

IAS Mentorship

Reyasat Ali sir & Experienced team in CSE prep

CSE Main 2022: Mini Mock Test 5

Syllabus:

-
- Polity
-
-

Name of Candidate

ABHISHEK VASHISHTHA

Email Id

Date

15-07-2022

Medium: Hindi / English

ENG

Time: 1 Hour

Start Time:

End Time:

Q. No.	Max. Marks	Marks obtained
1	10	
2	10	
3	10	
4	15	
5	15	
6	15	
7	15	
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
Total	90	
Invigilator	Signature	

WhatsApp/Telegram/Text/Call: 8090528260

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Q1. Media is considered as fourth pillar of democracy. In this context discuss the various issues arising out of freedom of speech of expression of main stream media guaranteed by constitution along with Judiciary role to resolve such issues. 150 words

Media plays an important role in keeping democracy alive by limiting the totalitarian tendencies.

* issues arising out of FOSE of media :- →

① Fake News :-

Various media outlets uses the freedom given to them for spreading fake news.

② Polarisation in Society

↳ This is because of the hate news spread by news outlets.

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③ Echo Chambers :-

↳ It promotes the fake news in the society by repeating the same content again and again.

★ Role of Judiciary :-

① K.A. Abbas case :- Sc held that Pre-censorship of films are Constitutionally Valid.

② Bennett Coleman Case :- Sc held that Freedom of Press is both Qualitative and Quantitative.

③ Tata Press Ltd. Case :- Sc held that Commercial ~~press~~ advt. is also a part of FOSE.

Thus Judiciary played important role in safeguarding ~~news~~ media's FOSE.

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Q2. "Panchayats will become medium for the country to reach new heights – PM Narendra Modi". In the context of above statement critically examine the current status of Panchayati raj system. 150 words

The 73rd Amendment of the Constitution gave Constitutional status to local Self Government.

Current Status of Panchayats

★ Positives :-

- ① We have more than 2.5 Lacs Panchayats of local self-governance.
- ② Reservation to women and SC/ST People also played important role in social empowerment.
- ③ It also help in Community based Surveillance systems by engaging with Self help groups (SHG's) as seen during

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the time of Covid-19 Pandemic

Issues

- ① lack of funds with PRI's.
- ② lack of functionaries with PRI's.
- ③ lack of devolution of functions by State governments to Panchayats.
- ④ Issue of Proxy representatives of women or Sarpanch Pati.

To realize the dream of Swarajya we need to empower

Panchayati Raj Institutions by tackling above challenges.

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Q3. A legalistic approach to increase the age at marriage will produce positive results only if it leads to an improve in women's education and skill acquisition for employability. Critically examine above statement in the context of Prohibition of Child Marriage (Amendment) Bill 2021. 150 words

For the solution of the Problem of Child marriages in India Govt has brought Prohibition of Child marriage (Amendment) Bill, 2021.

* It will have following Positive Impacts:-

- ① Time for building career to women.
- ② Gender Parity by bringing the age for marriage for men and women at par.
- ③ Tackling the Issue of Child marriage
↳ Bill will help curbing the menace of child marriage.

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However, just increasing the age of marriage will not help much, it should

be supported by

① Improving women's education:-

↳ by increasing accessibility to schools.

↳ by making higher education free for women.

↳ by ensuring toilets etc.

② Skill acquisition for employability:-

↳ by making vocational education part of school edu (NEP).

↳ by subsidising skill programs for women.

This will help to empower women and also attainment of SDG-06 i.e. Gender Parity.

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Q4. Discuss the Sedition Law. Critically examine its need/relevance in present time in the context of the fundamental right to freedom of speech, right to life and security of state. 250 words

Recently SC in S.G. Vombatkere case directed the centre and state to keep Sedition law in abeyance.

Sedition law / Sec. 124 A of IPC :-

→ Sedition means when anyone by words either spoken or written or by sign or by unusual representation or otherwise brings or attempts to bring into hatred, etc. towards government.

→ Punishment :- The Punishment is one of the following

- Imprisonment for up to 3 years
- Imprisonment for life.
- Imprisonment for life with fine etc.

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Criticism of law

↳ Against FOSE → which is fundamental right under Art. 21.

↳ To curb the political dissent :-
↳ promoting totalitarianism

↳ To silence the media

↳ curb the free flow of ideas and dialogue.

Arguments in favour of law

↳ FOSE is not absolute and

Government can put reasonable

limitations as mentioned in Art. 19(2).

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↳ India faces many Internal Security and Separatist movement.

↳ Maintaining Stability of the State

↳ by curbing maoist tendencies.

Therefore, the need of the hour is to reform and not abolish

Section law and it can be done by :-

↳ Incorporating Kedar Nath Judgment of Supreme Court in the law itself.

↳ Proper training of enforcement agencies with respect to Section law.

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Q5. Discuss the possible factors that inhibit India from enacting for its citizens a uniform civil code as provided for in the Directive Principles of State Policy. 250 words

Art. 44 of the Indian Constitution under DPSP's provided for the uniform civil code.

★ Factors that inhibit India from enacting UCC -

- ① Practical issues to combine several complex personal laws into single law.
- ② Tough to find common ground between several different communities.

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- ↳ Apprehension that UCC may be in conflict with fundamental right like Art. 25 and Art. 26;
- ↳ Fear of religious polarisation in society;
- ↳ It may lead to law and order Problem in the country;
- ↳ It means duplicating the western model of law which leads to homogenisation and will ultimately dilute the identity of

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India as "unity in diversity".

The social transformation
from diverse civil code to uniformity
shall be gradual and cannot happen
in a day.

Therefore the government must
adopt a 'piecemeal approach' with
respect to VCE as also suggested
by Law Commission of India

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Q6. Discuss the major flaws of the anti-defection law. Why it is said that this law fails to safeguard a party member (MLA/MP) and stability of a government? Critically analyse. 250 words

52nd Amendment Act (1985) provided for Anti-Defection Act by incorporating Tenth Schedule in the Constitution.

Flaws of anti-defection law

① Ambiguity over term "deemed merger"

↳ The lack of clarity over the terms give a space to speaker which may use this for political gain for his/her Party.

② No time limit has been prescribed for the speaker to take a decision

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↳ This means that the speaker can allow a defector to enjoy the fruits of defection.

③ Discretion of speaker :- Speaker has discretion with respect to ADL and it can be misused for political gain.

④ Legislature Power to de-stabilise Government

↳ As group defection is allowed by law and in many cases legislatures resign to bring down the strength of the house.

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Way Ahead



- ① Disputes should be resolved by independent authority instead of speaker as also held by the Supreme Court.
- ② Removing the ambiguous terms in law by properly defining them.
- ③ As per 170th ^{report} ~~law~~ of Law Commission of India power to disempower should be given to President / Governor who will take decision with the consultations of Election Commission of India.

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Q7. "The governor under the constitution has no functions which he can discharge by himself: no function at all - Dr BR Ambedkar". In the context of above statement discuss the functions/powers of governor in our constitutional setup and discrepancies arising out of it. Also suggest best possible measures to it. 250 words)

Ans: → 7)

Art. 153 of the Constitution provides for the office of the Governor.

Powers and functions of the Governor

★ Legislative Power : →

↳ The Governor has the authority to call or dissolve the state legislature.

↳ He appoints 1/5th of the state legislative Council.

↳ He rule on disqualification of member of state legislature in consultation of ECI.

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Executive Powers

- ① Governor makes all executive decisions on behalf of the State Government.
- ② s/he appoints CM and COM.
- ③ Recommend to President the declaration of a state of Constitutional emergency.

Discretionary Powers

- ↳ He/she may decline to sign a regular bill passed by state legislature.
- ↳ If no party got absolute majority, he has the authority to nominate CM.
- ↳ He/she has the authority to remove COM when it can not prove confidence in the state legislative assembly.

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★ Discrepancies arising out from Powers used by Governor :-

① Governor calling for floor test as per Centre Government direction as happens in Maharashtra.

② Misuse of Art-356

③ Acting as agent of Political Party.

Way Ahead

↳ Appointment of Governor through independent mechanism.

↳ Following Procedure of impeachment for higher remuneration etc.

This will ensure the Independence of the office of the Governor and Promotes efficient functioning of State Governments.