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GENERAL STUDIES (TEST CODE : 1699)

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Medium Eng./Hindi	ENGLISH	Registration Number	759932
Center	LUCKNOW.	Date	20/12/2020

INDEX TABLE

Q. No.	Maximum Marks	Marks Obtained
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Total Marks Obtained:

Remarks:

INSTRUCTIONS

- Do furnish the appropriate details in the answer sheet (viz. Name, Registration Number and Test Code).
उत्तर पुस्तिका में सूचनाएं भरना आवश्यक है (नाम, प्रश्न-पत्र कोड, विद्यार्थी क्रमांक आदि)।
- There are **TWENTY** questions printed in **ENGLISH & HINDI**
इसमें बीस प्रश्न हैं अंग्रेजी और हिन्दी में छपे हैं।
- All questions are compulsory.**
सभी प्रश्न अनिवार्य हैं।
- The number of marks carried by a question/part is indicated against it.
प्रत्येक प्रश्न/भाग के अंक उसके सामने दिए गए हैं।
- 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. No marks will be given for answers written in medium other than the authorized one.
प्रश्नों के उत्तर उसी माध्यम में लिखे जाने चाहिए जिसका उल्लेख आपके प्रवेश पत्र में किया गया है और उस माध्यम का स्पष्ट उल्लेख प्रश्न-सह-उत्तर (क्यूसीए) पुस्तिका के मुख्य पृष्ठ पर अंकित निर्दिष्ट स्थान पर किया जाना चाहिए। उल्लिखित माध्यम के अतिरिक्त अन्य किसी माध्यम में लिए गए उत्तर पर कोई अंक नहीं मिलेंगे।
- Word limit in questions, if specified, should be adhered to.
प्रश्नों में शब्द सीमा, जहाँ विनिर्दिष्ट है, का अनुसरण किया जाना चाहिए।
- Any page or portion of the page left blank in the Question-Cum-Answer Booklet must be clearly struck off.
उत्तर पुस्तिका में खाली छोड़ा हुआ पृष्ठ या उसके अंश को स्पष्ट रूप से काटा जाना चाहिए।

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EVALUATION INDICATORS

1. Contextual Competence
2. Content Competence
3. Language Competence
4. Introduction Competence
5. Structure - Presentation Competence
6. Conclusion Competence

Overall Macro Comments / feedback / suggestions on Answer Booklet:

1.

2.

3.

4.

5.

6.

All the Best

1. The practice of passing of bills without the scrutiny by the parliamentary standing committees undermines their significance and sets a wrong precedent. Discuss. (150 words) 10

संसदीय स्थायी समितियों द्वारा संवीक्षा के बिना विधेयकों को पारित करने की परिपाटी, उनके महत्व को क्षीण करती है तथा गलत दृष्टांत स्थापित करती है। चर्चा कीजिए।

Legislative function of the Parliament is its most vital domain. It is exercised through the debate, discussion, analysis and scrutiny of the various bills and resolutions.

various parliamentary devices & bodies have imp. role to play in it.

• Devices - Parliamentary Committees

Particularly the 24 Departmental Standing Committees are vital institutions where members of both houses and both - the treasury and opposition can have a significant role to play in it.

Recently, the 3 Agriculture laws were passed without due discussion in the Parliament & without referring them to the suiting of Parliamentary standing committees.

Impact

- ↳ The role & standing of these committees as detailed scrutinizers is scuttled. Their importance ignored.
- ↳ Opposition valuable inputs ignored
- ↳ This sets a bad precedent where the discussion and consultation based process of law making is monopolized. The impact is being seen in the form of farmers' protest since opposition & pressure groups' views were not considered, which these committees could have done.

2. The right to recall is a much-needed step to deepen democracy in India.
Critically discuss. (150 words) 10

भारत में लोकतंत्र को सुदृढ़ करने हेतु 'राइट टू रिकॉल' एक अत्यंत आवश्यक कदम है।
आलोचनात्मक चर्चा कीजिए।

Recall is a political device that gives the citizens the right to call for the removal of any public official.

It is seen as one step to deepen democracy as it gives the people [the reservoir of all authority in a democracy] — the right to remove public officials on grounds of:

- corruption → misconduct
- inefficiency → maladministration etc.

and therefore will establish direct exercise of democracy by people.

Yet, its efficacy in India is questionable.

→ Populous country - Direct exercise of recall is practically unworkable.

→ Possibility of misuse - Just like elections - opinions in recall can be influenced and honest officials - (elected / nominated) ~~are~~ could be the victims.

This wouldn't be democracy deepening.

→ In the Indian milieu today - an independent judiciary serves the purpose of removing fair investigation & action. In for departmental purposes - Ombudsmen, CVC units in division can serve the purpose. Recently Haryana govt is mulling exercising recall but its role in deepening democracy & practical ~~of~~ operability is questionable.

3. Is anti-defection law a restriction on the freedom of choice of legislators? Examine and also highlight the role played by the Speaker in this regard.

(150 words) 10

क्या दल-बदल रोधी क़ानून विधि-निर्माताओं (लेजिस्लेटर्स) की 'चयन की स्वतंत्रता' पर एक प्रतिबंध है? परीक्षण कीजिए और साथ ही इस संदर्भ में, अध्यक्ष द्वारा निभाई जाने वाली भूमिका को रेखांकित कीजिए।

Anti-defection law under the Xth schedule of the Indian Constitution as brought in by the 52nd CAA, 1985 is an over-merged but under marked concept.

It disqualifies sitting MPs & MLAs for voluntarily giving up the membership of the Party from which they've been elected.

✶ It is different from resignation because even voting against Party directions in the house and such act not being condoned off by the Party can amount to defection.

This is often questioned as though putting a restriction on the freedom.

of choice and opinion of a legislator.

→ They cannot even express their genuine ideas & opinions on regular resolutions and have to toe the party line. It reduces them to Party puppets & not representative of a set of people.

[Solution] It is often suggested that voting on Party lines should be mandatory only on resolutions deciding confidence in the Govt.

Speakers role in the anti-defection law disqualification has been questioned on grounds of their-political affiliations - not acting on resignations, purposely [eg - Karnataka case] disqualifications [M.P. case].

SC, noted speakers sitting as Tribunals have autonomy to decide on disqualifications - must be done free from political affiliations and in reasonable time. Their freedom to interpret "voluntary giving up" must not be misused.

4. Inter-state river water disputes have been among the most pressing issues faced by the Indian federal system. In this context, examine the potential of the Inter-State River Water Disputes (Amendment) Bill, 2019 in addressing the issues involved.

(150 words) 10

अंतर-राज्यीय नदी जल विवाद, भारतीय संघीय प्रणाली द्वारा सामना किए जाने वाले सर्वाधिक अहम मुद्दों में से एक रहा है। इस संदर्भ में, इसमें सम्मिलित मुद्दों के समाधान में अंतर-राज्यीय नदी जल विवाद (संशोधन) विधेयक, 2019 की क्षमता का परीक्षण कीजिए।

Inter-state River water disputes are one critical area of inter state

co-operation — as recognised by the Constitution under Article 262.

In practice it has been a sore point in federal co-operative federalism.

under Article 262 The

Parliament is empowered to :

- Provide for adjudication of inter state River water dispute through laws.
- Keep such issues outside courts' jurisdiction.

River Water

- River Boards Act, 1956
- Inter state River ^{water} Dispute Tribunal Act, 1956

enacted in pursuance.

- Currently Govt establishes ad hoc tribunals under the 1956 Inter state River water Dispute

Tribunal Act. They adjudicate river
to give final & binding judgements

Inter-state water disputes (Amendment)
Bill, 2019

- Seeks to establish a permanent
tribunal that would address
adjudicate such disputes.
- ad-hocism would be done away
with.
- ~~Dedicated~~ Tribunal - expertise, quick.
adjudication instead of lingering
cases and pendency.

River water disputes have
been rising 19 century Tribunal's
struggled with the 4 per state
parties expressed the need for
such an action.

→

5. The expressions 'equality before the law' and 'equal protection of the laws' may seem to be identical, but, in fact, they mean different things.
Elaborate.

(150 words) 10

‘विधि के समक्ष समता’ और ‘विधियों का समान संरक्षण’ वाक्यांश एक-समान प्रतीत हो सकते हैं, किन्तु, वास्तव में, उनके अर्थ भिन्न-भिन्न हैं। सविस्तर वर्णन कीजिए।

Article 14 of the Indian

constitution deals with 2 important phrases that are bulwark of equality within the Indian territory to one and all. viz

Equality before law:

- ↳ No special privileges to any classes.
- ↳ Equal subjugation of all to ordinary law of land enforced through ordinary courts
- ↳ No person - high / low, rich / poor / official / unofficial, above law.

Equal Protection before law -

- ↳ similar application of treatment to all under similar circumstances.
- ↳ similar application of laws to all those similarly placed.
- ↳ like being treated like without

any discrimination.

The two phrases appear similar
when read in a breadth but
different in meaning as seen above & in
orig. Equality before
Law

Law

Law

Equal Protection
before
Law

→ British origin → American origin

→ A negative concept - imposes restriction
→ Positive concept - grants action

↳ both are 2 reads to
the same
destination of
establishing an
egalitarian society

egalitarian society

where all persons - natural, judicial,
Indian or not are
guaranteed an equal treatment
before law + protection under law
as a matter of principle and right
within Indian territory.

6. Idea of the Civil Services Board has been widely hailed as a key civil services reform, however it is not without its own limitation. Comment.

(150 words) 10

एक महत्वपूर्ण सिविल सेवा सुधार के रूप में सिविल सेवा बोर्ड के विचार का व्यापक रूप से समर्थन किया गया है, हालांकि इसकी भी अपनी सीमाएँ हैं। टिप्पणी कीजिए।

Civil service board has been under discussion for quite some time to regulate the services as a nodal body ;
its tauted function :

↳ Guide on personnel appointment, qualification, deployment .

↳ Take note of departmental enquires .

↳ Play a role in determining their conduct and ethical role .

↳ Regulate service condition and disciplinary actions .

It is being tauted as a one-stop destination for

civil service matters and a key reform but some apprehension abound:

→ Its creation - appointment, constitution will still be an executive action. not very different from what is being done by DoPT.

→ Overlap - Trinidiction with DoPT, CVCs, UPSC.

→ Limited Powers - As regards disciplinary action.

True, the touted reform will still be an executive body only adding to multiplicity of such regulatory bodies. ~~But~~ - a more pertinent reform can be by expediting such powers in the DoPT divisions

—X—

7. It is argued that the introduction of compulsory voting in India would strengthen its democratic credentials. Critically analyze. (150 words) 10
यह तर्क दिया जाता है कि भारत में अनिवार्य मतदान की शुरुआत से इसकी लोकतांत्रिक माख सुदृढ़ होगी। समालोचनात्मक विश्लेषण कीजिए।

Right to vote is technically a constitutional and legal right in India granted under

Article 326 of constitution.

The suggestion of compulsory voting violates on making it a duty. There is an element of coercion in it. While it may ensure everybody to the election booths - its role in deepening & strengthening democracy is questionable.

Here's why +

→ Right - To vote also entails right not to vote. Forcing people to vote will be a violation of their right.

→ Union & democracy - antithesis of each other

→ Strengthening democracy - needs i:

- ↳ voter education
- ↳ democratization of politics
- ↳ informed & independent voting over compulsory voting.

→ Possibility for misuse + The number

game of central politics will lose misuse of this duty and

Purchasing votes will become rampant over soliciting them. Money & Muscle

power will further cement in the Indian election.

Thus, strengthening democracy is a continuous process and must take its course. Elaborate answers, education and a felt need to put the right person on positions besides constant political participation (even beyond just voting) is what will strengthen democracy.

8. Setting up of an Open Government Data (OGD) Platform can potentially be a game-changer for transparency and accountability. Analyse. Also, identify the challenges that remain in translating this potential into reality. (150 words) 10

ओपन गवर्नेमेंट डेटा (OGD) प्लेटफॉर्म की स्थापना संभवतः पारदर्शिता और जवाबदेही के लिए गेम-चेंजर हो सकती है। विश्लेषण कीजिए। साथ ही, इस संभावना को वास्तविकता में परिणत करने के संभव विद्यमान चुनौतियों की पहचान कीजिए।

Open Government Data

Platform is hosted on portals that will contain express information & data from govt's i.e. various ministries, Departments, public offices.

The idea is to operationalise the article 4 of the RTI to make express disclosures by the public authorities the norm. (Very few authorities actually make self disclosures).

Pros

- Real time access to information for citizens, researchers = participative democracy.

- Open platform - will facilitate statistical use and changes that can add value to govt.
• data presentation use.

- Promote a culture of Transparency (the norm, secrecy = exception) and Accountability - The obligation to give out data on performance will keep authorities on toes.

Challenges

- Big data Processing - Public authorities handle huge data.
- Data Protection + Privacy - Cyber threats
- Data Sovereignty - Tech platform India based. Managers must be
- Open platform - more susceptible to misuse.
- Awareness - Among people to be able to use such platform meaningfully

Thus, it is a well intended initiative, if implemented and will serve the "data century" well.

9. There have been concerns related to foreign funding to NGOs in India. In this context, examine the current framework regulating the same.

(150 words) 10

भारत में NGOs की विदेशी फंडिंग को लेकर चिंताएँ रही हैं। इस संदर्भ में, इसे विनियमित करने वाले वर्तमान ढांचे का परीक्षण कीजिए।

NGOs are key civil society actors that play a very significant role in bridging the gap between the citizens and the government initiatives.

A major concern regarding Indian NGOs - The foreign funding they receive.

FCAA, 2010 - Foreign Contribution Regulation Act, 2010.

Regulation these NGOs

Recently the FCAA was amended to provide for the following:

- Every NGO receiving foreign funding to open a savings bank A/c at SBI main branch - New Delhi [To keep a regulatory oversight]

- NGOs prohibited from sub-directing the funding received from abroad.
- Ministry of Home Affairs has gained lightened powers over cancellation of the registration of the NGOs.

The concern is that the NGOs are being used as conduits to inject laundered money besides conducting propaganda out through foreign support. While there may be evidence to support the view regulation must ensure the critical role played by NGOs in civil society - specially needed during the Pandemic is not compromised. Nothing trumps national security - thus a fine balance will have to be established.

_____ X _____

10. Social audit not only increases accountability and transparency but also facilitates good governance. Discuss. Also, highlight the impediments faced in institutionalizing social audits in India. (150 words) 10

सामाजिक अंकेक्षण (सोशल ऑडिट) से न केवल जवाबदेही और पारदर्शिता बढ़ती है, बल्कि यह सुशासन को भी सुविधाजनक बनाता है। चर्चा कीजिए। साथ ही, भारत में सामाजिक अंकेक्षण को संस्थागत बनाने में आने वाली बाधाओं को भी रेखांकित कीजिए।

Social audit is the process whereby a public institution throws itself open to the audit by people - the society at large.

↳ This can be done by suo moto sharing of information about plans, programmes, budgets, actual expenditure etc or by inviting the civil society to come and inspect the same & answer their queries.

- Thus it promotes a culture of
- transparency - openness in sharing information
 - Accountability - obligatory account of performance shared.
 - Good Governance - operationalizes people's

participation in analysing the work of their representatives & keeping them on their toes.

IMPEDIMENTS IN INSTITUTIONALIZING

SOCIAL AUDIT -

~~Secret~~ : Nature of bureaucracy - Traditional nature is of secrecy over transparency.

↳ Determining legitimate info - to be shared / audited

[what is strategic - what is not?
what can be audited - what can't?
= Political measure]:

↳ Determining honest auditors - who can this mechanism? - People, groups, NGOs, ~~Self help~~ Pressure groups etc challenging & determining

↳ Data protection - will be a concern within institutionalizing social audit.

It is a crucial device, often deployed by the Panchayati Raj institutions must be encouraged with necessary cautious.

11. Highlight the Quasi-Judicial and Advisory functions of the Election Commission of India. Do you think the powers of the Election Commission need a relook in context of the challenges it has faced in recent years?

(250 words) 15

भारत निर्वाचन आयोग के अर्द्ध-न्यायिक और परामर्शी प्रकार्यों पर प्रकाश डालिए। क्या आप मानते हैं कि हालिया वर्षों में निर्वाचन आयोग द्वारा सामना की गयी चुनौतियों के संदर्भ में इसकी शक्तियों को पुनरीक्षित करने की आवश्यकता है?

Election Commission of India is a quasi-judicial constitutional body established under Article 324 of the Constitution with a mandate of overall direction, superintendence and control over conducting free and fair elections in the country.

Among the very many crucial functions that it performs are some quasi judicial and advisory functions - viz:

Quasi Judicial Functions -

- ↳ Registering Political Parties and deciding disputes regarding registration
- ↳ Disputes about allotment of Party symbols. between various parties and candidates.
- ↳ Determining operation of model code of conduct and taking requisite action against its violation.

Advisory functions:

- ↳ Advises the Law Ministry regarding necessary changes in the interest of free and fair elections :-
viz: - Extending Electronically Transmitted Postal Ballot to elderly & disabled.

- ~~Extending the right to vote in~~
- Enabling NRI to vote in assembly elections (Recently under consideration).
- Advises Govt to make laws on disqualification of corrupt candidates.
- Advises President in matters -
 - disqualification of sitting MPs,
 - continuation / Extension of President's rule after 1 year in any state
- Advises Governor on disqualification of MLAs.

Relook on its Powers

- It does not have the power to deregister Political Parties - needed in the light of corruption.
- Does not have power to appoint special courts to expedite election petitions, corrupt electoral practices, false affidavits.
- No real powers to check ^{violation} ~~misconduct~~ of MCC - only limits campaigning rights etc.

As the bulwark of the election machinery, ECI needs to be empowered to conduct free & fair election in true sense of ~~the~~ term. →

12. Increase in the number of judges at the Supreme Court is a welcome step, nonetheless efficient functioning of the judiciary requires broader reforms at all levels of judicial hierarchy. Discuss. **(250 words) 15**

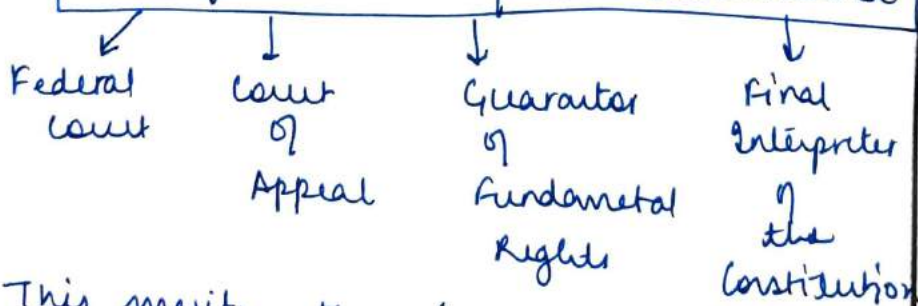
उच्चतम न्यायालय में न्यायाधीशों की संख्या में वृद्धि एक स्वागत योग्य कदम है, फिर भी न्यायपालिका के प्रभावी कामकाज के लिए न्यायिक पदानुक्रम के सभी स्तरों पर व्यापक सुधार की आवश्यकता है। चर्चा कीजिए।

The Parliament through a Constitutional Amendment (outside Art 368) - recently increased ⁱⁿ the number of Puisne judges ~~by 3~~ - the Supreme Court to 34 by 3 - (33 + CJI).

This increase in the number is a welcomed step in the light of Pendency of cases before the Supreme Court.

→ Increasing litigation

→ Multifarious role of the honorable SC



This merits the increase. Yet, there is much more that needs to be

done. There are many issues
ailing expeditions judicial
machinery in India.

viz -

→ Pendency - Chronic Pendency of
cases in the lower
courts is compounded by
growing - vacancies.

→ Absence of Machinery approved
Machinery like the

- Gram Nyayalayas } Many states haven't
- Fast Track Courts } created them.

→ Alternative Dispute Settlement

- Lok Adalats
- Conciliation / Mediation
- Arbitration } have a
propensity
to resolve
financial,

commercial, family

disputes but they aren't
established or strengthened / empowered.

→ Inadequate Infrastructure - lacking tech
interventions.

- Evidence collection & Processing - weak criminal justice system due to ~~insufficient~~ lack of modern evidence collection & sufficient forensic laboratories giving out timely evidence.

These issues impair prompt judicial action across the whole hierarchy of Indian judiciary.

The change has to start from the bottom - most rung - if the lower courts and ADR processes are strengthened enough, high courts & Supreme Court can focus on more critical issues involving questions of criminal jurisprudence or that of Constitutional interpretation.

Thus, a change is in order and states will have a major role to play in taking up the cause of Judicial reform from the lowest level.

13. Federal tensions in India highlight the need for reforming the Seventh Schedule through the addition, removal and appropriate placement of entries. Discuss.

(250 words) 15

भारत में संघीय तनाव, प्रविष्टियों को जोड़ने, हटाने और उचित व्यवस्थापन के माध्यम से सातवीं अनुसूची में सुधार की आवश्यकता को रेखांकित करते हैं। चर्चा कीजिए।

The fine balance of co-operative federalism of the Indian Constitution rests on the wheel of crisp division of powers between the state and the center and sharing thereof. There lies the significance of the Seventh Schedule.

The Constitution gives out distribution & division of all

Legislative

Administration
(Executive)

Financial

Powers between the 2 tiers of the Polity.

7th Schedule of the Constitution

Mention the 3 lists:

- | | | |
|-----|-----------------|------------------|
| I | Union (100) | } subjects each. |
| II | State (61) | |
| III | Concurrent (52) | |

The legislatures have powers to legislate for their respective territorial jurisdiction. Center has a primacy in matters of concurrent list as well as enjoys legislative powers over residuary subjects.

Many a subjects, it is touted are placed in the respective legislative domains:

eg - In the light of the Pandemic it was seen.

<u>Union List</u>	<u>State List</u>	<u>Concurrent List</u>
- Inter state migration & quarantine.	- Public health & sanitation	- Inter state spread of infectious control

→ Appropriate Placement would entail placing inter state migration & quarantine in Concurrent list.

Besides - No entry provides a case to invoke the disaster management Act so the center had to invoke 'social security' entry from Concurrent list to invoke the Act and deal with the Pandemic. This merits addition of an entry to such effect.

- The Seventh Schedule was last touched in 1976 through the 42nd CAA. The times & exigencies have evolved for the country.

As N.K. Singh, Chairmanⁿ Finance Commission recently claimed that states are keen on a revision of the lists to cater to the reformed taxation system under GST and deal more constructively with center & each other. The cause merits a consideration. —X—

14. What do you understand by doctrine of eminent domain? How can it be applied to understand the evolution of right to property under the Indian constitution? (250 words) 15

सर्वोपरि अधिग्रहण-अधिकार के सिद्धांत (doctrine of eminent domain) से आप क्या समझते हैं? भारतीय संविधान के अंतर्गत संपत्ति के अधिकार के विकास को समझने हेतु इसे कैसे लागू किया जा सकता है?

Doctrine of eminent domain suggests was laid by the Supreme Court in the context of acquisition of private property by the state.

It suggests it is the "eminent domain" of the state to make laws for public welfare and appropriate private property if needed in public interest.

Yet, it must ~~be~~ not be done arbitrarily as the Indian Constitution suggests.

Evolution of Right To Property

↳ 1951 - 19(1) - Right to acquire, hold, dispose of property

31 - No person deprived of private property save by authority of law -

- a) for public purposes
- b) in exchange for due consideration.

↳ Land Reforms, Abolition of Zamindari etc. required making many laws that brought it under question repeatedly.

- Shankari Prasad case (1951)
- Golaknath case (1967)

Right to property was repeatedly being restricted by state to fulfill its welfare mandate through Constitutional Amendments.

- 1st CAA, 1951 - IXth schedule created

17th CAA - put various land reforms in the IXth schedule.

- ultimately - Kesavanand Bhardati Case (1973) decided state's right constituent power to amend Fundamental Rights without interfering with basic structure.
- Right To Property - Not a part of basic structure.

→ 44th CAA, 1978 - Abolished Fundamental Right to property.

19(1)(f) & 31 repealed

- legal right created - 300A Part XII.

Now Right to private property is a legal right, state cannot deprive a person of property save by authority of law. Protection against executive

action but not against legislative

action. Also, compensation not

mandatory - only so when property

of minority educational institution taken away or land under personal cultivation 31A taken away.

15. Explain the structure and function of the National Commission for Backward Classes. What is the significance of recent changes made in its status? (250 words) 15

राष्ट्रीय पिछड़ा वर्ग आयोग की संरचना एवं प्रकार्यों का विवरण प्रस्तुत कीजिए। इसकी प्रस्थिति में किए गए हालिया परिवर्तनों का क्या महत्व है?

National Commission for Backward Classes is envisaged as a protector & safeguard of the rights and constitutional guarantees for the Backward classes.

HISTORY

- The Commission was 1st set up as a statutory body in 1993 after the Indira Sawhney Judgement (1992). The court had asked for creation of a commission to suggest & look into the matter of over inclusion, exclusion etc. of the backward classes in the OBC list.

• 102nd Constitutional Amendment Act, 2019

Provided a constitutional status to the Commission by inserting articles 338B and 442A in the Constitution.

Structure - Chairman
Vice chairman
+ 3 other members.

appointed by the President.

Their terms & conditions of service too, be determined by the President.

Function - It will perform those the following functions with regards to the backward classes: (They were hitherto performed by National Commission for Scheduled Castes).

• Examine access & operation of all the constitutional guarantees & the other legal guarantees to the

- members of Backward classes.
- look into complaints of violations of their rights
- Take suo moto cognizance of violations as well.
- Accept presentations from various sections of society for the rights & conditions of backward classes.

Report to the President regarding the above matters & conditions of the Backward classes when asked for or annually, who shall cause it to lay before the Parliament.

Significance of Constitutional Status:

- At par with NC for Scheduled Castes and can now look into cases of violation of guarantees earlier it only had recommendatory functions for OBC list.
- OBC's concerns given due separate constitutional considerations and recognition as different from SCs.

Thus the constitutional status to the commission is a step in the right direction and will go a long way in ensuring promotion of status & cause of OBCs in the society. —

16. Discuss each adjective attached to the word 'Justice' in the 'Preamble'. Highlight some constitutional and legal steps taken towards each of them in India. (250 words) 15

उद्देशिका में प्रयुक्त 'न्याय' शब्द से जुड़े प्रत्येक विशेषण की विवेचना कीजिए। भारत में उनमें से प्रत्येक की दिशा में उठाए गए कुछ संवैधानिक और विधिक कदमों को रेखांकित कीजिए।

Preamble of India is rightly labelled as the key to the minds of our constitution makers and entails a grand & noble vision for India. Every adjective

Among the various adjectives attached to term as the objectives of the Indian Constitution that it intends to secure to its people — one is that of Justice:
SOCIAL, ECONOMIC & POLITICAL

These tall ideals were borrowed from the Constitution of erstwhile USSR. They entail the ideas of the social democracy that Indian state is touted to be.

- Social Justice - Entails equality of social status in terms of fairness. No discrimination on caste, religion, gender, economic or any other arbitrary grounds. This itself merits taking special affirmative action for those not as "equal" or as others so that Justice can pervade.

ConstitutionalLegal Steps

- ↳ 15(4) } Reservations
15(4A) } in
15(6) } education
- ↳ 16(4) } Reservations
16(4A) } in
jobs
- ↳ 335 - Taking claim of SC/ST into consideration.
- ↳ 15 - No discrimination on grounds of gender
↳ women / LGBTQI ✓
- ↳ 17 - Abolition of untouchability
- ↳ DPSPs

- SC/ST Prevention of Atrocities Act, 1989

- FRA, 2006.

- Civil Rights Protection Act, 1955 et al

- Economic Justice - The opportunity to earn decent livelihood and secure decent standard of living.

secured through affirmative actions and legal { Wages code, 2020
Industrial Relations code 2020
Occupational safety, health & working condition code, 2020.
(subsumes various previous Acts of equal wages etc.).

Political Justice

The right to elect, vote, participate freely & fairly in elections, political debates and enjoy civil liberties along with other political rights.

secured through → Article 326 - Universal Adult

Fundamental Rights

↳ civil liberties
Protected
- Article 19, 21,
20, 22.

RPA, 1951

↳ entitles electoral participation to broadly all.

Right to vote

Thus, the preamble every adjective in the Preamble to our constitution is a promise by state to its citizens and that is its noble vision for its people which the constitution & the state have sincerely tried to uphold so far.

17. What are the challenges in conducting free and fair elections in the era of proliferation of social media? In this context, identifying the steps taken by the ECI, suggest further measures. (250 words) 15
- सोशल मीडिया के प्रसार के युग में स्वतंत्र और निष्पक्ष चुनाव के संचालन में आने वाली चुनौतियाँ क्या हैं? इस संदर्भ में, ECI द्वारा उठाए गए कदमों की पहचान करते हुए आगे के उपायों को सुझाए।

Ans :-

Elections are the bulwark of Indian Parliamentary democracy. India has come a long way from the days of being a nascent democracy in 1951 that conducted its first elections with and the Universal Adult suffrage.

¶
Election Commission of India - has gone from strength to strength in further making the process of seamless, fair, free and accessible.

In this day of social media proliferation Regulation of Elections pose the following challenges:

↳ Monitoring campaigns - social media is 24x7, all pervasive platform and monitoring the ~~quantit~~ quality of campaigns cannot be as easy as allocating TV broadcast slots now.

The 40 hour limit on ^{per} content presentation u/s 126 A of the RPA 1951 is difficult to monitor on such platform.

↳ What qualifies as a poll content is debatable too - era of pamphlets is gone. Whatsapp forwards, Profile Pictures can be content enough for poll publicity.

↳ Violation of Model Code of Conduct

is more rampant under elect & contest means - in twitter wars & social media comment sections. It is impossible to monitor it to that point. - But it does eventually affect polls since we are so used to the social media now.

it affects our opinion more than anything else.

Steps taken by the ECI

→ SVEEP activities - To spread awareness against social media influence

→ Mobile Application - To report violation of MCC by ~~people~~ candidates through posting pictures, videos on the app. Every elector is a poll officer now.

→ Issued social media advertisement guidelines for Political Parties - ~~new~~

Other Measures

→ Official Account on social media must be verified and registered with ECI by all political parties & candidates. Their monitoring be done.

→ Social Media cells of political parties be regulated. ECI must get a dedicated IT cell to monitor these cells and charge them for MCC violation.

ECI as the election stalwart needs more teeth as an institution to check election corruption using social media to protect this craving of democracy called election.

18. Explain how the linkage between banks, NGOs and SHGs helps in facilitating access to microfinance and contributes to the development of rural areas. (250 words) 15

स्पष्ट कीजिए कि बैंकों, NGOs और SHGs के मध्य संपर्क किस प्रकार सूक्ष्म वित्त तक पहुँच को सुविधाजनक बनाने में सहायता करता है तथा ग्रामीण क्षेत्रों के विकास में योगदान देता है।

Rural development has been a prime policy agenda since the independence days. Various initiatives and institutions contribute to it but Mahatma Gandhi's model of village self-development has been the most efficient answer so far.

People's organisations like:

- Self Help Groups & NGOs have been steering rural development. Their main domain of activity has been - MSMEs - small enterprises, self employment generation particularly targeting women and the marginalised groups like tribals.

and depressed classes.

Access to formal credit is a major impediment in their growth.

• story - credit

why

low credit worthiness - do not have access to formal institutions

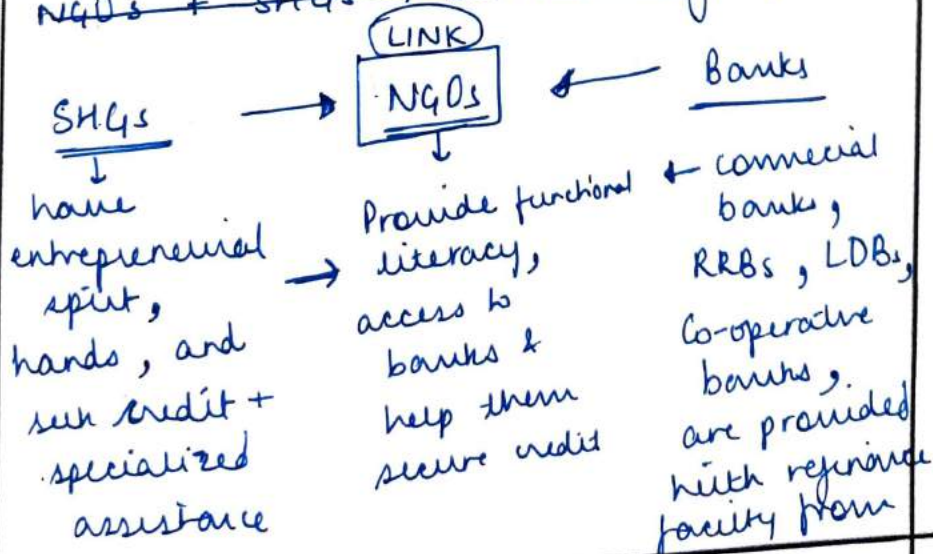
No collaterals

illiteracy - Resist formal documentation

This is where Bank linkages help them.

otherwise - Informal credit buys them in the debt trap, deprives them of their meagre assets and discourages entrepreneurship.

~~NGOs + SHGs + Bank linkages:~~



NABARD to lend
to these SHGs.

Thus credit fuelled SHGs (with the help of NGOs) undertake various rural development initiatives -

eg - small food processing businesses, textile & weaving enterprises, rural ~~pub~~ education works

SEWA the informal SHG & trade union

of unorganized ^{poor} women is a citable example in this regard. Formed by Ela Bhatt of international fame, it is a success model.

Various govt. initiatives tap this linkage - MUDRA Yojana, Credit linked subsidy Model, SHG-Bank linkage Programme, Tan Dhan Yojana - Bank correspondents are often the NGO volunteers.

Thus, this Bank-NGO-SHG link is a potential success model worth emulation and pursuance.

X

19. Identify the different issues associated with the design and implementation of MGNREGA. What reforms have been taken in recent times to address the above-identified issues?

(250 words) 15

मनरेगा (MGNREGA) की अभिकल्पना और कार्यान्वयन से जुड़े विभिन्न मुद्दों की पहचान कीजिए। उपर्युक्त चिन्हित समस्याओं का समाधान करने के लिए हाल के दिनों में क्या सुधार किए गए हैं?

MGNREGA, 2005 is the a

a potent rural developer
designed and launched to
provide employment
guarantee - at least 100 man
days of work to every
rural household annually.

This is India's answer to
its problem of chronic
unemployment particularly in
the rural areas.

Despite being a leveller of
social-economic justice
MGNREGA suffers from certain
challenges:

- No. of man days - only 100 per annum is too less.

→ only ~~to person for~~ eg - In the COVID lockdown, it had to be increased to provide employment guarantee to migrants.
- Wage delay - MGNREGA wages are almost never paid on time due to issues relating to release of funds, improper bank accounts etc.
- Wage subpar - As an employment guarantee programme the wages offered are below state determined wages in most cases. Not fit for sustenance subsistence level.
- MGNREGA work - design and determination is highly varied. It is left to local bodies.

but they hardly have the expertise to ~~do~~ design effective work programme.

Solutions

- 1. MGNREGA work design - should be pursued as a challenge to youngsters ~~for~~ in association with the local bodies. Viable projects must be designed & implemented.

- 2. Wage dissemination - must be prompt. DBT use must be deepened.

- 3. Wage determination - must be scientific and economic.

There is a limit to public spending specially with pandemic constrained resources. PPP projects can be targeted under MGNREGA for better design & implementation.

20. A sound legal framework, robust institutional mechanism for establishing rule of law, competent and dedicated workforce and decentralization and delegation are some of the necessary preconditions for good governance. (250 words) 15

Elaborate.

एक सुदृढ़ विधिक ढांचा, विधि के शासन को स्थापित करने के लिए मजबूत संस्थागत तंत्र, सक्षम और समर्पित कार्यबल तथा विकेंद्रीकरण एवं प्रत्यायोजन सुशासन हेतु कुछ आवश्यक पूर्वपिकाएं हैं। सविस्तार वर्णन कीजिए।

Good governance is the dream and vision of every welfare state to its people.

Good governance is easy to define but difficult to operationalize. It is a complex interplay of various factors such as —

Sound legal framework — Effective, well defined laws. dealing with powers, authorities, functions and limitations to them, put over the public officials as well as citizens.

↳ Institutional Mechanisms -

- like independent judiciary,
dedicated cadres of law
enforcers, institutions of
ombudsmen, social audits in
place to operationalise the
law & establish rule of law
in effect.

- ↳ The People - A dedicated and
committed workforce in
administration that puts duty,
sense of service above personal
interests and serves without
lust for power, material
resources & with courage
& compassion - much
needed in modern diverse
societies.

decentralisation - Effective dispersal
of authority across all levels
of administration to empower
them to respond reasonably to
specific local conditions (diverse).

Delegation is central to decentralisation
it entails giving out requisite
authority to the subordinates
to take decisions in certain
matters. Enforces quick decision
making, prompt response to
opportunities & challenges.

These are intrinsic
components of good governance
that cannot be ignored by
any welfare state
today.

← x →