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GENERAL STUDIES (TEST CODE : 1699)

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Medium Eng./Hindi	ENGLISH	Date	11/2/2021
Center	ONLINE		

INDEX TABLE

Q. No.	Maximum Marks	Marks Obtained
1	10	
2	10	
3	10	
4	10	
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11	15	
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15	15	
16	15	
17	15	
18	15	
19	15	
20	15	

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।

Parliamentary Standing Committees are an important part of the Parliament as it ensures the checks and balances on the discretionary powers of the executive.

Importance of Parliamentary Standing Committees (PSCs)

→ Expert opinion and a proper discussion on a bill.

↳ Room for discussion and assessing the benefits of the bills along with advising on certain concerns.

→ Helps in building consensus
eg: The Transgender Bill

→ Check on the executives thus ensuring the separation of powers along with collective responsibility

However the certain instances of overriding the PSC and passing of the bills without much discussion is a cause of concern.

The data suggests that only around 14% of the bills followed the route of PSC while in 2020, not a single bill was referred to the PSC.

Impact of such bypassing of PSCs:

- 1) Lack of Trust between the people and government → undermines the social contract
- 2) Agitations and aggressions on different bills in different parts of the country → stalling projects and loss to exchequer.
Eg: NRC protests and Farm law bills.
- 3) Anti-state attitude and international rapport damages.

There should be made a compulsory provision of use of PSCs to ensure dissent is

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।

Right to recall is a method through which the electorate has the power to call back the elected representative if he/she has failed to fulfill his/her duties after being elected.

Need of the power to Recall

- 1) It upholds the concept the concept as mentioned in the Preamble that the source of power is the People in a democracy.
- 2) Increases the accountability of the elected representatives towards the voters.
- 3) ~~Increases~~ Strengthens the social contract
- 4) Promotes the welfare of the people and thus ensure social justice
- 5) Reduces vote bank politics and populist policies for the same.

6) Further strengthens the ~~essence~~ of democracy.

However Right to recall is not a tool in the hands of the people to be used anytime they want to. If ~~it~~ not used properly it can lead to political instability, lack of trust of investors which hinges on the political stability and thus will bring in anarchy.

Steps to strengthen the democracy

Broader reforms are necessary to strengthen the democracy which should include:

Political Reforms

↓ Criminalization of politics

Politics on secular lines

Electoral Reforms

→ Strengthening the Election Commission

Legal Reforms

→ Proper use of social Media

→ Impartial and quick judicial redressal

Multiperspective reforms is the need of the hour.

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।

Schedule 10 in the Indian Constitution
relates to the Anti-defection law.
It includes that in circumstances
where the individually elected person
joins any party or a member of
a party voluntarily resigns from the
party or abstains from voting as such etc
is said to be defected.

Anti-defection law and restriction
on freedom of speech:

- 1) The law ensures that the party members abide by the directions of party whip and thus stand united in passing any law or defeating any law.
- 2) ~~critics say that it is against~~
Also it ensures that the decorum

of the house is maintained and a situation like Aaya Ram, Gaya Ram do not happen again.

However the critics say that it is against the freedom of speech as the members are always under the fear of being defected.

But the members have enough situations (like question hour, zero hour etc) to bring in the debates and healthy discussions and raise their voice. Articles 105 also ensure their freedom of speech guaranteed by Individual privileges.

Role of the Speaker:

- Speaker has the discretionary power to decide on defection motions → acting as a quasi judicial body.
- In some instances this power has been misused.

Thus efforts should be made to institutionalise the process and curb the discretion of the speaker.

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।

India is a water scarce country with some of the metro cities like Chennai will be water deficient in a couple of years. Thus water and interstate rivers have been the most important challenge.

The constitution as per Article 262 provides for a River Tribunal to be setup by the Central government if the states are not able to solve the disputes amicably.

Current issues with the Tribunals:

- On the discretion of the Central government and on ad hoc basis → thus temporary and no permanent accountability
- No Time bound redressal
- Often Supreme Court has to intervene

- No River Boards Management Committees formed
- States do not follow the award
- Provisions of New Amendment BEU :
- It will set up a body which will try to settle the disputes amicably.
- Permanent Tribunal with multiple benches for all round redressal
- Time bound redressal within four and a half years.
- River Boards Management Committee to look into the awards and development of river basins
- Data Management

River disputes like Krishna water disputes, Kaveri dispute have been pending for decades. The amendments made have the intent to fast track the process by institutional and other changes. However water should be used sustainably to also achieve SDG-6.

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। सविस्तार वर्णन कीजिए।

Equality before law is a British concept whereas the Equal Protection of law is an American concept.

Article -14 of Indian constitution guarantees to all the citizens and foreigners, this right to Equality.

Some similarities of both :

- Both guarantees the Right to Equality
- Everyone is equal in front of law and thereby guarantees the Rule of law.

However there is a difference between both the concepts as is discussed below:

1) Equality before law :

* It is a negative concept

- * i.e. no person is above law
- * No person is discriminated against the law or treated unequally.

2) Equal Protection of Law:

- * It is a positive concept
- * Every person in same circumstances is treated equally in front of law
- * This implies that different provisions can be made for similarly situated persons
eg: Disabled have some special rights.

Thus both have certain similarities and differences but the essence is the same and Indian constitution makes understood the relevance of both and thus both are included in our constitution under Article 14.

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 Services Boards are appointed by the state governments to look into the entry level recruitment and subsequent job promotions below the rank of Joint Secretary.

It looks into the cases of fixed tenure of at least two years for cadre officers.

Benefits of Civil Services Board

→ It will ensure a minimum tenure → ↓ uncertainty as the officials are on the discretion of the state to be transferred
Eg: Ashok Khenika sir transferred 58 times in 28 years of service

→ Officers will feel safe and thus ethical conduct will be promoted rather than political consensus.

→ Better delivery of public service and increased efficiency of Bureaucracy.

Concerns involved:

→ It may create functional and administrative problems
- as the officials will get a freehand till their fixed tenure

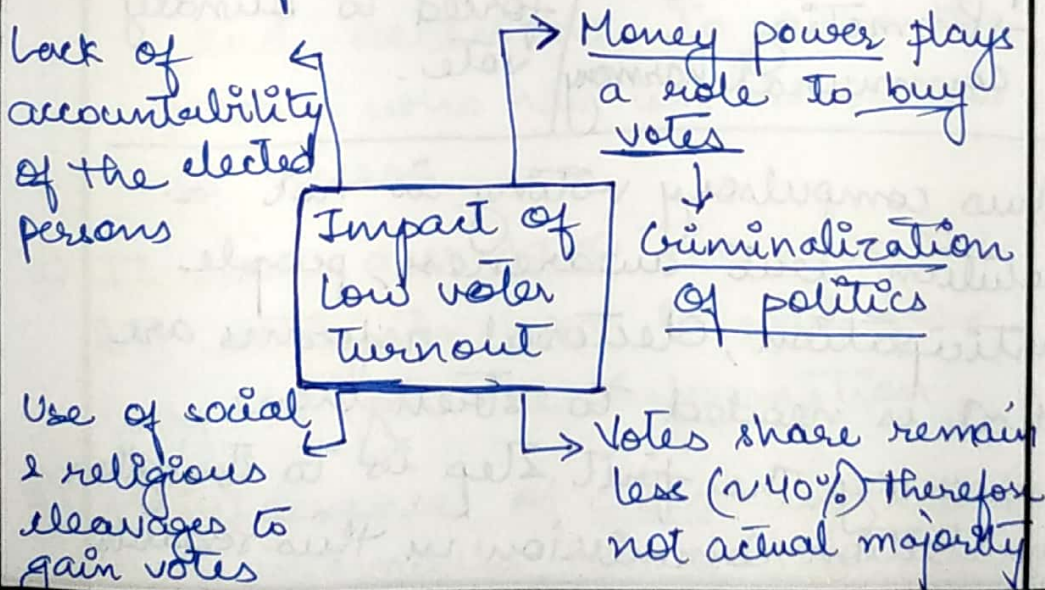
→ Lack of effective implementation of the decision of the board

Therefore efforts to made for cooperative and coordinated working of the bureaucrats and political officials. A strong relationship is the foundation of an effective bureaucracy.

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 साख सुदृढ़ होगी। समालोचनात्मक विश्लेषण कीजिए।

Right to vote is a constitutional right as guaranteed by Articles 325 and 326 of the Indian constitution.

The voter turnout on an average at any election turns out to be around 65-68% (a jump from around 50% in initial years). This number is huge in absolute terms but in relative terms a large fraction of population is not using their basic right to choose their representatives.



Compulsory voting - A solution:Arguments for

- * It will increase the votes polled
- * If NOTA gets more vote → parties feel responsible to nominate a better candidate
- * Accountability of MPs and MLAs as they are answerable to more people
- * Ensures diversity is maintained - no use of social cleavages
↳ Promoting communal harmony

Arguments against

- * This can promote uninterested voting and as people will select anyone
↳ Mostly the chance of first person in the ballot to win
- * Against the right to be silence under Article-19
- * NOTA is not of any value → thus people will be forced to blindly vote.

Thus compulsory voting is not a solution but awareness, people participation, Electoral reforms are what is needed to strengthen democracy. The first step is to strengthen the Election Commission in this regards

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

Open government data platform is in the steps towards promoting transparency, right to information etc which has been a motto of the recent government.

Benefits of OGD platform :

- 1) one stop solution of all the information queries.

↳ It will be simple, quick and accessible to even the person who has less resources to access.

- 2) It will also save time as the RTI activists has to wait for long to get the information.

- 3) Maintenance of data and records thus internally helping the organisation.

4) Integration and cooperation

5) ~~a~~ citizen empowerment

Thus OGD will increase the transparency and will help in better accountability and also reduce the nexus between various wrong elements.

However any such big ticket reforms is faced with certain challenges as follows:

- No proper data records are kept by the departments
 - Not every information can be digitally available
 - Lack of infrastructure (ICT) and funds
 - Resistance by the departments to provide the information openly.
 - Lack of political will
 - Misuse by the activists who use the data for blackmailing.
 - Also the data privacy issues and role of non-state actors.
- Data Protection law must be enacted beforehand.

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।

The foreign funding of the NGOs is comes under the ambit of the Foreign Currency Regulation Act (FCRA).

Concerns related to foreign funding of NGOs

- 1) The NGOs are exempt from the income tax act and thus they are used for money laundering via the foreign route in some cases.
- 2) The NGOs have to file the income tax return for the incomes → It is must for the companies receiving the foreign funds.
- 3) Reports show that many such NGOs have not even reported

their returns for past 5 years or more.

4) The government has recently sealed the funding of such NGOs.

Current framework:

- 1) The NGOs receiving foreign funds can only receive funds via a notified bank accounts
- 2) Filing of the ITR is must
- 3) They have to report to the bank within 30 days of the receipt of the foreign funds.

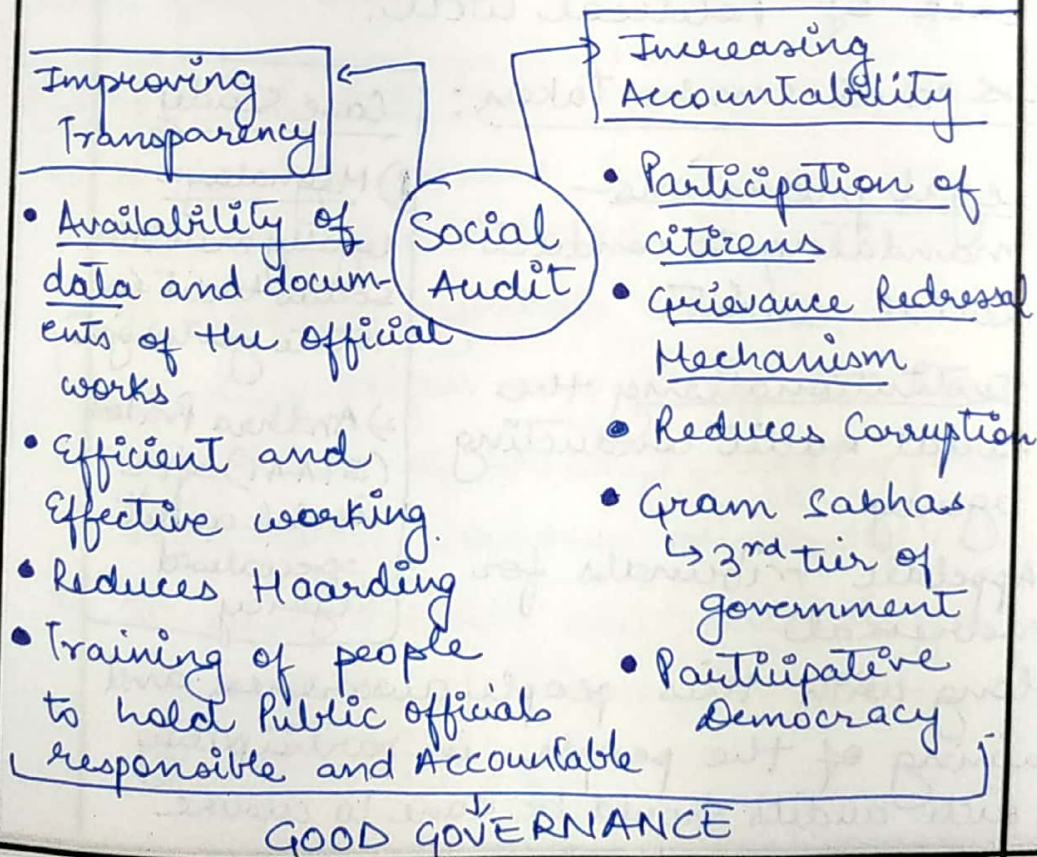
Way forward:

The government can setup a regulator to look into the cases of misuse of funds and also regulate the proliferation of name sake NGOs (1 NGO for 400 persons) which can be used for money laundering.

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 a process where the people participate in the ~~social~~ assessment of the social, environmental, economic and ethical performance of the projects of the development by the government department.



Challenges facing the Social Audit institutions:

- Lack of funds provided by the state government in setting up the Social Audit units.
- Lack of Infrastructure
- Inadequate staff in the auditing agency with limited resources
- Resistance by the government department to provide information
- Lack of Maintenance of data
- Lack of Political will.

Steps that can be taken:

- 1) Legal provisions - mandatory to conduct social audit
- 2) Institutionalising the Social Audit conducting agency
- 3) Appellate Tribunals for redressal

Case Study

- 1) Meghalaya - legally mandated social audit in state govt project
- 2) Andhra Pradesh (STAAT) - for social audit specialised agency

Along with this people awareness and training of the people in participating in such audits should be done to ensure

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, as mentioned in Article 324 of Indian constitution is a bulwark of Indian democracy. It is a permanent constitutional body appointed by the President of India to conduct free and fair elections in the country.

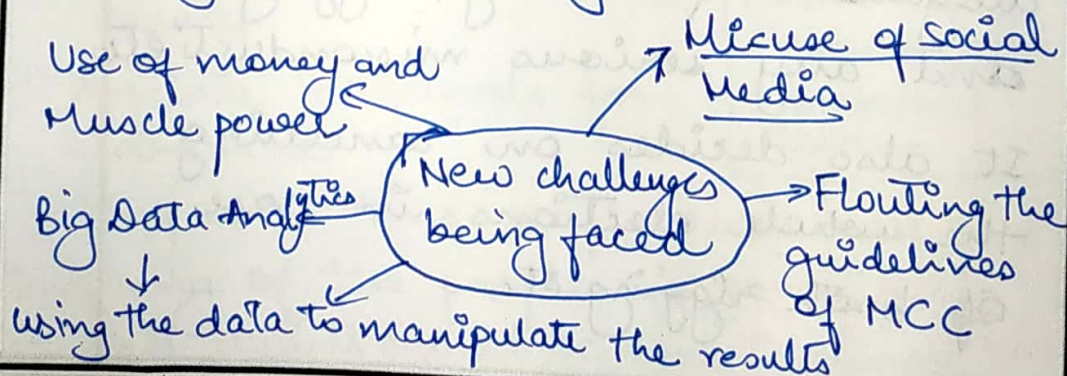
Quasi-Judicial Functions of the EC

- ↳ It has the power to decide on the disputes related to allotment of election symbols etc.
- ↳ It disqualifies any party on the allegations of bribery, rigging polls and any serious misconduct etc.
- ↳ It also decides on cancelling the whole elections in case of booth rigging etc.

Advisory Functions of the EC

- ↳ EC advises the president on the matters of the disqualification of members after the election is concluded.
- ↳ It also advises the president when to conduct the election after the President's rule i.e. whether circumstances exist to conduct elections.
- ↳ It also decides on the date of elections and the announcement of such elections.
- ↳ Advises the Model Code of Conduct to be followed by the parties.

However the election commission is facing new challenges



Need for new reforms:

- 1) More autonomy and independence to the Election Commission via
 - * Ensuring the tenure of other election commissioners
 - * Charging the expenses of EC on the Consolidating fund of India etcwill give more teeth to the EC (as also recommended by Law Commission)
- 2) Contempt powers to the EC will increase its powers to keep a check on the misuse ^{by} of parties of MCC
- 3) Power to derecognise the political parties will work as a deterrence against the antisocial elements
- 4) Advice of the EC be binding on the presidents on matters of disqualification.

The above reforms will ensure that the Election Commission emerges as a stronger institution and maintains the sanctity of largest democracy in the world.

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 has increased the number of judges of the Supreme Court to 34 and this is a welcome step keeping in mind the number of pending cases in the highest court i.e. around 60,000.

Benefits of increasing strength of the Supreme Court:

- 1) Reduce the pendency of cases
↳ Quick and faster delivery of justice
- 2) It will increase the size of the constitutional benches and thus greater focus on the actual role of supreme court to decide on the constitutional matters.
- 3) It is in line with increasing population → Judge - population ratio maintained.

- 4) Increase the public trust on the judiciary as larger benches will ensure efficient and effective decision making.

However the actual changes are required in the whole judicial process to make the third arm of the democracy efficient.

Requirement of Broader Reforms like

1. Lower levels:

- a) Around 2 crore cases are pending at this level. Economic Survey 2019
- b) Huge vacancies are there
- c) Lack of funds to setup fast track courts, commercial courts, tribunals etc

Reform required:

- a) All India Judicial service
 - Expertise
 - High recruitment
 - Integration.
- b) Separate fast track courts for offences like commercial etc

- c) To redress the problem of Under Trials → The Under Trials District Committees to be strengthened
 - 2) To manage the appellate burden of High Courts
 - a) Setting up Gram Nayayalas and Lok Adalats for amicable solution.
 - b) Alternative dispute resolution
 - c) e-courts → ICT changes
 - d) Increasing the advocate-population ratio.
 - 3) conscious use of the powers of Special Leave Petition of the Supreme Court
 - 4) Restricting the motivated PILs.
 - 5) Strengthening and updating the archaic laws.
 - 6) Tribunals for amicable settlement of disputes involving government.
- A strong judicial system will work as a strong arm of democracy and will empower the citizens. Thus reforms at all the levels of judiciary is needed.

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।

Federalism is the Basic Structure
of the Indian Constitution was
upheld by the Supreme Court in
Keshwananda Bharti Case (1973).

However, Indian federation
has ~~been~~ overcome many challenges
in the recent past and clashes
or conflicts continue even today.
Some of the issues of Federal
Tensions

1) Role of Governor: As seen in
the Arunachal Assembly case
and the Delhi Assembly case.
There must be a clear
delineation of the powers of the
Governor → Punchhi Committee
recommendations.

2. Water Disputes: It has been a

dispute since independence and water must be a subject in the concurrent list so that some coordinated regulation can be done

3. Residuary powers of taxation can be given to the states so that their revenues can be increased and fiscal federalism be upheld
4. Land must be a concurrent subject so that land reforms can take a proper shape and enhance consolidation etc
5. Labour must be a state subject so that case based solutions can be made
6. Power to setup Tribunals must be strengthened for the states to deliver faster justice.
7. Betting and gambling can be included as a matter of state list so that a regulated betting can take place and ↑govt revenue

8. Environment protection can be included to have a proper emphasis on environmental laws.

Thus to ensure that federation is strengthened, there is a need to update the legislative and executive power sharing between the centre and states as per the exigencies of time.

- With the greater public dissent on laws like Citizenship Amendment Act, Farm laws, there is a need to relook at the balance of powers and make the required changes. As dissent is the inert power of a democracy which can be ~~too~~ accelerated into a faster economic growth with better understanding, better implementation and better allocation.

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 implies that the state has ultimate control over the resources of the state.

This doctrine was implied to resolve the disputes related to the right to property in the Indian Constitution.

Evolution of Right to Property:

When the constitution was drafted, Right to property was a fundamental right under Article 19(f) and Article 31. However this started clashes in the state and people when the land reforms started and the government went on infrastructure development.

It was challenged in the court as the states put various land acquisition laws under schedule 9.

of the constitution to make it safe from judicial review.

In various cases and amendments the ^{Parliament} ~~SC~~ in 1976 via the 44th Constitutional Amendment Act revoked the Right To property as a constitutional right. It was upheld by the Supreme Court on the basis of doctrine of Eminent Domain.

And thus now, the Right to property remains as a legal right with only the ordinary remedies and not a ~~constitutional~~ ^{fundamental} right without a provision to approach directly the SC under A-32.

The right to property is now ~~pro~~ protected against the arbitrary Executive action but not against the arbitrary legislative action.

However the government is mandated to give compensation in case the property is held for the agricultural purposes or of any religious endowment.

The compensation is the one guaranteed or as decided by the Central Government as the case justifies.

Thus the doctrine solved the continuing debate of the right of individuals and state.

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?

The 102nd Constitutional Amendment has given the constitutional status to the National Commission for Backward Classes.

Structure of the National Commission for Backward Classes (NCBC):

- | | |
|---|--|
| 1) Chairman | } Appointed by the President for a term of 3 years |
| 2) Vice chairpersons | |
| 3) Three members | |
| 4) 50% of the members should be from backward classes | |
| 5) Chairman → must be OBC caste | |
| 6) 1 woman must be included | |

Functions of the NCBC:

- 1) It will examine the matters related to other backward classes and will give the related directions.
- 2) It will ~~also~~ investigate and

monitor the safeguards provided the backward classes.

- 3) It will also advise the President on the steps needed for the development and welfare of the backward classes in the country
- 4) Any such matters referred by the President for adjudication and so on
- 5) It will have the powers of the Civil Court to summon and call for evidence for any matter of investigation etc.

The President under the powers of Article 340 has constituted this body which will derive its powers ~~under~~ from Article 338B of the constitution. Earlier it was a statutory body responsible for matters of Backward classes under the

Ministry of Social Justice and
Empowerment.

Benefits of Constitutional Status:

- More power and authority
for the matters of BCs.
- Earlier the investigation of
the matter of disputes was done
by National Commission for
Scheduled Castes.
- It will also have a say in the
list of inclusion and exclusion
of the OBCs.
- It will give greater power of
grievance redressal.

However ^{only} the constitution of
commission will not solve the race
to bottom of different communities
demanding the reservation status.
There is a need for social and
educational development of the
backward classes to give them
more agency 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।

The Preamble of Indian Constitution secures for the people of its country the Social, Economic and Political Justice.

Social Justice means that every section of the society at any area of the country should have the basic standard of living and the efforts must be made to secure development for the marginalised citizens and sections.

This includes better healthcare, better education, better sanitation facilities, housing facilities etc
Constitutional steps taken:

1) Right to Education as added by the 86th Constitutional

Amendment Act under A-21A
of fundamental rights.

- 2) Reservation for the Economically weaker sections and
- 3) Constitutional status To National Commission for Backward Classes
- 4) Abolition of Untouchability (A17)

Legal Steps:

- 1) 3% reservation to the People with disabilities
- 2) Maternity Act for 26 weeks paid maternity leave
- 3) Transgenders Act etc

Political Justice involves the right to vote and right to be elected and right of representation of the citizens.

Constitution steps:

- 1) Election Commission of India (A-324)
- 2) Universal Adult Franchise (A-325)
- 3) 33% reservation for women in local self government (73rd Constitutional Amendment)
- 4) SC reservation seats in Parliament

Legal Steps:

- 1) Representation of people Act for qualification & disqualification of members of the Parliament
- 2) NOTA option (after PUL vs VOI case)

Economic Justice involves equal, equitable and fair distribution of resources of the country.

- Constitutional Steps:
- 1) ^{Equal opportunity} ~~Prescription~~ for employment (Article 16)
 - 2) ~~2~~ Fair and equal remuneration to men and women (DPSPs)
 - 3) Right to profession (Article 19)

- Legal steps:
- 1) Equal Remuneration Act
 - 2) Minimum wages Act
 - 3) MGNREGA
 - 4) Prime Minister Employment Guarantee Act

Apart from all this various other schemes of the government have time and again assured the people of India of social, Economic and political justice. Consistent steps should be made to reduce poverty and ↑ sustainability

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 सुझाइए।

Social Media has become a game changer in the election process in today's world. The case of Cambridge Analytica and role of social media in the election of President of United States has made the other nations like India cautious of its misuse.

The data released by a Facebook survey has showed that the ruling party in the recent MP elections has spent only 50 ^{lakh} ~~crores~~ (approx.) on 52 advertisements on its official page. While other pages supporting the party have spent around ~~4000~~ 3 crores on around 4000 advertisements.

This shows the growing use of social media to publicise, advertise

and campaigning through Third-Party accounts which are not only difficult to trace but also are misused.

The use of privacy data by the political party through the well organised IT teams of the party is also a concern.

This also points to the flouting of the MCC guidelines of stopping the campaign 48 hours before the conclusion of election.

This gives the party with muscle and money power to influence the followers as Election Commission does not have the means, ~~capacity~~ and capability to trace them.

Steps taken by the Election Commission

1) cVigil app to report any action of corruption by the public to the officials.

- 2) Voluntary reporting by channels like whatsapp, Facebook, Twitter to report any fake accounts.
- 3) Election Commission has directed the parties to restrain from any misconduct by the social media → as model code of conduct

Further measures suggested :

- 1) More autonomy and powers to the Election Commission
- 2) Inclusion of print media into section 126 of the RPA
- 3) Technology enhancement via trainings of the officials of the Election Commission
- 4) Regulatory rules and its compliance by the social media
- 5) Refraining legally ~~that~~ showing of opinion and exit polls in between 48 hours of election is a punishable offence etc

Thus ECI should also upgrade as per the contemporary developments.

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।

NGOs and SHGs have changed the scenario of the rural landscape of India. In the call of Financial Inclusion the NGO-Bank linkage program was started in 1980s.

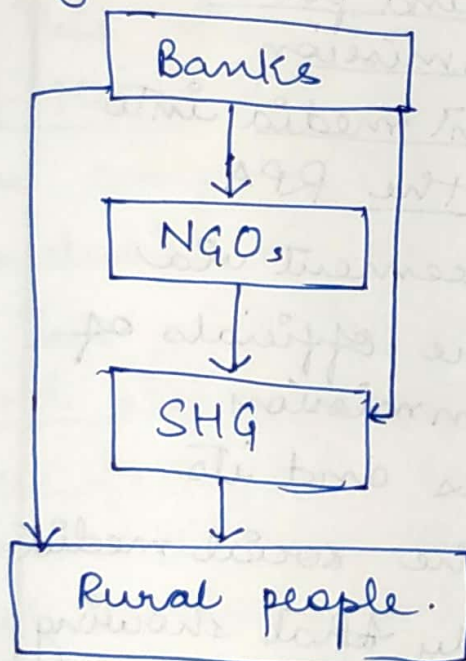


Fig: Fund flow can take place from banks to NGOs to SHGs to public. Or from Banks to SHGs to people Or from Banks directly to people

Benefits of the linkage between Banks → NGOs → SHGs program.

1) Easy access of funds through

- NGOs as this would be less problematic for the banks to lend.
- 2) SHGs form a rapport with the banks and thus can get loans in multiple of their savings.
 - 3) Individuals need not have the credit rating as they can get loans via SHGs or NGOs.
 - 4) NGOs have the expertise to provide loans and also impart the training in the capacity enhancement of the self help groups.
Eg: Pangi Hills Tribal organic products

Thus rural areas with better access to finance can use their funds in many different ways to increase the development of the rural areas.

- 1) They can get the working capital

at cheaper interest rates.

- 2) Women can start their small startups via the finance provided by the SHGs
- 3) The savings habit of the rural people increase
- 4) The incidents of domestic violence has reduced.
- 5) The infrastructure of the rural areas is improving via the Aajeevika scheme of the SHGs

Thus Bank-NGO-SHG linkage program has worked towards women empowerment, mainstreaming of the marginalized communities and cooperation, cohesion and skill development of the people.

However the rising NPAs of the banks have reduced their lending capacities. Government assurance programs and interest subsidization will invigorate such programs and usher in a 'SAMRIDH BHARAT'.

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 is a centrally sponsored Employment guarantee program which ensures 100 days of unskilled work to anyone who wants to work in the rural areas.

In case the department fails to provide the work there is a provision of payment of unemployment allowance for the number of days, the person has remained unemployed.

It was a Targetted program to increase the income levels and reduce the poverty by directly attacking it. Since the start of MGNREGS, India has

been successful in pulling out around 270 million people out of poverty. The poverty ~~class~~ rate has been reduced from around 38% to 22% in a decade (2005-2015)

It is a rights based program rather than a charity based program. Any failure to provide the wages in a particular time period also involves certain penalties. Also there is a provision of social audit of MGNREGS projects.

Challenges facing the MGNREGS

1) Delay in payment of funds :

The workers donot get wages even after months of providing employment.

2) Ghost beneficiaries : which takes out money from the system

- 3) No work to be provided for the workers to work on.
 - 4) Only unskilled jobs are there
 - 5) Demand based and not supply based
 - 6) lack of awareness among people
- After the COVID pandemic and migrant returnees the demand for MGNREGA work is increased but the supply is not commensurate.

Steps Taken:

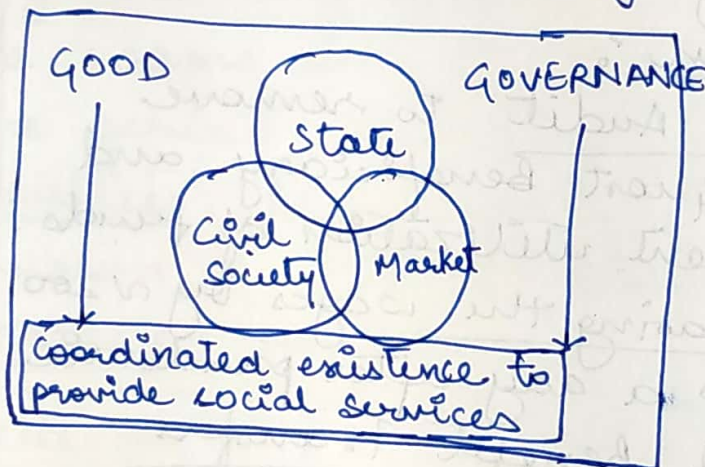
- ↳ Social Audit to remove the Ghost Beneficiary and efficient utilization of funds.
- ↳ Increasing the wages by ₹200 Rupees a day after pandemic
- ↳ Direct Benefit Transfers
- ↳ Faster payment of pending dues etc
- ↳ Increased allocation of funds

Along with the unskilled work, there is a need to focus on rural infrastructure based employment generation which will ↑ income and economic growth as well.

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. Elaborate. (250 words) 15

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 पूर्वपिछाएं हैं। सविस्तार वर्णन कीजिए।

Governance is the process where the institutions are created to avail the maximum participation of the civil society (like NGOs), state (like government departments) and markets in the economy.



Determinants of Good governance

1. Sound legal framework where the state makes effort to provide legal redressal and provide efficient public service delivery.

Examples include

- New and updated laws
(and not the archaic laws)
- Legal machinery → autonomous,
independent and strong
- Fast track justice delivery
(↓ pendency of cases > 3 crore)
- Reducing the undertrials
(60% prisoners are undertrials
against the right to freedom)

2. Robust Institutional Mechanism

for establishing Rule of law so

that Right to equality and
Constitutionalism is upheld.

→ Alternative Dispute Resolution
Mechanism

→ Arbitration, Mediation,
Conciliation

→ Judicial Review and the
rules made to uphold the
basic structure of the constitution

→ Judicial, legal and police
reforms

(Malimath Committee recommendations)

3. Competent and dedicated workforce
→ Regular on the job training
of officials

(Only 12% police officers did that)

→ Recruitment of experts
(Lateral entry)

→ Specialised cells
(Eg NIA, NSG, ED etc)

4. Decentralization and delegation

→ Strengthening of Gram Sabhas
and the local self government

→ More Tax Devolution powers
by the state

→ Rationalisation of Centrally
sponsored schemes

→ Direct Benefit Transfers etc

Thus all the above things will
translate the good governance
into effective governance. To
facilitate ease of doing business
along with ease of living all
the above determinants are an
important part.