

EVALUATION INDICATORS

1. Alignment Competence
2. Context Competence
3. Content Competence
4. Language Competence
5. Introduction Competence
6. Structure - Presentation Competence
7. Conclusion Competence

Overall Macro Comments / feedback / suggestions on Answer Booklet:

1.

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All the Best

Success of a democracy hinges on
healthy functioning of its institutions

Recently at UN General Assembly, Indian foreign minister once again affirmed India's commitment to democratic principles. She said India has stood over time, committed to ideals of liberty and equality. But question arises how do we judge if democracy has indeed succeeded in India?

Democracy in modern time began, in 1600s when King John of Britain adopted the magna carta of rights of individuals, and succeeded some powers to privy council which later went on to become country's parliament. Later on in 1765, world's first federal democratic republic of United States was formed, which then had rippling effect on France leading to French

revolution in 1789.

Nelson Mandela in 20th century gave a very precise definition for this new form of government. He said democracy is for the people, of the people and by the people. Thus clearly showing that is the people in which real power is vested. But for ease of governance most countries adopted a form of indirect democracy in which people ruled through their representatives.

This was different from ~~the~~ ancient republics of Greece or Sabhas / Samities of India where people sat together to formulate rules to govern themselves. Therefore, to sustain ~~and~~ ^{this} form of indirect democracy, several new institutions emerged - like Executive, Legislature, Judiciary as well as

several autonomous and institutions and civil society. It is on these institutions that the success of democracy depend.

70th years after India adopted this democratic form of government, often a question arises has democracy really succeeded. The answer to this question relies on "how we measure this success. Two fundamental principles should be — has democracy sustained or fallen prey to authoritarian regime and second, has democracy deepened that is whether the principles it stand for are being assimilated in society, polity and economy.

Indeed, Indian democracy has succeeded in sustaining itself, despite quite gloomy picture at time of independence. Many analysts pointed

India constituted of several nations — of different, cultural, linguistic and ethnic traditions and cannot survive in a state, but the firm foundation which our forefather laid helped sustain it. They adopted Parliamentary form of government with three organs — executive, legislature and judiciary functioning under the constitution on principles of separation of power. It is the functioning of these that has ensured smooth functioning of democracy.

Executive is vested with power of implementing the policies formulated. It is most prominent as it decides the principles and policies on which the country is to be governed. It

Can however fall victim to authoritarian
tendencies, like it ^{happened} ~~happened~~ in 1975
when emergency was implemented for
obscure reasons. Moreover sometimes
executive also interfere in free and
fair functioning of other organs.
Like recently ~~passed~~ Supreme
Court clamped down NJAC Bill
because it interfered in its
independent functioning. Within
the parliament also if ~~executive~~ a
party has clear majority, Lok Sabha
merely become an approving house
to the executive's policies rather
than freely debating the pros
and cons. Sometimes executive can
also interfere in independence of
other institutions especially as they
have a say in appointments and transfers
like appointment of governor or lokpal.
Also after executive subvert legislature by
ruling through ordinances.

But if the executive remain committed to principles of democracy all these pose merely ~~trans~~ temporary threats. Like even Indira Gandhi adopted people's verdict in 1976 1977 elections. Also the system of checks and balances ensure that they function within its ambit.

Legislature is the second pillar on which success of democracy rests. Parliament is the highest law making body of the country. In present times its healthy functioning seems threatened due to variety of reasons. Criminalisation of politics is the major cause. Almost 34% of MPs in 16th Lok Sabha (according to ADR) have criminal charges pending

against them. If criminals themselves occupy the highest post, how are they to ensure principles like Rule of Law, Justice etc.

Another rising issue is increasing disruptions. Like the monsoon session of 2015 witnessed one of the lowest efficiency of Rajya Sabha (9%). Due to this the quality time for quality debates reduces. Also there is a new trend of passing bills without even detailed analysis by parliamentary committees.

Moreover the barriers to entry has increased due to increasing role of money. This dilute the principle of 'people's representation'.

All these, along with lack of trained manpower, make legislature weak. Thus it necessary to reform

politics to reform legislatures. Model code of conduct can be made legally enforceable to reduce role of money and muscle power. Moreover the parliamentary oversight of executive can be strengthened through organs like parliamentary budget office. Only these will ensure that parliament keeps playing its role in ensuring functioning of democracy.

Judiciary is third pillar which keeps checks on arbitrary legislation as well as arbitrary executive action through system of judicial review.

But its functioning becomes a challenge when it oversteps its domain. Like recently SC ordered closure of liquor bars 500 m from national and state highways.

disregard for livelihood of thousands of people.

Also its ~~and~~ effective functioning is hindered by large number of vacancies pendency of cases. There is almost 50% vacancy in high courts and yet the ~~&~~ court is to finalise an appointment procedure. Moreover almost 25 crore cases are pending in judiciary with 67,000 in Supreme Court alone. This delayed justice is in a way denial of justice $\rightarrow$ thus weakening democracy.

For this it is need of the hour that judicial activism is accompanied by judicial restraint. Also the courts need to finalise MoU for appointments soon. It is guardian and defender of rights of citizen, thus

having an immensely important place in democracy.

Along with these 3 fundamental pillars role of others is also essential. **Bulwarks of democracy** like Election Commission, CAG, UPSC are important here. EC through free and fair elections ensure that citizens trust in democracy is upheld. CAG, which is guardian of public purse, prevents issue of corruption. It has successfully unearthed scams like coal gate, 2G spectrum etc. UPSC also ensures fairness in all appointments done.

Often the functioning of these independent institutions is affected if they don't have financial independence and a separate secretariat like EC. Also the

'post mortem' form of audit reduces significance in keeping regular check.

But certainly the very fact that they derive power from constitution which ~~ensures~~ guarantees many safeguards ensures their independent functioning.

Military is another institution in modern states and its commitment to democracy is utmost important, as can be seen from the fact that India is able to sustain its democracy even after Pakistan which became independent at the same time could not. It must always function within its ambit.

Civil society, though not a formal institution also plays a crucial role in defending individual rights and ensuring participative

democracy. Media for this purpose is often called the fourth pillar of democracy.

Bureaucracy, through its apolitical functioning also ensure continuity in governance. It is key to the success of implementation of various schemes for India to be a welfare nation.

Indeed all these organs ~~maintain~~ have sustained democracy in India. But question arises have they deepened it also. No a great extent yes.

Parliament has enacted several legislations like minimum wages Act, maternity benefit bill to ensure safe working conditions for all.

It has also cracked laws prohibiting
social evils like caste system.
Moreover judiciary instituted system
of PIL which removed the
requirement of locus standi of
thus bringing justice to more people.
Also as seen recently civil society
intervened to defend individual freedom
by recommending मानव सुरक्षा
Kamoon due to increasing instances
of mob lynching.

Way forward -

It is need of hour to strengthen
these institutions. Electoral
corruption needs to be strictly
punished. Menace of paid news
can be made off all under
section 123 of RPA 1951. This
will ensure ~~only~~ power all could
joint parties freely.

Success of democracy, moreover
rests not only on institutions but
also on people's trust and
commitment. Thus is necessary to
renew this trust by enhancing
participatory democracy.

Electoral Reforms : a dream in pipeline

There is a different aura in the air. Posters, wall paintings decorate the entire village. Every other day some political leaders come with loud speakers and a lot of supporters, after all, this is ex-CM's constituency. But one day before the day of polling bottles of liquor, cash are distributed among voters. This is 'Great Indian Election' — an important event yet with some imperfections.

Elections are the mechanism through which people elect their representatives. As choosing representatives is a fundamental requirement for a democracy, so elections become inevitable for it except for possibly

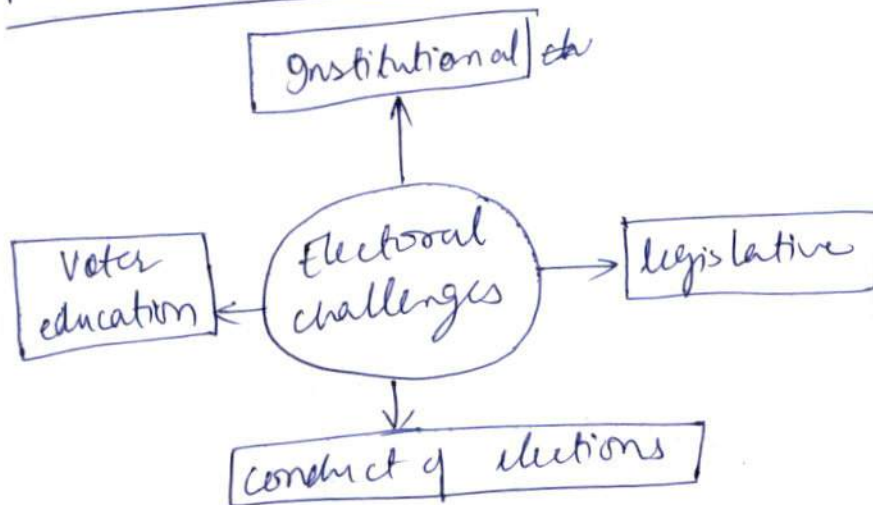
direct democracies like Switzerland (but even they have representative)

Elections hold significance as they enable people to hold their leaders accountable regularly. Thus in a way brings to forefront the will of the people. Like in 1977 elections to Lok Sabha, people voted out Indira Gandhi and her party because of authoritarian tendencies. Also in 2014, BJP was voted to power as it had campaigned on agenda of economic development and this was much needed as India was witnessing jobless growth.

Forefathers of India already created a firm base for a free and fair election by creating an independent constitutional body of Election Commission. It derives its power directly from section article

324 of the constitution. Constitution makers also guaranteed Universal Adult Franchise so that every person has equal right to vote. But after 70 years of independence, election ^{system} ~~procedure~~ seems to be facing multiple challenges which needs to be addressed. urgently.

Free and fair election: hurdles in the way



first and foremost reform necessary to in institutional set up of Election Commission. Presently, unlike CAG and UPSC, EC doesnot

have financial autonomy. Moreover
it is dependent on DIPP for
administrative infrastructure and
does not have a separate secretariat.
Within the election commissioners,
only CEC is guaranteed various
safeguards in constitution while
the other two ~~EE~~ election
commissioners are not. Moreover
though given crucial task of conducting
free and fair election, it does not
have abundant contempt power to
punish parties or individuals for
violating its directions.

Representation of People's Act
1950 / 1951 provide legal framework
for conduct of elections having
provisions for registration of parties,
disqualification, defining electoral
offences etc. But RPA 1951 needs

to be amended to reflect new arising challenges.

Presently RPA 1951 does not have explicit provision allowing EC to countermand elections in case of horse trading like last year EC had to use its extraordinary powers under ~~seth~~ article 324 of constitution to do this.

Moreover paid news is not recorded as an electoral offence despite its increasing menace. Recently after disqualifying Narottam Mishra, minister of M.P., EC highlighted this issue.

Also as for campaigning, ext-polls, section 126 of RPA 1951 includes print and visual media but does not include social media, which has become most prominent today. Nowadays all parties

have online monitoring group for campaign ~~also~~ on social media, therefore, it needs to be included to ban any campaign 48 hours before elections.

Presently the model code of conduct is not enforceable. This leads to parties offering freebies without any rational basis. Also this threatens the democratic fabric and harm the country's economy in long run. This issue needs to be handled by atleast making some part of ~~the~~ MCC legally enforceable.

Also there is no internal democracy within the parties. Candidates are selected based on nepotism or the money which they can contribute to party. RPA also needs to have provision to ensure transparency in functioning of

parties .

Beyond legal sphere, reforms are needed in the way elections are conducted. Recently many opposition parties showed distrust over the way Electronic voting machines function. Also the case of EVMs recording votes only for ruling party as happened at an electoral booth near Bhind (M.P.) recently further strengthens their doubt. Though indeed several administrative and ~~financial~~ technical safeguards are adopted, yet more needs to be done.

Also there is issue with delimitation of constituencies. The number of constituencies has been fixed at 1971 census. This has not reflect the changing population and severely under enfranchise the voters. Like Chandni Chowk constituency has ~~for~~ so large population that

vote of each individual matters a little compare to say Ladakh constituency.

Also the representation of women has never even touched 12% in parliament, same with minorities. This raises question on whether model parliament is truly representative.

Another issue is multiple rounds of election. As PM Narendra Modi, recently pointed out that multiple elections hamper development projects and divert administrative ~~att~~ as well as political resources in ~~running~~ the election work. This needs urgent attention.

Another major issue is funding of political parties. After the funding from corporates was legalised the chances of crony capitalism has

increased. Moreover as a recently study by Association of Democratic Reforms pointed out 69% of funds of political parties are from anonymous sources - this raises serious question on credibility of elections.

Next major challenge is voter education and awareness. This is necessary so that people are able to make rational decision in an informed manner while voting for their candidates. At this can also potentially ensure that voters don't fall prey to promises of freebies.

It is also essential to protect voters from victimisation. After coming of EVMs, the booth level data of voting pattern is easily available to parties which

often leads to voter harassment.

Where's the solution?

Reforms are needed in institutional structure of EC. Both the election commissions should also have safeguards enjoyed by CEC. Also there is need to set up a formal mechanism for appointment of CEC so that they are not appointed only on whims of executive. It is also necessary that expenditure of EC is charged on consolidation fund to prevent arm twisting. EC should also have powers to appoint its secretariat independently. Also contempt powers need to be give to EC.

RPA 1951 needs a comprehensive review. Section 123 should include news as a offence to paid

curb this menace. Section 126 should include social media to bring parity with other forms of campaigning. Further, EC needs to be empowered to use section 27 of deregulation of political parties in case they fail to fulfil requirements of internal elections.

model code of conduct can be made part of RPA so that it is legally enforceable. Also as recently approved, VVPAT machines need to be expanded to all elections. This will ensure a paper trail, to check and verify EVM outcomes.

Also as recommended by Parliamentary standing committee, the number of rounds of election

needs to be rationalised. It can be clubbed into two — post and along with Lok Sabha and another at mid term. But for the financial and administrative set up of EC needs to be enhanced.

To prevent corruption in political funding, imposition of ceiling of Rs 2000 in cash donation and electoral bonds ~~is~~ ^{are} a notable steps but more needs to be done like bring political parties under RTI. Section 8 of MCC which mandate declaration of electoral accounts needs to be legally enforced.

For voter education and electoral roll correction, EC has already taken notable steps. Like Electoral roll purification program. Such steps need to be replicated on wider stage. Also social

media can be effectively used to educate voters.

Way forward

With coming of digital revolution, as well as changing time, new challenges have come up that needs to be addressed. In 1990s, voter personification was a major issue, T N Sureshan introduced photo Id cards. Such steps of boosting organisational integrity should come up from with Election Commission.

Election ~~set~~ provides stage to voters to grade their representatives. To make this a really significant step, voters themselves need to be well informed and educated.

Only free and fair elections
can sustain democracy. Issues
arising needs to be addressed
on regular basis.

liberal, stood firm on principles of liberty, equality.

VISION IAS™

Don't write
anything this
margin
(इस भाग में
कुछ ना लिखें)

Gonshi
Institute

Am. rev. French. rev.

→ Nelson Mandela def.

→ India adopted → ~~independent~~ ^{indirect}.

Has democracy succeeded → ① has it sustained? ② has it deepened?

To sustain → institutions → based on a law book.

Executive → implement policies, manage relations with other nations.

→ authoritarianism, curb powers of others.

Legislature → parliament law making, acc. criminalisation, disempowerment.

Judiciary →

Military → Pak → within ambit of law.

Bulwarks → Election commission.

But is this all, often criticism arises → no country. real democracy → wrong capitalism in USA, intolerance (largest) (largest) (largest)

→ deepening of democracy → has well its values are assimilated.

→ social, economic Ambedkar → economy for 1%.

→ intolerance

→ electoral corruption.