

Mains PYQs - GS-II (2025) (Q. 1-3)

1. Discuss the 'corrupt practices' for the purpose of the Representation of the People Act, 1951. Analyse whether the increase in the assets of the legislators and/or their associates, disproportionate to their known sources of income, would constitute 'undue influence' and consequently a corrupt practice. (150 words, 10 marks) (2025)

Direction: Intro----Corrupt practices + Disproportionate Increase in Assets----- Conclusion.

Introduction:

Define corrupt practices under section 123 of RPA, 1951.

Main Body

Major corrupt practices include -

- Bribery,
- undue influence,
- false statement,
- excessive expenditure,
- Booth capture,
- misuse of official machinery.

Whether Disproportionate Increase in Assets Constitutes 'Undue Influence'?

Yes

- Vote for cash leads to bribery
- Promotes criminalisation of politics
- Undermines electoral freedom
- No ethical politics

No

- Increase of assets alone.
- Governed by other laws like the Prevention of Corruption Act, 1988, etc.
- Assumption cannot replace evidence.

Conclusion:

Conclude by saying about RPA, as it helps in controlling corrupt practices in elections, etc (or) Give a way forward-based conclusion, like by empowering ECI to ensure accountability and free and fair elections.

2. Comment on the need for administrative tribunals as compared to the court system. Assess the impact of the recent tribunal reforms through rationalisation of tribunals made in 2021. (150 words, 10 marks) (2025)

Direction: Intro----Need compared to traditional court + 2021 Tribunal Act + Impacts-----
-Conclusion.

Introduction:

Describe the Administrative Tribunal briefly.

Main Body

Need for administrative tribunals as compared to the court system

- Specialised technical expertise.
- Speedy Justice.
- Accessibility & cost-effectiveness.
- Reduction in the burden of cases.
- Impact of the recent tribunal reforms

Mention about Tribunal Reform Act, 2021.

Impacts

- Merged smaller tribunals into larger ones.
- Tenure, age limit, etc. for members are modified.
- Strengthened judicial oversight
- Resource optimization.

Concerns

- Overburden of High Courts
- Executive Dominance
- Concerns on judicial independence

Conclusion:

Conclude like the Govt. has undertaken the reforms because of redtapism, bureaucratic hurdles, etc., but the SC said it will violate judicial independence, and suggests that it is the right time to introduce a National Tribunal Commission.

3. Compare and contrast the President's power to pardon in India and in the USA. Are there any limits to it in both countries? What are 'preemptive pardons'? (150 words, 10 marks) (2025)

Direction: Intro---- Compare & Contrast + Limits + Preemptive pardon-----Conclusion.

Introduction:

Define Pardon Power - Article 72. You can include some data's related to pardon of president - no of cases are pardoned, etc.

Main Body

Compare and contrast the President's power to pardon

	India	USA
Jurisdiction	Union laws, Court Martials, all death sentences, including State laws.	Limited to federal offences.
Decision Making	Not discretionary, subject to the Council of Ministers	Independent Presidential discretion
Judicial Review	Subject to judicial review.	Absolute, not subject to judicial review.

Limits

India

- President is binding with the advice of CoM
- Subject to Judicial Review.
- Clemency is processed after the conviction of the case.

USA

- Cannot pardon impeachment proceedings.
- No judicial Review.

Preemptive Pardon - Act of clemency granted to an individual before they are formally charged, indicted, or convicted of a crime.

Conclusion:

Conclude positively, as both the USA (Presidential form) and India (Parliamentary form) have worked well for their respective governments, etc.



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