TEST CODE	8	3	4	2	1	2

ATS 2025

Time Allowed : Three Hours
समय : तीन घंटे

ForumIAS

Maximum Marks : 250
अधिकतम अंक : 250

PSIR

Name Of Candidate परीक्षार्थी का नाम	NIHARIKA SINHA		
Roll No./ अनुक्रमांक	1910149275	**Medium/ माध्यम**	English ☑ हिंदी ☐
Center Code/ परीक्षा केंद्र	1900	**Date/ दिनांक**	24-07-25

***Center Code : For Online – 1900 / Delhi : Karol bagh – 1901, ORN - 1902, Mukharji Nagar - 1903 / Patna : Boring Rd. – 2001 / Hyderabad : Jawahar Nagar - 2101**

INDEX TABLE / अनुक्रमणिका

Q. No. प्र.सं.	Max. Marks अधिकतम अंक	Marks Obtained प्राप्तांक
1		
2		
3		
4		
5		
6		
7		
8		
Total/ कूल अंक	**250**	

INSTRUCTION / अनुदेश

1. Do furnish the appropriate details in the answer sheet (viz. Name, Email, Roll No, Mobile).
उत्तर पुस्तिका में उपयुक्त विवरण (जैसे नाम, ईमेल, रोल नंबर, मोबाइल) प्रस्तुत करें।

2. There are EIGHT questions divided in two Sections in the question paper. Question 1 and 5 are compulsory. You can attempt any THREE out of the remaining, Choosing at least ONE Question from each section.
प्रश्न पत्र में आठ प्रश्न दो खण्डों में विभाजित हैं। प्रश्न 1 और 5 अनिवार्य हैं। आप प्रत्येक खंड से कम से कम एक प्रश्न चुनकर, शेष में से किसी भी तीन का प्रयास कर सकते हैं।

3. The number of marks carried by a question/part is indicated against it.
किसी प्रश्न/भाग द्वारा किए गए अंकों की संख्या उसके सामने दर्शाई गई है।

4. Answers must be written in the medium authorized in the admission Certificate, which must be stated clearly on the cover of this Question-Cum-Answer (QCA) Booklet in the space provided.
उत्तर प्रवेश प्रमाण पत्र में अधिकृत माध्यम में लिखे जाने चाहिए, जिसका उल्लेख इस प्रश्न–सह–उत्तर (QCA) पुस्तिका के मुखपृष्ठ पर दिए गए स्थान में स्पष्ट रूप से किया जाना चाहिए।

5. Word limit in questions, if specified, should be adhered to.
प्रश्नों में शब्द सीमा, यदि निर्दिष्ट हो, का पालन किया जाना चाहिए।

6. Content is more important than content length.
विषय–सामग्री लंबाई की तुलना में विषय–सामग्री अधिक महत्वपूर्ण है।

7. Any page or portion of the page left blank in the Question-Cum Answer Booklet must be clearly Struck off.
प्रश्न–सह–उत्तर पुस्तिका में खाली छोड़ा गया कोई भी पृष्ठ या पृष्ठ का भाग स्पष्ट रूप से काट दिया जाना चाहिए।

Examiner's Discretion/ मूल्यांकन कर्त्ता का विवेक:

Total Marks/ कूल अंक :

*Examiner's Discretion is the marks awarded at the discretion of the examiner based on your overall impression, on the basis of (but not limited to) your handwriting, presentation, use of diagrams, flowcharts, facts and figures or absolutely anything that he/she liked in your copy.

मूल्यांकन कर्त्ता का विवेक अंक, आपकी लिखावट, प्रस्तुति, आरेखों के उपयोग, फ़्लोचार्ट, तथ्यों और आंकड़ों या समग्र रूप किसी अन्य विषय वस्तु, जो मूल्यांकन कर्ता को आपकी कॉपी में पसंद आयी के आधार पर (लेकिन इन्हीं तक सीमित नहीं) पर दिए गए अंक हैं।

For Student Only / केवल परीक्षार्थी प्रयोग हेतु

Start Time/ प्रारंभ करने का समय : 9:00 am	**End Time/ समाप्त करने का समय:** 12:00 pm
Mode Of Examination/ परीक्षा की विधि :	Online/ ऑनलाइन ☑ Offline/ ऑफलाइन ☐

For Office Use Only / केवल कार्यालय प्रयोग हेतु

ECN CODE/ ईसीएन कोड :	**EG/ ईजी :** ① ② ③ ④ ⑤	**Evaluation Date/ मूल्यांकन तिथि :**

ATS 2025 | PSIR | Test code : 834212

(8 Questions | 250 Marks | Duration 3 Hours)

Instructions:

- **There are 8 questions in the question paper.**
- **Question 1 and 5 are compulsory. You can attempt any *THREE* out of the remaining, Choosing at least *ONE* Question from each section.**
- **The number of marks carried by a question /part is indicated against it.**
- **Word limit in questions, wherever specified, should be adhered to.**
- **Content is more important than content length.**

Section A

Q.1) Answer the following questions in 150 words. (10*5 = 50 Marks)

a. Discuss the impact and significance of the Civil Disobedience Movement as a true Gandhian Movement.

b. Legacies of the British Rule in the Indian Constitution. Discuss

c. The Writ of Habeas Corpus in India. Comment

d. Scope of Article 368 toward expanding social justice. Comment

e. The Indian Constitution as a "Lawyers' Paradise." Comment

Q.2) a. "The evolving centre–state relations in India reflect a tug-of-war between constitutional provisions and political realities." Discuss. (20 marks)

b. Critically examine the role of the National Backward Classes Commission in alleviating social inequality in India. (15 marks)

c. What factors shaped the ideological and social bases of political parties in the recent general elections, and how did these influence voter alignments and the resurgence of coalition politics? (15 marks)

Q.3) a. Is the Election Commission of India a toothless tiger? Identify its major challenges and suggest reforms for making it a fully independent entity. (20 marks)

b. "The scope and objective of public audit are shaped by societal concerns." Examine the role of the Comptroller and Auditor General in promoting India's democratic polity. (15 marks)

c. "Economic liberalisation has widened the gap between urban and rural India." Comment. (15 marks)

Q.4) a. "Inter-state disputes are an inevitable outcome of federalism in a diverse country like India." Analyse. (20 marks)

b. Was the integrationist idea of "one nation" disrupted by post-independence state bifurcation? Examine with examples. (15 marks)

c. Discuss the role of public mobilisation in the Save Aarey Movement. To what extent have such environmental movements influenced government policy in urban development? (15 marks)

Q.5) Answer the following questions in 150 words. (10*5 = 50 Marks)

a. Comment: India has effectively accommodated linguistic diversity through federalism.

b. UPSC and the challenges of ensuring merit-based recruitment. Discuss

c. NITI Aayog's adaptive planning in a rapidly changing world. Comment

d. Role of the Finance Commission in shaping India's fiscal federalism. Comment

e. The National Commission for Women and the advancement of gender equality. Comment

Q.6) a. "Indian secularism does not erect a wall of separation between State and religion." Discuss the secular credentials of India's constitutional and political set-up. (20 marks)

b. Discuss the notion that the Indian Constitution is a social instrument. Analyse provisions and directives that aim to promote social justice and equality. (15 marks)

c. Critically examine the Basic-Structure doctrine as expounded by the Supreme Court of India. What are its implications for the parliamentary system and the amendment procedure? (15 marks)

Q.7) a. Assess the Indian National Movement from a Dalit perspective. What strategies distinguished Dalit nationalists from the mainstream? (20 marks)

b. Examine the role of extremists in the freedom struggle and contrast their tactics with those of the moderates. (15 marks)

c. Analyse the discretionary powers of the Governor under the Constitution. Are reforms needed? (15 marks)

Q.8) a. The theoretical framework of decentralisation assumes it empowers local communities and ensures effective governance. Critically evaluate this in the context of Panchayati Raj Institutions and Municipal Governments in India. (20 marks)

b. The Constituent Assembly first adopted "due process of law" from the U.S. Constitution, later replacing it with "procedure established by law." What is the major difference, and why was the latter preferred? (15 marks)

c. Discuss the scope of Judicial Review in the Indian Constitution. Has it strengthened the Constitution or created conflicts of power? Substantiate with case-law. (15 marks)

(Please do not write anything except the question number in this space)
कृपया इस स्थान में प्रश्न संख्या के अतिरिक्त कुछ न लिखें।

UPSC

Answer Questions in NOT MORE THAN the Word Limit specified for each in the Parenthesis.
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उम्मीदवारों को इस हाशिए में नहीं लिखना चाहिए
Candidates must not write on this margin

1a)

Civil Disobedience Movement marked the end of "political obligation", and was termed as "divine right to disobey" by MK Gandhi.

Its impact lies in shaping the agend of Ongoing Round Table Conference. The British Raj was compelled to now invite the INC to the 2nd Round Table, realizing the centrality of Gandhi (Summit Sarkar).

This shaped the "White Paper" that resulted in the Government of India Act 1935, extending greater concessions

to Indians in administration.

The Communal award also resulted in Poona Pact, causing debate between Gandhi and Ambedkar.

~~Its~~ The significance of CDM lies in British being in a dilemma of "damned if they do, damned if they don't". To use violence on a non-violent mass, would tantamount to losing all leftover legitimacy.

CDM was a final Gandhian movement, as Gandhi implied a "wd of position" (Bipan Chandra) i.e, a prolonged non-violent struggle. It combined active and passive phases, balancing Gandhian aim of Satyagraha and constructive work.

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1b.

Indian constitution carries British legacies as independence was a transfer of power and not a beginning from "clean slate" (PB Mehta)

The constitution's administrative framework borrows directly from Govt. of India Act 1935 – including post of Governor, Emergency, All India services, and federal setup.

The entirety of Parliamentary governance follows British westminsterial setup, with centrality of cabinet.

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Even the "quasi-federal" nature is is British legacy, with residuary power lying with the union.

The wider notion of "Rule of Law" draws from British and AV Dicey's concept of "Equality before law".

Dr Ambedkar however counter the reductionist claim of constitution being "entirely borrowed" from British legacy. Indian constitution metamorphosed itself as per Indian needs.

With amendments (A-368), other imprints such as Fundamental Rights, DPSP, and so on, Indian constitution works on "Constitutional supremacy", unlike UK's "Parliamentary supremacy" (Austin).

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1c.

Supreme Court of India pronounced once that "rights without remedies are mere in water", highlighting the critical nature of Habeas Corpus writ.

"Habeas Corpus" means to 'have the body'. It can be issued by the SC (A. 32) for reinforcing fundamental rights (Part III) as well as the H.C (A. 226) for fundamental and other legal rights.

It works against illegal detention of an individual that deprived him of his life and personal liberty

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(Article 26).

The writ was heavily undermined during the Emergency (1975) period with illegal detention of political opponents across the country.

In the ADM Jabalpur case, the Supreme Court upheld its suspension during Emergency period, which was called as "blackday" of Indian democracy.

The 44th Amendment Act however ~~sets~~ re-established the permanence of Article 21 and thereby habeas corpus. Hence, even during Emergency, the right to move the court under Article 32 is not suspended in order to uphold personal liberty.

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1d.

Hulford wrote that an un-amendable Constitution is the "worst of tyrannies." Hence, Article 368 becomes vital to respond to changing times.

Ambedkar lauded the blend of flexibility and rigidity of the Indian Constitution precisely due to Article 368.

With the very first amendment (1951), it brought land reforms including zamindari abolition to usher into social justice.

Parallely, it brought affirmative action policy (reservation) for SC/ST to

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reserve seats in legislative bodies — renewed every 10 years.

More contemporarily, the 82nd Amendment Act, made education a fundamental right (A.21A). With the 103rd Amendment Act, the economically weaker section (A.15(6), 16(6), got reservation in educational institution and services.

The recent "Naari Shakti Vandhan Adhiniyam" built upon the pioneering work of 73rd & 74th Amendment Act, expanding justice to women.

Hence, Art 368 is sine qua non to "transformative constitutionalism" (Upendra Baxi) shaping the framework of social democracy.

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1e:

Ivor Jennings called the Indian Constitution as the "lawyers' paradise" due to overwhelming no. of lawyers in the CA, as well as "elephantine" size of the constitution.

From Nehru to Ambedkar, lawyers dominated the top hierarchy of contribution to constitution making. This made the constitution the lengthiest written of that era.

It also made the constitution "legalistic" rather than a simple "social contract" understood by all.

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This led critics such as KT Shah, K Hanumanthiya call it "ill-fitted" to Indian population that was marred in illiteracy.

This further implied that rigid legislation would result in multiple litigations, benefitting the lawyers. This was proved by multiple cases such as — Shankari Prasad (1951), Keshavananda Bharati (1973), IR Coelho (2007), NJAC (2015), and others.

However, the larger picture is beyond this as Indian Constitution is a revolutionary document (PB Mehta) leading the aim of political, social and economic democracy (from FoR to DPSP).

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(3)-a

Under Article 324, Election ~~Comm~~ Commission lies at the helm of India's electoral affair, managing and supervising multiple elections (President to State legislature).

Election Commission of India has been termed by critics as "toothless tiger" due to its lack of concrete powers and power asymmetry vis-a-vis the executive.

Under RPA, 1951, EC lacks rule making power. It cannot deregister parties with only narrow exception of

"violation of constitution". Further, the lack of statutory recognition to MCC (Model Code of Conduct) reduces it to mere "moral suasion" (SY Qureshi).

Similarly, EC's dependency on Executive for funds, and functionaries (salaries not charged on Consolidated Fund of India) makes it vulnerable to politicization.

The recent appointment Act (CEC and EC Act) gives executive greater leverage by excluding CJI (against Anoop Baranwal judgement). The lack of qualification specification further undermines its legitimacy.

This credibility has been called into question with the opposition parties

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allegation of 'match fixing', discrepancies in electoral roll (Maharashtra assembly elections).

Hence, EC is in dire need of reforms. As suggested by EC as well Law Commission (2008, 2015), EC should have rule making power. MCC should get legal backing.

The qualifications should be enshrined within the constitution with salaries charged on CFOI. The CEC and ECs should be at par, with removal in the nature of a SC judge (NCRWC).

EC's independence also demands

major electoral reforms, such as parties under RTI Act (ECI, SC). Further, debarring of candidates charged with heinous crimes (WCAWC) can aid ECI's functioning.

However, it is oversimplistic to term EC as a "toothless tiger." From reforms initiated by TN Seshan to recent initiatives (EVM, VVPAT, SVEEP, e-VIGIL), EC has come a long way.

2024 election campaign saw ~~saw~~ EC's proactiveness, imposing ~~censor~~ censorship upon violation of MCC. Its role in discerning disqualification is also imperative.

Hence, as Rajiv Bhargava noted, ECI is not just the "manager of elections" but the "guardian of electoral democracy"

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3b.

Comptroller and Auditor General operate under Article 148 of the Indian Constitution, termed as the "most important officer" by Dr Ambedkar.

The public audits operate in legal sense as well its nature of propriety. Public audits manifested through the concept of "social audits", empowering grassroot democracy.

With the central role of Gram Sabha wrt schemes such as MGNREGA, and funding by Finance Commission,

public audit has gained salience.

Herein, CAG has worked towards institutionalization and standardization of the process by certifying personnel and working towards capacity building.

However, societal concerns are limited in reach due to demand gap, lack of awareness and education.

CAG has however played a proactive role as "fifth pillar of democracy" (Vinod Rai) by not only auditing but enhancing transparency.

Its role in exposing 2G scam, Augusta Westland chopper deal and more

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recent gaps in Jan Arogya yojana testify the same.

With incorporation of AI, and Big Data Analytics, CAG has further advanced the mandate of auditing for strengthening democratic polity.

However, its role came under questioning during Rafale reductive pricing and PM Cares.

To re-establish its vitality, CAG must follow the UK model of being an auditor as well as controller. It could also become permanent member of PAC.

Hence, CAG as the "guardian of public purse", needs reforms for autonomy and effectiveness.

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3Co

India undertook Economic Liberalization in 1991 due to balance of payment crisis, resulting in "structural adjustments" of its economic setup.

However, critics such as Smita Kothari and Ranjita Mohanty point out its unequal impact that has widened the gap between urban and rural India.

Despite the assertion of "trickle down effect" (Jagdish Bhagwati), rural India is still agri-dependent (80% of population) whereas urban India contributes to 65% of GDP (Economic Survey 2024).

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The investing of foreign capital, technology, business get concentrated in urban centres, thereby outstripping MSMEs of rural India. For example — 51% of FDI goes to Karnataka and Maharashtra alone.

It led to difference in income pattern as well as consumption with gap at 30% (NSO's MCEP). This disparity triggered rural to urban migration causing further inequality.

Hence, economists such as Amartya Sen seek to revamp the unequal benefits by focusing on people's capabilities.

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The government's focus on rural India, from 73rd Amendment Act, to MGNREGA, MSMEs, MUDRA, credit schemes (PSL norms), seeks to narrow the gap.

Usha Thakkar remarks that overlooking of Gandhian principle of development resulted in such a gap. Thus, a shift in focus via small-scale industries, vocal for local, ODOP (One District One Product) re-assert India's resolve for "Gram Swaraj".

Gandhian notion of India's soul residing in its villages remains true to this day. Bottom up development through further decentralization is vital for inclusive growth.

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5a

India's linguistic diversity ranging in hundreds of language and thousands of dialects was accomodated via its "sui generis" (Alexandrowicz) federalism.

India being "indestructible union of destructible states" (Ambedkar) was able to re-organize itself via RSO (7th Amendment Act, State's reorganization)

Federalism aided in changing India's political map by balancing linguistic demand with administrative convenience (Fazl Ali Commission).

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with subsequent Zonal Council formation, India sought to curb any further linguistic regionalism by championing cooperative federalism.

Further, via addition of more languages to 8th Schedule (Santhali, Manipuri, etc) and the classical language status (Tamil, Bengali, Marathi), Federalism enabled recognition without isolation.

However, recent resistance against three-language formula (NEP) and allegations of "hindi imposition" (by southern states) challenge India's federalism.

The need is to carry out consultation via ISC, Niti Aayog, etc to re-establish cooperation over confrontation for India's composite culture.

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Q5 (b).

Union Public Service Commission

established under Article 315 is the "watchdog of merit" in India's democracy.

It conducts multiple examination (CSE, CAPE, ECE, etc) to recruit to various posts (All India as well as Central government). It attempts to balance merit with constitutional mandate of social justice.

However, Paul Appelby remarks how UPSC's jurisdiction

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has been usurped by other bodies such as the EVC. Besides, Executive bypasses UPSC by not consulting it in matters of reserving posts (recruitment and promotion).

Further, initiatives such as lateral entry bypasses the Commission with its core mandate of recruitment being overlooked.

Recent cases of fraudulent recruitment, false certificates (allegations against Puja Khedkar) further undermine its credibility.

UPSC thus needs further reforms to establish its autonomy and independence. Institutionalization of lateral entry via UPSC can be a welcoming start.

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5C.

NITI Aayog is the apex think tank in India for bottom-up planning, replacing the erstwhile Planning Commission in 2015.

As outlined by Arun Jaitley, it corresponds to changing world, especially post LPG reforms, eschewing a "one-size fits all approach".

By flexible approach, it categorized its planning in 3, 5, and 7 years (short and long term). As a body supporting cooperative federalism -

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it has setup - Governing Council, Team India to accomodate states and grassroot ideas.

With initiatives such as Aspiration District Programme, Atal Innovation Mission, planning now involves "cross-fertilization of ~~India~~ ideas".

An example of keeping up with rapid changes is its idea of "Responsible AI for all" to respond to disruptive technology.

However, NITI Aayog suffers from politicization and lack of constitutional backing. To further focus on planning, it needs to balance cooperative and competitive federalism (Vijay Kelkar).

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5d.

Under Article 240, Finance Commission devices formula to influence horizontal and vertical devolution of tax to uphold fiscal federalism.

Through its Terms of Reference (TOR), FC seeks to maintain equity and fairness in devolution. Vertical devolution (centre to state) being at 41% (15th FC) signify greater will to incentivize growth.

By assessing horizontal devolution in light of southern state's demand for population split, FC incorporated

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population (15%) as well as demographic performance (12.5%). This strengthened federal ethos in fiscal matters.

Despite its efforts, critics argue that FC overlooks intra-state equity (eg - Vidharbha within Maharashtra). It incentivizes "re-distribution" over economic growth.

Provisions such as performance based grants (power reforms, & ULBs) undermines state's autonomy and hence federalism.

M.A. Oommen therefore argues for "equity-oriented" transfer, reducing cesses and surcharges (non-shareable) and formulating TORs via consultation between state and Centre.

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Sec

After the grim revelations of "Towards Equality" report, the GOI setup National Commission for Women (NCW) in line with Beijing declaration.

NCW has advanced gender equality by delving down on women's issues. With its proactive suo-moto cognizance, even via digital platforms ("X"), it has remain at the forefront of addressing women's grievances.

During cases such as Manipur violence, Kolkata rape case (2024), and other heinous incidents, NCW sought report and

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provided on-ground support (healing touch).

Through its other initiatives such as NRI cell, Digi Shakti 400, monthly magazine, workshops, it seeks to deepen its reach by protecting women's rights.

However, NCW has come into question for its victim blaming (Gurvohati case), bureaucratic apathy and lack of "real teeth". Hema Gupta Committee highlighted lack of commissions at state level (Bihar) and their broken communication with NCW.

In light of rising crime against women (19% - NCRB 2022), NCW needs reforms and more role of women activist beyond legalist and career bureaucrats.

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6. a.

India's secularism does not follow western idea of strict separation of the church and the state (Francis Liscite), rather a "principled distance" (Rajiv Bhargav) between the two.

Neera Chandhoke notes how Indian constitution was inherently secular (A14, A25, etc) long before the insertion of the word via 42nd Amendment Act 1976.

Following twin ideals of Gandhi's "sarva dharma sambhav" (religious coexistence)

and Nehru's "dharma nirpekshta" (religious neutrality), constitution and political setup has struck a crucial balance.

Hence, constitution upholds equality, and freedom of religion while allowing personal laws and multicultural norms (Kirpan, Kara for Sikhs). Secular credentials get boosted not diminished via state's cautious intervention.

With actions such as opening up of Hindu temples for all, striking down Triple Talaq, state's regulation of temples and Waqf, India synthesizes secularism with social justice.

Political culture of India follows

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religious ideals since Gandhi's time ("Ramrajya"). An essentialist argument (Bipan Chandra) is that a society deeply religious cannot let go of religiosity even in politics.

However, rigid essentialism has undermined India's secular credentials. Starting with partition trauma, based on two-nation theory, religion has creeped into political setup.

From the Ramjanmbhoomi issue, to Shah Bano judgement, non-agreement on UCC, Sabarimala issue, resistance against CAA, Waqf Act, ~~secularism~~ secularism today is a deeply contested

concept in India.

Further, the politicization of religion with rise of religious fundamentalism across the political spectrum threaten India's secular fabric. Current backlash against "secular" ideal in Preamble points towards the same.

However, Paul Brass notes that secular credentials is challenged more due to disparity in development between the Hindus and Muslim. It is intertwined with Muslims seeking "self-determination" and Hindus arguing for "rightful inheritance"

Despite contentions, secularism is a basic structure of India's constitution (SR Bommai 1994). Social constructivists such as Mahmood Mamdani suggest ~~greater~~ greater engagement, civic virtues to strengthen secularism

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6b.

Indian Constitution has been lauded as a "social instrument" of revolution and justice by Granville Austin (Indian Constitution : Cornerstone of a Nation).

The constitution is not a product of revolution, but is revolutionary in itself (PB Mehta). This implies that constitutional provisions such as fundamental rights (Art 17 - abolition of untouchability) and DPSP (social democracy) seek to usher in human emancipation.

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Constitution not only aims for liberty but also justice and equality via its multiple provisions and directives. With the idea of affirmative action (A. 15(4), 15(6), 16(4), 16(6)), it has provided for reservation for marginalized (SC, ST, OBC, EWS) in educational institutions and services.

With DPSP as "novel feature" (Ambedkar), it has led to "Gram Swaraj" (A. 40 → 73rd Amendment Act), "re-distributive justice" (A. 39(b), 39(c)), equal wages, legal aid (A39A – NALSA), among others.

Further for equality with equity, it setup bodies such as NCSC (A 338), NCST (A. 338), & NCBC (A338B). Through federalism

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(7th Schedule) and Separation of Power (A. 50), it maintains equality among diff. levels and organs.

However, Constitution has certain gaps, such as the non-justiciable nature of DPSP that undermine its effectiveness. Further, continuation of reservation, earlier envisaged as "temporary" threatens "rule of equality" as noted by Ambedkar.

Notwithstanding such lacunas, Indian Constitution reflects and serves people's aspiration. As a "living document" (Ambedkar), it has evolved over time via amendments and judicial verdicts (A. 21 - due process) to usher into a social, egalitarian democracy.

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6 c.

"Basic Structure" doctrine as established in the Keshavnanda Bharati judgement (1973) implies that there are certain core, immutable features in the Constitution.

As remarked by former CJI Sikri, BSD is discernible from the very scheme of constitution - from Preamble (LIC case), to free and fair elections (Indira Gandhi vs. Raj Narain) and secularism (SR Bommai).

Critics have challenged BSD due to lack of constitutional precedence. From

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former CJI Gogoi calling its it "debatable" to former VP Dhankar questioning its legitimacy BSD has come under attacks.

However, DD Basu notes how BSD is sine qua non in upholding constitutional supremacy especially with a majoritarian government. The case of 42nd Amendment Act ("mini constitution") testifies this assertion.

The implications of BSD on parliamentary system has been varied. It has carved a boundary for Amendment procedure (A-368) without violating basic features.

This opened up every amendment, including the schedule to judicial scrutiny

It has led to striking down of statutes such NJAC 2015 despite being passed by bipartisan consensus. This has created friction between Legislature and the judiciary.

Despite doubts and a non-exhaustive list, SC has been cautious is not breaching its own jurisdiction. In IR Coelho case, SC asserted that BSD must be a "tenestral concept" found within the "four walls of the constitution".

As marked by former CJI Chandrachud, BSD is a "northstar" guiding in convoluted times. It upheld "constitutional supremacy" over Parliamentary sovereignty or judicial overreach.

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Q.

The role of Dalits in the Indian National movements (INM) vacillated from "cooperation" (Ambedkar) to "confrontation" (Periyar) - marking rise of subaltern voice.

Dalit leaders such as Jyotiba Phule viewed budding nationalism as "ideology of Brahmins". Due to upper-caste profile of INC, dalit leaders steered clear of being sidelined by Congress's hegemony.

Similarly, Ambedkar declared that INM was not the "monopoly

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of the Congress leading to carving out of greater "public space" (H. Arendt) for Dalit struggle.

Dalit perspective argued that true Swaraj wouldn't be mere independence but complete social emancipation and justice for the Dalit Bahujans.

~~Herein~~ Herein, the strategies of Dalits differed from the mainstream struggle. For example, Dr Ambedkar sought constitutional reforms along with social reforms.

As member of Legislative Council, he sought greater Concessions (Separate electorate) for Dalits as well as took on movements to mobilize Dalits (Mahad Satyagraha).

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On the contrary, INC shied away from social reforms focusing more on freedom goal. Gandhi however remained an exception (All India Harijan Sabha).

Down South, Periyar completely denounced INC's nationalism, prioritizing Dravidianism for dalit upliftment. With Vaikom Satyagraha, Self-Respect Movement, the aim was social transformation above other goals.

In this context, Dalit leaders were "organic intellectuals" (Gramsci) of their communities, articulating their grievances. As against this, INC leaders were "traditional intellectuals" emphasizing

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upon self-preservation & struggle of power (Gyan Pradey).

Similarly, Gail Omvedt writes that dalit struggle was more democratic, anti-elite, anti-imperialistic than the mainstream due to grassroot connect.

Despite the varying perspective, the two struggle saw convergence such as Poona Pact, and Ambedkar joining the herculean task of constitution making.

Post independence, it shaped Dalit consciousness that oscillates between coption with mainstream parties (Kharge in INC) to self-assertion (BSP, Bhim Army) as noted by PB Mehta.

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7b

"Extremists" where freedom leaders that emerged due to dissatisfaction with "constitutional tokenism" and restricted role of moderates.

Bipan Chandra ("India's Struggle for Independence") writes that the modesty of prayer, petition, protest and partition of Bengal (1905) fuelled extremism.

Leaders such as Sri Aurobindo questioned the "intellectual bankruptcy" and middle-class dominance of moderates in Congress.

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Similarly, as against moderates belief in "goodness" of British rule and more administrative reforms, Bal Gangadhar Tilak termed "Swaraj" as his birthright.

Extremists thus made INC from a party to a mass-movement as seen in Swadeshi movement post Bengal partition. Aurobindo's ideas of passive resistance, boycott were effectively deployed during the struggle. They also utilized religion (Shivaji festival)

Extremists saw the utilitarian benefit of violence. As Madam Bhikaji Cama remarked, "Why should we deplore violence when our enemies driven us to it?".

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However, the Surat split (1906) weakened the freedom struggle which later caused a reconciliation between extremists and moderates (Lucknow Pact)

With Gandhi's arrival, violence was given up and balance was struck between soft (contesting elections) and hard approaches (Civil Disobedience movement).

Despite their differences, both moderates and extremists contributed to freedom struggle and Indian Nationalism.

If Dadabhai Naoroji exposed exploitation of the Raj ("Poverty and Un British Rule in India"), Sri Aurobindo formulated "spiritual nationalism" and freedom as "life-blood" of nation.

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7 c.

Sarkaria Commission while noting the significance of the Governor called it as "Linchpin of cooperative federalism".

However, discretionary powers has turned the office controversy.

The Governor has both situational and constitutional discretion (under Art 163).

Situational discretion includes appointing government in case no party gains absolute majority.

This has been controversial in the SR Bommai case (1994) as well as the recent ~~Maharatha~~ Maharashtra crisis (2019) - oath-taking

without notification. Further discretion has been maligned due to misuse or carried on by TN governor refusing to read speech prepared by government (violation of convention).

In matters of constitutional discretion, governor can reserve bill for President (201) as well as prepare report for application of President' rule (A. 356).

Recent instances of "gubernatorial procrastination" (bill pendency and reserving upon return - Kerala, TN) has brought this under ~~st~~ scrutiny. Misuse of A. 356 (Arunachal Pradesh, 2016) also casts shadow on boundaries of discretion.

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However, SC has curbed overreach via Rameshwar Prasad case terming discretion as not absolute. Governor's discretion is subject to judicial review and in majority of cases it ought to be on aid & advice of state council of minister (Shamsher Singh case).

Recent SC judgement prescribing a timeline for assent to bills (State of Tamil Nadu vs Government of Tamil Nadu) re-establish the role of parliamentary democracy.

These reforms were necessary and along with SR Bommai judgement must be inscribed within the constitution itself (Punchhi Commission) to enhance legitimacy of discretionary power in federal interest