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Subject: Pol. Sc. & Int. Relations
Roll No: 88
Exam: Mock



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Q-1

Executive in India (PM & cabinet) are individually & collectively responsible to parliament.

President (nominal head of executive) can also be removed by impeachment by parliament.

Prime Minister is responsible to president

Some ways by which parliament controls executive are

1) No confidence motion

2) Censure motion for acts of omission & commission

3) Parliament passes annual financial investment (budget) & can also resort to steps like cut motion, token cut, looks cut etc. where even after passing budget they can express their displeasure.

4) Parliamentary committees

1) Public accounts - watchdog of purse

2) Estimates

3) Committee on Public sector undertaking

4) Various departmental committee

5) Various motions & discussion in parliament

- Question hour

- adjournment motion

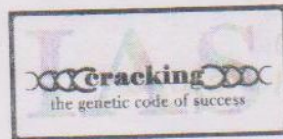
- Call attention motion

- short question

All these help in eliciting information from executive & keep them on toe on day to day basis than annual financial statements which is only yearly.

Explan. needed. 17

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Q- 2

In all the countries with parliamentary system like UK, India, Canada, Australia - President or head of state is nominal executive & real authority rests in PM & cabinet.

There has always been a debate, in such systems over power of president & source thereof.

In all parliamentary systems president is almost never directly elected by people as that has inherent danger of two rival source of power (PM & president).

On extent of president's power & whether he should exercise them on his own or on the advice of cabinet there are many views.

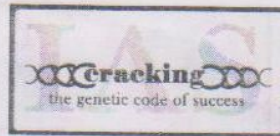
One thought is President should be "independent" in true sense of term & should have right to veto wrong policies / appointments by cabinet.

Some critics argue that this is blocky of people's will represented by elected legislature & anyway there is judiciary to prevent unconstitutional act.

Others argue that in large & heterogeneous nations like India president can act as guardian of minority (region, language, religion, economic, social) interests & deter tyranny of majority.

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Q-3

Globalisation & liberalisation has made world a family in true sense of term.

Due to advent of communication technologies & improved transportation people are increasingly aware of what happens in other nations & there is a desire to apply universal standards in all walks of life be it civil rights, trade union, environment, children, women, trade, patent & so on.

Various organisation of UN like ILO, Unicef & other specific supranational organisations like WTO, World Bank, IAEA, WFP etc. have their binding conventions & treaties & nations which agree to be part of this have to align their domestic laws & regulations to these norms & thus there is a significant loss of authority of national legislature.

MNCs & increasingly TNCs like Shell, ExxonMobil, Google, Real Tinto etc. are so powerful economically that national & subnational governments have to follow their dictat in terms of labour, environment safety & market access to attract their investment.

International criminal court & UN sponsored peacekeeping missions mean that law & order is now not entirely a domestic affair.

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There are other aspects of globalisation like WikiLeaks, Twitter which are challenge to state politics. Global media empires like CNN can effectively mould public opinion.

In short globalisation & liberalisation has acted as a huge reality check on state power where traditional state apparatus has been forced to learn to cope with, cooperate & compete with new institutions & behaviour (often out of its geographical or jurisdictional reach) for public attention & exercise of sovereignty.

Q-4

NHRC formed in 1993 & headed by an ex CJI of India is a powerful, independent constitutional body tasked as watchdog over protection of human rights in country.

Its main tasks are

- 1) enquire into grievances related to violation of human rights by govt agencies / Pvt. bodies
- 2) ~~make~~ advise govt to make laws compliant with universal declaration of human rights (1948) & covenant on economic, social & ~~polit~~ cultural rights (1966)

Not Essential

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Be to the specific context of the question

3) Commission study & research in status of human rights in country & suggest ways to ameliorate.

4) Visit jail, orphanage, houses for destitutes etc. & recommend to authorities ways to improve.

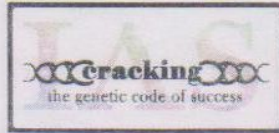
In soliciting any information/acting for a witness NHRC has powers of civil court & it can recommend prosecution to police or can monitor investigation on a periodic basis.

Most celebrated case of NHRC intervention has been in Gujarat riots of 2002 where it caused reopening of several cases after charges of shoddy investigation.

As role of NHRC is advisory it depends on executive to take its recommendations to logical conclusion. & NHRC can at most do a follow-up & pass strictures.

As is clear NHRC is not supposed to be a body involving it in every case of HR violation but to act as intervenor where system is slow in response or has failed. Its role is more to highlight flagrant violation & work to make suitable changes in policy & mindset for respect of human rights.

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Q-5

Functioning of parliament closely follows era of governments (single party, multiparty, coalition)

Till 1967 there was single party dominance, generation of people who fought in independence movement were still there & parliament debates were serious, attended by many & executive used to be responsible.

After 1967 with widespread change in nature of members (e.g. no of law years decreased, people from middle & lower sections started entering parliament) & general impatience in nation with pace of development made proceedings more noisy & more disruption prone.

After 1991 & advent of live TV ~~debates~~ disruption of proceedings became common.

Over the years no of days for which parliament meets have also been decreasing.

Over time parliament has devised its own conventions. e.g. deputy speaker after 1963 is a member of opposition.

Duty of speaker is always accepted & as was seen in case of question scam in house mechanism for dealing with errant members has worked.

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Anti-defection legislation passed in 1985 & subsequent amendments have tried to curb this practice.

After 1991, 23 department related standing committees were formed for in-depth deliberation on bills & to seek opinion of public also.

As they are not held in camera, members can freely express their views without worrying about party loyalty.

Special session of parliament in 1997 (50 yrs of independence) outlined vision of a future parliament.

Representation of women in both the houses & of SC, ST & OBCs in Rajya Sabha (there is no reservation in Rajya Sabha) has been a sore point over the years.

Dramatic increase in assets (2951545 are crorepati) & criminal cases against members has given rise to claim of representative nature of parliament.

Lack of quorum while discussing important bills, reduced days of sitting & many important bills being passed by voice vote has eroded faith of public in functioning of parliament.

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Parallel bodies
Many issues left out
Political, over Bureaucracy
Women specific issues

PRTs in India could start only after independence as British government though took few steps for urban local bodies but none for PRTs.

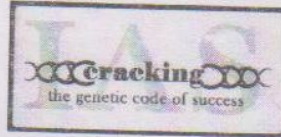
After independence based on Balwant Rai Mehta committee recommendations PRTs started functioning in Rajasthan & later other states as well.

There were wide variations in structure & functioning (2 tiers, 3 tiers & 4 tiers) due to uneven devolution of functions, resources & no constitutional backing for regular elections.

After 73rd amendment in 1991 PRTs got a constitutional status & regular elections, with reservation a model list of functions & resources to be transferred.

Provision of State Finance Commission to divide resources, provision of gram sabha as final decision making body, direct election of Sarpanch, direct financing from centre to PRTs for large number of developmental schemes all have meant that PRTs have achieved their ~~true potential~~ due position in the administrative architecture but implementation remains uneven as some states like Karnataka, Kerala & WBengal have been good in implementation while states like Bihar or Orissa held elections after repeated proddings of court.

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Q. 7

Prime Minister is considered 'Nuneso Uno' in Indian govt. structure while some say he is merely first among equals.

By constitution, President appoints a PM who is responsible to parliament & has its confidence to rule in his name. PM's advice on most matters (right from appointing ministers, governors, heads of various bodies, other executive decisions) is binding on president.

Being real executive head & mostly head of largest political party in Lok Sabha PM wields many formal & informal powers.

He is leader of whichever house he is member of (Usually Lok Sabha but Dr. Singh has been a member of Rajya Sabha)

He is ex officio president of Planning Commission which is apex body to decide direction of economic policy in country.

Before 1993 when Supreme Court acquired power to appoint judges, PM used to have decisive say in same.

He is head of committee provided for selection of chairperson of CVC, NHRC, CIC & other such constitutional bodies.

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Q - 8

Liberalisation started from 1980 in small measure & in full steam after 1991 is meant from removal of license quota Raj, restriction on import-export, high custom duties, free flow of capital & dismantling on other govt controls on business activities.

Liberalisation and associated decontrol of economic activities by govt means that people no longer need to vote on promise of elusive gas connection, telephone connection or priority in scooters & car allotment.

Neither businesses are beholden to political class for industrial licenses. But despite this our economy has not been reformed completely & there are wide discretionary powers with political class & bureaucracy.

Antiquated election rule means campaign finance is still not transparent & despite liberalisation elections are still fought on black money which is recouped later.

Liberalisation has also made various professional bodies & lobbyists strong e.g. real estate, automobile financing interests, power companies, NASSCOM etc. which influence govt. policy both in front of & behind the curtain.

Social Sector spending

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- PM also has control of India's nuclear button.
- If his party is in power in many states he has control over CMs of states as well which is not provided in constitution.
- As Governors are appointed on his advice he has another means of oversight on state governments.
- His right to appoint, demand resignation & distribute portfolios give him another lever of control.
e.g. Pt. Nehru had VK Menon & LB Shastri as ministers without portfolio to help him out.
Some PMS also had deputy PM while in recent years importance of PMO or prime minister's office has overshadowed cabinet secretary.

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