corruption.</p> <ul style="list-style-type: none"> <li>✍ <b>Lack of capacity:</b> PRIs often lack the capacity to effectively implement their functions due to a lack of trained personnel, inadequate infrastructure, and poor coordination among different levels of PRIs.</li> <li>✍ <b>Lack of participation:</b> PRIs often suffer from low levels of participation by the people, which can be attributed to a number of factors, including lack of awareness, apathy, and lack of faith in the PRI system.</li> <li>✍ <b>Political interference:</b> PRIs are often subject to political interference, which can undermine their autonomy and effectiveness. This is due to the fact that PRIs are often controlled by political parties, which can use them for their own political gain.</li> <li>✍ <b>Social and cultural factors:</b> PRIs also face a number of social and cultural challenges, such as casteism, patriarchy, and illiteracy, which can hinder their effectiveness.</li> </ul> <p><b>Suggested Reforms</b></p> <ul style="list-style-type: none"> <li>✍ The 6th report of the 2nd Administrative Reform Commission (ARC) can be implemented for better and effective functioning of the Panchayati Raj Institutions.</li> <li>✍ The 2nd ARC had recommended that there should be a clear-cut demarcation of functions of each tier of the government. And it has also recommended that State Governments should encourage local bodies to outsource specific functions to public or private agencies, as may be appropriate, through enabling guidelines and support.</li> <li>✍ Fiscal autonomy accompanied by fiscal accountability (Genuine Fiscal Federalism) can provide a long-term solution.</li> </ul>
<b>Conclusion</b>	The Panchayati Raj system in India should be strengthened as it captures local needs and ensures responsive governance. The implementation of the 73rd Amendment Act of the Constitution should



	be done in an efficient manner such that the objectives of the Act will be achieved.
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**PART - B**

<b>Question</b>	<p>c) <b>Mandamus</b>   மாண்டமஸ்</p> <p>d) <b>Functions of state Finance Commission</b>   மாநில நிதி ஆணையத்தின் செயல்பாடுகள்</p>
<b>Approaching the answer</b>	<p><b>writ of mandamus</b></p> <p>writ of mandamus is provided for under Article 32 and Article 226 of the Constitution of India. Both articles empower the Supreme Court and High Courts, respectively, to issue writs, including the writ of mandamus, for the enforcement of fundamental rights and for any other purpose.</p> <p><b>essential elements of a writ of mandamus:</b></p> <ul style="list-style-type: none"> <li>• There must be a public duty that is owed by the public official or body to the petitioner.</li> <li>• The public official or body must have failed to perform the public duty.</li> <li>• The petitioner must have a legal right to the performance of the public duty.</li> <li>• The writ must be issued in the interests of justice.</li> </ul> <p><b>State Finance Commission</b></p> <p>State Finance Commission (SFC) is a constitutional body established under Article 243-I of the Constitution. The primary function of the State Finance Commission is to make recommendations on the distribution of financial resources between the State Government and the local governments (Panchayats and Municipalities) within the state.</p> <p><b>main functions of the State Finance Commission in India:</b></p> <ol style="list-style-type: none"> <li>1. Reviewing the financial position: The State Finance Commission reviews the financial position of the State Government, which</li> </ol>

	<p>includes an analysis of its revenue and expenditure patterns, borrowing capacity, and other financial aspects.</p> <ol style="list-style-type: none"> <li>2. Recommending devolution of funds: Based on its assessment of the financial position, the Commission recommends the principles and formula for sharing financial resources between the State Government and local governments. This includes the distribution of taxes, duties, grants, and other revenues.</li> <li>3. Grant-in-aid to local bodies: The Commission recommends the measures needed to augment the Consolidated Fund of the State to supplement the resources of the Panchayats and Municipalities through the form of grants-in-aid.</li> <li>4. Rationalization of local body taxes: The Commission suggests measures for the rationalization of local taxes, duties, and fees to ensure a balanced revenue stream for the local governments.</li> <li>5. Strengthening revenue mobilization: The Commission examines the efforts made by the local governments in raising their financial resources and suggests measures to strengthen their revenue mobilization.</li> <li>6. Assessing financial autonomy: The Commission assesses the extent of financial autonomy required by the local governments to perform their functions effectively and makes recommendations accordingly.</li> <li>7. Fixing criteria for grants: The Commission lays down the criteria based on which grants are to be provided to local governments and the formula for their distribution.</li> <li>8. Performance evaluation: The State Finance Commission evaluates the performance of Panchayats and Municipalities in using the funds allocated to them and achieving their objectives.</li> <li>9. Any other matters related to finance: The Commission may also address any other financial matters related to local governments as it deems necessary.</li> </ol>
<b>Conclusion</b>	

<p><b>Question</b></p>	<p><b>Explore the role of judiciary in promoting judicial activism and public interest litigation in India. How does the judiciary play an active role in addressing social and environmental concerns and influencing policy decisions through its judicial pronouncements?</b></p> <p>இந்தியாவில் நீதித்துறை செயல்பாடு மற்றும் பொது நல வழக்குகளை ஊக்குவிப்பதில் நீதித்துறையின் பங்கை ஆராய்க. சமூக மற்றும் சுற்றுச்சூழல் கவலைகளை நிவர்த்தி செய்வதிலும் அதன் நீதித்துறை அறிவிப்புகள் மூலம் கொள்கை முடிவுகளில் செல்வாக்கு செலுத்துவதிலும் நீதித்துறை எவ்வாறு செயலில் பங்கு வகிக்கிறது?</p>
<p><b>Introduction</b></p>	<p>The judiciary in India has played a pioneering role in promoting judicial activism and public interest litigation (PIL). PIL is a legal doctrine that allows individuals or organizations to file cases in court on behalf of the public interest. This has allowed the judiciary to intervene in a wide range of matters, including environmental protection, human rights, and social justice.</p>
<p><b>Approaching the answer</b></p>	<p><b>role of judiciary in promoting judicial activism and public interest litigation in India</b></p> <ul style="list-style-type: none"> <li>✍ <b>Expanding the scope of PIL:</b> The Indian judiciary has significantly expanded the scope of PIL to address a wide range of issues, including social and environmental concerns. PIL allows the court to intervene in matters where fundamental rights are violated, and it has been instrumental in bringing justice to marginalized sections of society, environmental protection, and good governance.</li> <li>✍ <b>Providing access to justice:</b> PIL has enabled citizens, especially those who are economically and socially disadvantaged, to have access to justice and seek redressal for their grievances. The judiciary has acted as a champion for the underprivileged and has been instrumental in ensuring that justice is not denied due to financial constraints.</li> <li>✍ <b>Environmental protection:</b> The judiciary has taken an active role in addressing environmental concerns by passing landmark judgments that protect natural resources, regulate industrial activities, and promote sustainable development. For instance, the Supreme Court has issued orders to control air and water</li> </ul>

pollution, protect forests and wildlife, and promote environmental conservation.

✍️ **Social issues:** The judiciary has addressed various social issues, such as child rights, women's rights, labor rights, and the rights of marginalized communities. Through its pronouncements, the judiciary has taken steps to protect vulnerable sections of society and ensure their welfare.

✍️ **Checking executive excesses:** The judiciary, through judicial activism, has acted as a check on the executive's actions and decisions. It has struck down laws and policies that were deemed unconstitutional or against public interest.

✍️ **Guiding policy decisions:** The judiciary's judgments have often influenced policy decisions and legislative actions. When the court issues a ruling on a particular matter, it sets a precedent and provides guidance for future policy formulation and implementation.

✍️ **Public accountability:** Through PIL and judicial activism, the judiciary has increased public accountability by scrutinizing the actions of the government and other public bodies. This has led to greater transparency and accountability in governance.

✍️ **Upholding constitutional values:** The judiciary plays a significant role in upholding the values enshrined in the Indian Constitution. It ensures that the fundamental rights of citizens are protected and that the principles of justice, liberty, equality, and fraternity are upheld.

#### **how the judiciary has played an active role in addressing social and environmental concerns:**

✍️ In the case of **M.C. Mehta v. Union of India**, the Supreme Court ordered the government to take steps to control air pollution in Delhi. The court's order led to the closure of several polluting industries and the implementation of a number of measures to reduce air pollution.

✍️ **In the case of Narmada Bachao Andolan v. Union of India**, the Supreme Court ordered the government to review the construction



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	<p>of the Sardar Sarovar Dam. The court's order was based on concerns about the dam's impact on the environment and on the displacement of thousands of people.</p> <p>✍ <b>In the case of Vishaka v. State of Rajasthan</b>, the Supreme Court laid down guidelines for the prevention of sexual harassment at the workplace. The guidelines have been used by courts and tribunals across India to protect the rights of women workers.</p>
<b>Conclusion</b>	<p>Through judicial activism and public interest litigation, the judiciary in India has emerged as a strong and independent institution, playing a critical role in safeguarding the rights of citizens and promoting social justice. However, it is essential to strike a balance between judicial activism and the separation of powers, ensuring that the judiciary's interventions are well-grounded in the Constitution and the principles of democratic governance.</p>
<b>Question</b>	<p><b>Critically analyse the position of the Governor as provided under the Constitution of India. Also enumerate the Sarkaria Commission recommendations on the appointment of Governor.</b></p> <p>இந்திய அரசியலமைப்புச் சட்டத்தின் கீழ் வழங்கப்பட்டுள்ள ஆளுநரின் நிலையை விமர்சன ரீதியாக பகுப்பாய்வு செய்க. ஆளுனர் நியமனம் தொடர்பான சர்க்காரியா கமிஷன் பரிந்துரைகளையும் பட்டியலிடுக.</p>
<b>Introduction</b>	<p>The position of the Governor in India is defined under Part VI of the Constitution, particularly under Articles 153 to 162. The Governor serves as the constitutional head of each state and acts as the representative of the President of India in the state.</p>
<b>Approaching the answer</b>	<p><b>position of the Governor in State Administration</b></p> <ul style="list-style-type: none"> <li>✍ <b>Constitutional Role:</b> The Governor's role is defined by the Constitution and includes various functions, such as the appointment of the Chief Minister, summoning and proroguing the state legislative assembly, giving assent to bills, and making ordinances when the legislature is not in session.</li> <li>✍ <b>Executive Powers:</b> The Governor exercises executive powers on the advice of the Council of Ministers led by the Chief Minister. However, there have been instances where Governors have acted</li> </ul>

on their own discretion, leading to controversies and challenges to the constitutional scheme of cooperative federalism.

✍ **Reservation of Bills:** The Governor has the power to reserve certain bills for the President's consideration if they relate to matters specified in Article 201 of the Constitution. This provides a check on the state legislature's decisions.

✍ **Discretionary Powers:** The Governor also has discretionary powers, especially in situations where there is a political deadlock, such as the appointment of the Chief Minister when no party has a clear majority. These discretionary powers have sometimes led to issues of political interference.

✍ **Controversial Appointments:** Historically, there have been instances where the appointment of Governors has been seen as politically motivated, leading to criticism and concerns over the impartiality of the office.

✍ **Center-State Relations:** The Governor plays a crucial role in maintaining communication between the state government and the central government. However, this role has been criticized in the past when Governors have been perceived to act as agents of the central government rather than as independent constitutional authorities.

### **Sarkaria Commission Recommendations on the appointment of Governor:**

The Sarkaria Commission was set up in 1983 to examine the issue of Centre-State relations in India. In its report submitted in 1988, the commission made several recommendations on the appointment of Governors:

✍ **Selection Criteria:** The commission recommended that Governors should be appointed based on their experience and distinction in public life. It was suggested that persons with political and partisan backgrounds should not be appointed as Governors.

	<p>✍ <b>Consultation with Chief Minister:</b> The commission recommended that the Chief Minister of the state should be consulted by the central government before making an appointment. This was to ensure that the Governor's appointment is not opposed by the state government.</p> <p>✍ <b>Fixed Tenure:</b> The commission proposed that the Governor should have a fixed tenure, and premature removal should be avoided except in exceptional circumstances.</p> <p>✍ <b>Governors' Inter-State Role:</b> The commission recommended that Governors should not be appointed as Governors of their home state or a state where they have previously held political positions. This was to ensure that Governors can function without any local political affiliations.</p> <p>✍ <b>Interaction with State Government:</b> The commission emphasized that Governors should act as a vital link between the central government and the state government, ensuring that the state's views and concerns are effectively communicated to the center.</p>
<b>Conclusion</b>	<p>The office of the Governor continues to be a subject of debate concerning its neutrality and independence, with calls for further reforms to strengthen the principles of federalism in India. The Sarkaria Commission's recommendations on the appointment of the Governor are a step in the right direction, but they do not go far enough. To truly strengthen the position of the Governor, the Constitution would need to be amended to give the Governor more independence from the state government.</p>
<b>Question</b>	<p><b>"The Constitution of India has vested in the Election Commission of India the superintendence, direction and control of the entire process for conduct of elections to Parliament and Legislature of every State and to the offices of President and Vice-President of India" in the light of the statement Discuss the need to have a relook at the independence of ECI.</b></p> <p>"ஒவ்வொரு மாநிலத்தின் நாடாளுமன்றம் மற்றும் சட்டமன்றத்திற்கும், இந்திய குடியரசுத் தலைவர் மற்றும் துணைக் குடியரசுத் தலைவர் அலுவலகங்களுக்கும் தேர்தல்</p>



	<p>நடத்துவதற்கான முழு செயல்முறையின் கண்காணிப்பு, வழிகாட்டுதல் மற்றும் கட்டுப்பாடு ஆகியவற்றை இந்திய அரசியலமைப்புச் சட்டம் இந்திய தேர்தல் ஆணையத்திடம் வழங்கியுள்ளது" இக்கூற்றின் வெளிச்சத்தில் இந்திய தேர்தல் ஆணையத்தின் சுதந்திரத்தை மறுபரிசீலனை செய்ய வேண்டியதன் அவசியத்தைப் பற்றி விவாதிக்க.</p>
<p><b>Introduction</b></p>	<p>Election Commission of India (ECI) plays a critical role in ensuring free and fair elections in India. It is responsible for overseeing the entire electoral process, including the conduct of elections to Parliament, State Legislatures, and the offices of the President and Vice-President of India.</p>
<p><b>Approaching the answer</b></p>	<p><b>Issues with Election Commission</b></p> <ul style="list-style-type: none"> <li>✍ <b>Appointment Process:</b> The appointment of the Chief Election Commissioner (CEC) and Election Commissioners is done by the President of India, based on the advice of the government. This process raises concerns about the potential influence of the ruling government in appointing officials who are meant to be impartial and independent.</li> <li>✍ <b>Lack of Collegium:</b> Unlike other independent institutions like the judiciary, there is no collegium system for the appointment of Election Commissioners. This absence can lead to political considerations influencing the appointment process and potentially compromising the independence of the ECI.</li> <li>✍ <b>Funding and Autonomy:</b> The ECI is dependent on the government for its budgetary allocations, which can raise concerns about financial autonomy. Adequate funding and financial independence are essential to ensure that the ECI can function without any undue influence.</li> <li>✍ <b>Electoral Reforms:</b> There have been demands for comprehensive electoral reforms in India, including issues related to electoral funding, candidate selection processes, and political party regulation. Critics argue that these reforms are slow to implement due to the political nature of decision-making and lack of complete independence of the ECI.</li> <li>✍ <b>Enforcement Powers:</b> While the ECI has vast supervisory and regulatory powers during elections, its enforcement powers</li> </ul>

	<p>outside the election period are limited. The ECI's authority to address electoral malpractices and other violations during the non-election period is a subject of concern.</p> <p>✍ <b>Allegations of Partisanship:</b> In some instances, there have been allegations of partisanship against the ECI, leading to debates over its impartiality and independence.</p> <p>Steps needs to be Taken to Strengthen Election Commission</p> <p>✍ <b>Constitutional Amendment:</b> Consider amending the Constitution to establish a collegium system for the appointment of the Chief Election Commissioner (CEC) and Election Commissioners. This would ensure a transparent and consultative process, reducing the potential for political considerations in appointments.</p> <p>✍ <b>Strengthen voter education programs</b> to promote voter awareness and participation. Educating voters about their rights and the electoral process will enhance the effectiveness of the democratic system.</p> <p>✍ <b>Introduce a fixed tenure for the CEC and Election Commissioners</b>, similar to that of judges, to ensure their independence from political pressures during their term in office.</p> <p>✍ <b>Financial Autonomy:</b> Provide financial autonomy to the ECI, giving it control over its budgetary allocations. This will prevent any undue influence from the government and ensure the commission has the necessary resources to carry out its functions effectively.</p>
<b>Conclusion</b>	By implementing these steps, India can bolster the independence and effectiveness of the Election Commission, which is crucial for upholding the democratic principles of the nation and conducting credible elections that reflect the will of the people.

<b>Question</b>	<b>As the Russia - Ukarine War continues to divide US, it is time for the NAM to take its place in the world again'. Discuss.</b>
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	ரஷ்யா - உக்ரைன் யுத்தம் அமெரிக்காவை பிளவுபடுத்துவது தொடர்வதால், அணிசேரா இயக்கம் மீண்டும் உலகில் அதன் இடத்தைப் பிடிக்கும் நேரம் இது. விவாதிக்க
<b>Introduction</b>	The ongoing Russia-Ukraine war has divided the United States and its allies, with some countries supporting Ukraine and others supporting Russia. This division has created an opportunity for the Non-Aligned Movement (NAM) to take its place in the world again.
<b>Approaching the answer</b>	<p>The NAM was formed in 1961 by countries that wanted to remain independent of the two Cold War blocs, the United States and the Soviet Union. The NAM currently has 120 member states, and its goals include promoting peace, security, and development.</p> <p><b>some specific ways that the NAM could help to resolve the Russia-Ukraine war:</b></p> <ul style="list-style-type: none"> <li>✍ The NAM could convene a meeting of its members to discuss the crisis and develop a common position.</li> <li>✍ The NAM could send a delegation to Moscow and Kyiv to meet with the leaders of Russia and Ukraine and urge them to negotiate a peaceful settlement.</li> <li>✍ The NAM could provide humanitarian assistance to the people of Ukraine.</li> <li>✍ The NAM could work with other international organizations to pressure Russia to end its aggression against Ukraine.</li> </ul>
<b>Conclusion</b>	The NAM has a unique role to play in resolving the Russia-Ukraine war. The movement has the support of many countries in the developing world, and it has a long history of mediating conflicts. The NAM is well-positioned to bring the two sides to the negotiating table and help them reach a peaceful resolution.

<b>Question</b>	<p><b>What constitutes the Doctrine of Basic Structure with reference to the Constitution of India?</b></p> <p>இந்திய அரசியலமைப்பைக் குறிக்கும் அடிப்படைக் கட்டமைப்பின் கோட்பாடு என்ன?</p>
<b>Introduction</b>	The Doctrine of Basic Structure is a constitutional principle in India that states that Parliament cannot amend certain essential features of the

	<p>Constitution. The Doctrine of Basic Structure was first developed by the Supreme Court of India in the <i>Kesavananda Bharati v. State of Kerala</i> case (1973).</p>
<p><b>Approaching the answer</b></p>	<p><b>Key elements of Doctrine of Basic Structure</b></p> <ul style="list-style-type: none"> <li>✍ <b>Supremacy of the Constitution:</b> The basic structure upholds the supremacy of the Constitution as the paramount law of the land.</li> <li>✍ <b>Sovereign, Socialist, Secular, and Democratic Republic:</b> The principles of sovereignty, socialism, secularism, and democracy are considered integral to the Constitution's basic structure.</li> <li>✍ <b>Rule of Law:</b> The doctrine ensures that the rule of law is maintained, and no one, including the government, is above the law.</li> <li>✍ <b>Fundamental Rights:</b> The basic structure protects the fundamental rights guaranteed to citizens under Part III of the Constitution.</li> <li>✍ <b>Judicial Review:</b> It safeguards the principle of judicial review, allowing the judiciary to interpret the Constitution and review the constitutionality of laws and executive actions.</li> <li>✍ <b>Separation of Powers:</b> The doctrine includes the principle of separation of powers among the legislature, executive, and judiciary.</li> <li>✍ <b>Federal Structure:</b> The basic structure upholds the federal character of the Constitution and the distribution of powers between the center and the states.</li> <li>✍ <b>Independence of the Judiciary:</b> The independence of the judiciary is considered an essential component of the basic structure.</li> <li>✍ <b>Free and Fair Elections:</b> The principle of free and fair elections is also part of the basic structure.</li> </ul> <p><b>Doctrine of Basic Structure has been used by the Supreme Court:</b></p> <ul style="list-style-type: none"> <li>✍ In the <i>Minerva Mills v. Union of India</i> case (1980), the Court struck down an amendment to the Constitution that had abolished the right to property. The Court held that the right to property was a fundamental right that could not be amended.</li> </ul>

	<p>✍ <b>In the S.R. Bommai v. Union of India</b> case (1994), the Court struck down an amendment to the Constitution that had given the President the power to dismiss state governments. The Court held that the amendment violated the separation of powers and the federal structure of the Indian Constitution.</p> <p>✍ <b>In the Indira Gandhi v. Raj Narain</b> case (1975), the Court struck down an amendment to the Constitution that had retroactively validated the Emergency that had been imposed by the Indira Gandhi government. The Court held that the amendment violated the rule of law and the fundamental rights of citizens.</p>
<b>Conclusion</b>	The Doctrine of Basic Structure is a significant development in Indian constitutional law. It has helped to protect the fundamental principles of the Constitution from being undermined by amendments that are passed by Parliament. The Doctrine of Basic Structure has also helped to ensure that the Indian Constitution remains a living document that can be adapted to the changing needs of the country.

<b>Question</b>	<p><b>Critically examine the extent to which Directive Principles of State Policy have been implemented, so far.</b></p> <p>அரசு நெறிமுறைக் கோட்பாடுகள் இதுவரை எந்த அளவிற்கு செயல்படுத்தப்பட்டுள்ளன என்பதை விமர்சன ரீதியாக ஆராய்க.</p>
<b>Introduction</b>	The Directive Principles of State Policy (DPSP) are guidelines and principles laid down in Part IV of the Indian Constitution to direct the state's policy-making process and governance. These principles are not justiciable, meaning they are not enforceable by the courts. While they are non-justiciable, they are fundamental in the governance of the country and are considered essential for achieving social, economic, and political justice.
<b>Approaching the answer</b>	<p><b>Challenges in Implementing</b></p> <p>✍ <b>Varied Implementation:</b> The implementation of DPSP varies across different governments and time periods. Some</p>

governments have shown a greater commitment to fulfilling the objectives of DPSP, while others have not given them sufficient attention.

✍ **Conflicts with Fundamental Rights:** In some cases, DPSP goals may come into conflict with fundamental rights. For example, the right to property, which was a fundamental right initially, was amended to be removed as a fundamental right due to conflicts with certain DPSP objectives. This highlights the challenge of balancing DPSP with fundamental rights.

✍ **Resource Constraints:** The implementation of DPSP often faces resource constraints. Many of the principles require significant financial investments, and the government's ability to allocate resources for their implementation may be limited.

✍ **Lack of Legal Enforcement:** Since DPSP is non-justiciable, there is no legal compulsion for the government to implement them. This has been a significant hindrance to their effective implementation.

✍ **Political Considerations:** The political will to implement DPSP is critical. In many instances, political considerations and short-term electoral interests have taken precedence over the long-term objectives of DPSP.

✍ **Socio-economic Challenges:** India's diverse and complex socio-economic challenges present significant obstacles to the effective implementation of DPSP. Issues such as poverty, illiteracy, and social inequalities require multi-faceted solutions.

✍ **Role of States:** The implementation of DPSP is not solely the responsibility of the central government. State governments also play a vital role in implementing these principles, and their commitment may vary.

✍ **Judicial Activism:** Though non-justiciable, the judiciary has interpreted DPSP principles creatively to expand the scope of fundamental rights. This has indirectly contributed to furthering some DPSP objectives.

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**Despite challenges, some DPSP objectives have been reasonably successful.**

- ✍ **Right to Education** (Article 21A): The DPSP emphasizes providing free and compulsory education to all children up to the age of 14. The Right to Education (RTE) Act, enacted in 2009, is a significant step towards fulfilling this directive. The RTE Act ensures that every child has the right to elementary education, and it mandates the government to provide free education to children from disadvantaged backgrounds.
- ✍ **Promotion of Cottage Industries** (Article 43): The DPSP aims to promote cottage industries to improve rural employment and livelihoods. Various government initiatives, such as the Khadi and Village Industries Commission (KVIC), provide support and financial assistance to rural artisans and entrepreneurs engaged in cottage industries.
- ✍ **Living Wage for Workers** (Article 43A): The DPSP calls for the state to secure a living wage for workers. Several labor laws, including the Minimum Wages Act, have been enacted to protect workers' rights and ensure they receive fair wages for their labor.
- ✍ **Equal Justice and Legal Aid** (Article 39A): The DPSP aims to secure equal justice and provide free legal aid to the poor and marginalized. The Legal Services Authorities Act, 1987, facilitates the establishment of legal aid mechanisms to ensure that all citizens have access to justice, irrespective of their economic status.
- ✍ **Protection of Environment** (Article 48A): The DPSP mandates the protection and improvement of the environment. To address environmental concerns, India has enacted laws such as the Wildlife Protection Act, the Environment (Protection) Act, and the Forest Conservation Act to safeguard the environment and wildlife.
- ✍ **Agricultural Reforms** (Article 39): The DPSP directs the state to promote policies that ensure a just and equitable distribution of



	<p>resources in agriculture. Various agricultural reforms have been undertaken to improve farm productivity, enhance farmers' income, and address rural distress.</p> <p>✎ <b>Promotion of Cooperative Societies</b> (Article 43B): The DPSP seeks to promote cooperative societies for the betterment of economic and social conditions of weaker sections. India has a vibrant cooperative movement, and cooperative societies play a significant role in sectors like agriculture, dairy, and credit.</p> <p>✎ <b>Prohibition of Cow Slaughter</b> (Article 48): The DPSP advocates for the prohibition of cow slaughter to protect cattle. Many states in India have enacted laws prohibiting or regulating cow slaughter to honour this directive.</p>
<b>Conclusion</b>	<p>It's important to note that the implementation of DPSP is an ongoing and evolving process, and various governments have taken different approaches to address these principles. While some progress has been made, challenges remain, particularly in resource allocation, governance, and addressing social and economic inequalities. The DPSP continue to guide policy-making and are essential in shaping India's vision of a just and welfare-oriented society.</p>

<b>Question</b>	<p><b>Discuss the role and powers of the Speaker of the Tamilnadu Legislative Assembly.</b></p> <p>தமிழ்நாடு சட்டமன்றத் தலைவரின் பங்கு மற்றும் அதிகாரங்களைப் பற்றி விவாதிக்க.</p>
<b>Introduction</b>	<p>The Speaker is the presiding officer of the Legislative Assembly of Tamil Nadu. He is elected by the members of the Assembly from among themselves. The Speaker has a number of important roles and powers. The current Speaker of the Tamil Nadu Legislative Assembly is M. Appavu.</p>
<b>Approaching the answer</b>	<p><b>Power and Functions of Speaker</b></p> <p>✎ <b>Presiding Officer:</b> Article 178 of the Constitution states that the Governor of the state shall summon the Legislative Assembly, and the Speaker is elected by the members of the Assembly to preside</p>

over its proceedings. The Speaker's primary role is to conduct the business of the House and maintain order during debates and discussions.

✎ **Casting Vote:** Article 100(1) of the Constitution provides that the Speaker has a casting vote in case of a tie on any matter put to vote. This means that if the votes on a matter are evenly divided, the Speaker has the deciding vote.

✎ **Decision on Points of Order:** The Speaker has the authority to decide on points of order raised by members during the assembly's proceedings. Points of order relate to the interpretation and application of the assembly's rules and procedures. The Speaker's rulings on points of order are final and binding.

✎ **Recognition of Members:** The Speaker recognizes members who wish to speak during debates and discussions in the assembly. Members can address the House only after being recognized by the Speaker.

✎ **Decision on Disqualifications:** The Speaker has the power to decide on matters related to disqualification of members under the anti-defection law. Articles 191 and 192 of the Constitution deal with the disqualification of members on the grounds of defection. The Speaker's decision in such cases is subject to judicial review.

✎ **Committees and Panels:** The Speaker has the authority to constitute various committees and panels of the assembly, such as the Business Advisory Committee, Rules Committee, and others, as per the relevant rules of procedure. The Speaker also appoints members to these committees.

✎ **Administrative Powers:** The Speaker also has administrative responsibilities, including managing the assembly staff and infrastructure. The Speaker's office oversees the functioning of the assembly secretariat.

✎ **Summoning Witnesses:** The Speaker can summon any member or any person to the assembly if required for specific purposes, such as summoning witnesses during committee proceedings.

<b>Conclusion</b>	It is important to note that the powers and functions of the Speaker of the Tamil Nadu Legislative Assembly are not unlimited and are subject to the provisions of the Constitution and the rules of procedure of the assembly. The Speaker's primary role is to maintain order and decorum in the House, ensure a fair conduct of the proceedings, and uphold the dignity and integrity of the Legislative Assembly.
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<b>Question</b>	<b>Identify the limitations of working of Lokpal in India.</b> இந்தியாவில் லோக்பால் செயல்படுவதற்கான வரம்புகளை அடையாளம் காண்க
<b>Introduction</b>	The Lokpal, which was established in 2013, is an independent body that investigates allegations of corruption against certain public officials in India. The Lokpal has been in operation for over 8 years, but it has not been able to achieve all of its objectives. The Lokpal has been criticized for its slow pace of investigation, its lack of financial resources, and its inability to bring corrupt officials to justice.
<b>Approaching the answer</b>	<p><b>Objectives of Lokpal</b></p> <ul style="list-style-type: none"> <li>✍ <b>To prevent corruption:</b> The Lokpal aims to prevent corruption by investigating allegations of corruption and taking action against corrupt officials.</li> <li>✍ <b>To bring corrupt officials to justice:</b> The Lokpal aims to bring corrupt officials to justice by investigating allegations of corruption and recommending that the government take action against them.</li> <li>✍ <b>To protect the rights of whistleblowers:</b> The Lokpal aims to protect the rights of whistleblowers by ensuring that they are not harassed or penalized for reporting allegations of corruption.</li> <li>✍ <b>To raise awareness of corruption:</b> The Lokpal aims to raise awareness of corruption by publishing reports on its investigations and by conducting awareness campaigns.</li> </ul> <p><b>Limitation of Lokpal</b></p> <ul style="list-style-type: none"> <li>✍ <b>Limited Jurisdiction:</b> The Lokpal's jurisdiction is confined to cases of corruption at the central government level, leaving out</li> </ul>

corruption cases at the state and local levels, which are also significant areas of concern.

- ✎ **Delayed Implementation:** The Lokpal Act was passed in 2013, but it took several years for the institution to become operational, leading to a delay in addressing corruption cases.
- ✎ **Vacancies:** The Lokpal has faced delays in the appointment of its Chairperson and members, which has affected its operational efficiency.
- ✎ **Resource Constraints:** The Lokpal has struggled with resource constraints, which may hamper its ability to conduct timely and effective investigations.
- ✎ **Public Awareness:** There has been limited awareness among the general public about the Lokpal and its functions, which can impact its effectiveness.
- ✎ **Overlapping Jurisdiction:** The Lokpal's jurisdiction sometimes overlaps with other investigative agencies, leading to confusion and potential inefficiencies.
- ✎ **Low Conviction Rate:** The Lokpal's track record in securing convictions in corruption cases has been relatively low, which raises questions about its efficacy in achieving its objectives.

#### **how the Lokpal can be strengthened:**

- ✎ **Increase its budget:** The Lokpal needs to be given a larger budget in order to investigate and prosecute cases of corruption effectively.
- ✎ **Give it the power to prosecute cases:** The Lokpal needs to be given the power to prosecute cases of corruption in order to bring corrupt officials to justice.
- ✎ **Enhance its investigative powers:** The Lokpal needs to be given enhanced investigative powers in order to investigate cases of corruption more effectively.
- ✎ **Ensure the independence of the Lokpal:** The Lokpal needs to be made more independent of the government in order to ensure that it can function effectively.

	<p>✍ <b>Strengthen the whistleblowing mechanism:</b> The Lokpal needs to strengthen the whistleblowing mechanism in order to encourage people to report allegations of corruption.</p> <p>✍ <b>Increase public awareness of the Lokpal:</b> The Lokpal needs to increase public awareness of its existence and its functions in order to encourage people to use it.</p>
<b>Conclusion</b>	Lokpal is a crucial institution in the fight against corruption in India. While it has the potential to make a significant impact, addressing its weaknesses and challenges is essential for its successful functioning.

<b>Question</b>	<p><b>The right to constitutional remedies is often described as the most fundamental of all the fundamental rights. Explain.</b></p> <p>அரசியலமைப்பு தீர்வுகளுக்கான உரிமை பெரும்பாலும் அனைத்து அடிப்படை உரிமைகளிலும் மிக அடிப்படையானது என்று விவரிக்கப்படுகிறது. விளக்குக</p>
<b>Introduction</b>	The main objective of Article 32 is to provide a guaranteed, effective, and cost-effective remedy for the protection of fundamental rights. The significance of this Article is such that Dr. B R Ambedkar considered it the most important Article of the Constitution without which the Constitution would be a nullity. He considered it as the soul and heart of the Constitution.
<b>Approaching the answer</b>	<p><b>The reason for constitutional remedies is often described as the most fundamental:</b></p> <p>✍ <b>Right to Constitutional Remedies:</b> Article 32 empowers citizens to directly approach the Supreme Court of India for the enforcement of their fundamental rights. It ensures that these rights are not merely on paper but have practical significance, as individuals can seek redressal if their rights are violated.</p> <p>✍ <b>Protecting Fundamental Rights:</b> Article 32 acts as a guardian of fundamental rights, ensuring that they are not violated or abridged by the state or any public authority. It acts as a check</p>

on the arbitrary exercise of power by the government and protects citizens from any abuse of authority.

✍️ **Judicial Review:** Article 32 enables the Supreme Court to exercise its power of judicial review, allowing it to examine the constitutionality of laws and executive actions. It ensures that laws and actions of the government are in conformity with the Constitution and do not infringe upon fundamental rights.

✍️ **Writ Jurisdiction:** Article 32 grants the Supreme Court the authority to issue writs like habeas corpus, mandamus, prohibition, certiorari, and quo warranto. These writs are powerful tools to protect individuals from illegal detentions, ensure public authorities perform their duties, and prevent the usurpation of public offices.

✍️ **Equality and Access to Justice:** Article 32 ensures equal access to justice for all citizens, regardless of their social, economic, or political standing. It allows individuals from any part of the country to directly approach the Supreme Court for relief, promoting equal treatment under the law.

✍️ **Fundamental Right Enabler:** Article 32 reinforces the significance of other fundamental rights guaranteed in the Constitution. It empowers citizens to seek remedies if any of their rights, including right to life and personal liberty, freedom of speech, right to equality, etc., are violated.

✍️ **Role in Upholding the Rule of Law:** Article 32 reinforces the principle of the rule of law by ensuring that no one, including the government, is above the Constitution. It promotes accountability and prevents the abuse of power by making authorities answerable to the courts.

✍️ **Protection of Minorities and Disadvantaged:** Article 32 provides a safeguard for minorities and disadvantaged sections of society. It allows them to seek protection from discrimination and injustice, ensuring their constitutional rights are upheld.

**how the Supreme Court has used Article 32 to enforce fundamental rights:**

	<p>✍ <b>In the case of Maneka Gandhi v. Union of India</b>, the Supreme Court held that the right to life includes the right to live with dignity. This right was used to strike down a law that required pregnant women to undergo compulsory sterilization.</p> <p>✍ <b>In the case of Golaknath v. State of Punjab</b>, the Supreme Court held that fundamental rights cannot be amended by Parliament. This decision was later overturned by the Supreme Court in the Kesavananda Bharati case.</p> <p>✍ <b>In the case of P.U.C.L. v. Union of India</b>, the Supreme Court held that the right to freedom of speech includes the right to criticize the government. This right was used to strike down a law that prohibited the publication of material that was "prejudicial to the interests of the state."</p> <p>✍ <b>In the case of M.C. Mehta v. Union of India</b>, the Supreme Court held that the right to life includes the right to a healthy environment. This right was used to order the government to take steps to reduce pollution in Delhi.</p>
<b>Conclusion</b>	Article 32 of the Indian Constitution is a cornerstone of the democratic system, as it guarantees the right to constitutional remedies, ensuring that fundamental rights are protected and upheld. Its significance lies in providing citizens with a direct and powerful mechanism to seek justice and hold the government accountable for any violation of their rights.

<b>Question</b>	<b>Examine the provisions under Art-356 of Indian Constitution.</b> இந்திய அரசியலமைப்பின் 356வது பிரிவின் கீழ் உள்ள விதிகளை ஆராங்க
<b>Introduction</b>	Article 356 of the Indian Constitution deals with the provision of "President's Rule" in the states. It empowers the President of India to assume direct control of the state's administration if the government in a state fails to function according to the provisions of the Constitution. The Article is also referred to as "State Emergency" or "President's Rule."
<b>Approaching the answer</b>	<b>Provisions under Article 356:</b>  ✍ <b>Grounds for the Imposition of President's Rule:</b> The President can impose President's Rule in a state if the Governor of the state

submits a report to the President stating that the state government is unable to function according to the provisions of the Constitution. The report must be based on the Governor's assessment that the state government has failed to carry out its constitutional duties or that there is a breakdown of the constitutional machinery in the state.

✍ **Obligation of the President to Seek Cabinet Advice:** Before invoking Article 356, the President is bound to seek and act on the advice of the Union Council of Ministers. The Cabinet's advice is crucial as the President cannot act independently in this regard.

✍ **Special Provisions for President's Rule in Certain States:** In the case of some states, primarily those under the Sixth Schedule or having Autonomous District Councils, a different set of provisions apply, and President's Rule can be imposed under specific circumstances related to tribal areas.

✍ **Duration of President's Rule:** The initial imposition of President's Rule is for a maximum period of six months. However, if the circumstances warrant it, the period can be extended up to three years with the Parliament's approval.

✍ **Legislative Powers of Parliament during President's Rule:** When President's Rule is imposed, the Parliament assumes legislative powers for the state. It can make laws on matters within the state's legislative jurisdiction.

✍ **Dissolution of the State Legislative Assembly:** The President can dissolve the state legislative assembly if the Parliament approves it. However, before dissolving the assembly, the President must consider whether there is a possibility of forming a stable government in the state.

✍ **Revocation of President's Rule:** The President can revoke President's Rule at any time if satisfied that the state has restored normalcy and is capable of functioning democratically under the provisions of the Constitution.

✍ **Judicial Review:** The imposition of President's Rule is subject to judicial review. The courts can scrutinize the decision to ascertain





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PYQ Test	10
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<b>Total Test</b>	<b>114</b>

**Date :**

17 AUGUST, 2023

**Time :**

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	<p>whether it was justified based on the grounds and circumstances mentioned in Article 356.</p> <p>Despite the criticism, Article 356 has been used by the President on 127 occasions since the Constitution came into force in 1950. The most recent instance of President's Rule was imposed in the state of Arunachal Pradesh in December 2021.</p>
<b>Conclusion</b>	<p>Article 356 has been criticized for being a tool of political control by the central government. The critics argue that the President has been too willing to impose President's Rule in states where the ruling party is not from the same party as the ruling party at the Centre. They also argue that President's Rule has been used to suppress dissent and to undermine the federal structure of the Indian Constitution.</p>

<b>Question</b>	<p><b>"The philosophy of the Indian Constitution. was shaped during the nationalist struggle." Comment</b></p> <p>"இந்திய அரசியலமைப்பின் தத்துவம். தேசியவாதப் போராட்டத்தின் போது உருவானது." கருத்திடுக.</p>
<b>Introduction</b>	<p>The Indian Constitution was framed after years of struggle against colonial rule. The nationalist struggle had a profound impact on the philosophy of the Constitution. The nationalist struggle was based on the principles of democracy, secularism, and social justice. These principles were enshrined in the Constitution.</p>
<b>Approaching the answer</b>	<p> <b>Demand for Self-Governance:</b> The nationalist movement was primarily driven by the demand for self-governance and independence from British colonial rule. Leaders like Mahatma Gandhi, Jawaharlal Nehru, and Dr. B.R. Ambedkar emphasized the importance of democratic governance and the participation of the people in decision-making processes.</p> <p> <b>Ideals of Liberty and Equality:</b> The nationalist struggle advocated for fundamental rights, individual liberties, and equal treatment for all citizens. The principles of liberty and equality became central to the vision of the future independent India.</p>

- ✍ **Commitment to Social Justice:** The nationalist leaders were deeply concerned about addressing social inequalities, discrimination, and the upliftment of marginalized sections of society. The struggles for Dalit rights, women's empowerment, and tribal rights were integral to the nationalist movement's ethos.
- ✍ **Inclusivity and Pluralism:** The nationalist struggle sought to build a united and inclusive India, despite its diverse linguistic, religious, and cultural identities. The movement promoted the idea of a secular state that respects all religions and ensures equal citizenship for all.
- ✍ **Democratic Principles:** The nationalist leaders emphasized the importance of democratic principles, such as popular sovereignty, rule of law, and the protection of minority rights. These principles formed the bedrock of the Constitution.
- ✍ **Drafting Committee and Constituent Assembly:** The Constitution's drafting committee, headed by Dr. B.R. Ambedkar, included several leaders who were actively involved in the nationalist movement. The Constituent Assembly, comprising elected representatives, reflected the diverse aspirations of the people.
- ✍ **Influence of International Charters:** The nationalist leaders drew inspiration from international charters like the Atlantic Charter and the Universal Declaration of Human Rights, which advocated for individual freedoms and human rights. These influences are reflected in the Constitution's provisions.
- ✍ **Rejection of Colonial Legacy:** The nationalist movement aimed to reject the colonial legacy of governance characterized by arbitrary rule and lack of representation. The Constitution sought to establish a government that is accountable to the people and upholds democratic values.
- ✍ **Preamble and Objectives Resolution:** The Preamble of the Indian Constitution, which reflects the core values and aspirations, was influenced by the nationalist struggle's ideals. The Objectives Resolution, passed in the Constituent Assembly,

	laid down the foundational principles guiding the Constitution's framing.
<b>Conclusion</b>	the philosophy of the Indian Constitution was shaped during the nationalist struggle. The principles of democracy, secularism, and social justice, which were fought for during the nationalist struggle, are enshrined in the Constitution and have helped to shape India into a democratic, secular, and just society.

<b>Question</b>	<p><b>Briefly discuss about the privileges and immunities given to the Parliament and its members.</b></p> <p>பாராளுமன்றத்திற்கும் அதன் உறுப்பினர்களுக்கும் வழங்கப்படும் சலுகைகள் மற்றும் விலக்குகள் பற்றி சுருக்கமாக விவாதிக்க.</p>
<b>Introduction</b>	In India, the Parliament and its members enjoy certain privileges and immunities to ensure the smooth functioning of the legislative process and to safeguard the independence of its members. These privileges and immunities are provided by the Constitution and other laws.
<b>Approaching the answer</b>	<ul style="list-style-type: none"> <li>✍ <b>Freedom of Speech and Debate:</b> Article 105 of the Indian Constitution grants Members of Parliament (MPs) the freedom of speech and debate in the Parliament. MPs can express their opinions and views without fear of legal action or prosecution.</li> <li>✍ <b>Exemption from Legal Proceedings:</b> While Parliament is in session, no MP can be arrested or detained in any civil case, except in cases of serious offenses. This immunity aims to protect MPs from undue interference while performing their legislative duties.</li> <li>✍ <b>Exemption from Jury Service:</b> MPs are exempted from serving as jurors in courts to ensure their availability for parliamentary duties.</li> <li>✍ <b>Privilege of Publication:</b> Parliament and its members have the privilege of publishing their debates, proceedings, and reports without fear of any legal action.</li> <li>✍ <b>Right to Regulate its Internal Proceedings:</b> Parliament has the right to regulate its internal proceedings and discipline its members for any breach of its rules and code of conduct.</li> </ul>

	<ul style="list-style-type: none"> <li>✍ <b>Right to Exclude Strangers:</b> Parliament has the power to exclude strangers from its proceedings and debates if it deems necessary.</li> <li>✍ <b>Immunity for Committee Reports:</b> The reports of parliamentary committees and their proceedings are immune from legal action, and their confidentiality is preserved.</li> <li>✍ <b>Parliamentary Secretariat Staff Privileges:</b> The staff working with Parliament enjoys certain privileges and immunities to facilitate their functions.</li> </ul>
<b>Conclusion</b>	<p>The privileges and immunities of Parliament and its members are important for the smooth functioning of Parliament and for the protection of the members from undue interference from the executive. However, these privileges and immunities are also subject to certain restrictions to prevent their abuse.</p>