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GENERAL STUDIES (TEST CODE : 1429)

Name of Candidate	Nihal Randhawa		
Medium Eng./Hindi	Eng	Registration Number	58233
Center	N/A	Date	25-July-2019

INDEX TABLE		
Q. No.	Maximum Marks	Marks Obtained
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Total Marks Obtained:		
Remarks:		

INSTRUCTIONS

1. 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)।
2. There are **TWENTY** questions printed in **ENGLISH & HINDI**
इसमें बीस प्रश्न हैं अंग्रेजी और हिन्दी में छपे हैं।
3. **All questions are compulsory.**
सभी प्रश्न अनिवार्य हैं।
4. The number of marks carried by a question/part is indicated against it.
प्रत्येक प्रश्न/भाग के अंक उसके सामने दिए गए हैं।
5. 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 उरी 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 मिलेगा।
6. Word limit in questions, if specified, should be adhered to.
प्रश्नों में शब्द सीमा, जहाँ विनिर्दिष्ट है, का अनुसरण किया जाना चाहिए।
7. 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. Illustrate how pressure groups have emerged as a strong mechanism for making democracy participatory and responsive. (150 Words) 10 Marks
उदाहरण प्रस्तुत करते हुए समझाइए कि किस प्रकार दबाव समूह, लोकतंत्र को सहभागी और अनुक्रियाशील बनाने हेतु एक सुदृढ़ तंत्र के रूप में उभरे हैं।

A Pressure Group is a collection of people with a common interest who attempt to realise their aims by lobbying the government or industry. They do not ^{come to} seek to gain power and use methods like protests, campaigns, awareness generation etc. to lobby.

Role in Making Democracy Participative

- 1) Citizens participation in policy making is enhanced as they can influence their elected representatives directly.
- 2) Democracy isn't merely a vote counting exercise and the pressure groups increase democracy participation to more than once in 5 years.

- 3) The government is in touch with public opinions.
- 4) Niche opinions and minority interests are rescued from majoritarian suffocation as pressure groups bring these to the forefront. For eg. The Naz Foundation which lobbies for LGBT rights.
- 5) Increases the diversity of ideologies present in the public space.

Role in Making Democracy Responsive

- 1) Platform for citizens to get their concerns heard and addressed.
- 2) Pressing issues can be addressed quickly as single issue groups (like environmental NGOs) with expertise are able to flag their concerns.
- 3) Non Governmental Inputs from ^{various} ~~labor~~ groups like Policy Experts; Grassroot Movements; Labour Organisations etc. with stake and expertise enrich the policy formulations and implementation of the government.

2. Explain the significance and controversies, if any, associated with the Article 35A of the Indian constitution. (150 Words) 10 Marks

भारतीय संविधान के अनुच्छेद 35A के महत्व और उससे संबद्ध विवादों, यदि कोई हो, की व्याख्या कीजिए।

Article 35 A of the Indian Constitution was an amendment done via Presidential Order which grants special privileges to the J&K state assembly to pass laws defining who is a 'Permanent Resident' of the state. It also allows them to grant certain privileges to the Permanent Residents like scholarships, residence rights, ~~and~~ property rights, public jobs etc.

Significance of 35-A

- 1) It comes from the ~~long~~ complicated history of J&K post independence and is an outcome of the ~~negot~~ deliberations of the negotiations between the J&K Constituent Assembly and the Indian govt.
- 2) It preserves the unique ethos of the state culture and the ideal of a kashmiri way

of life and Kashmiriyat.

- 3) It reassures the residents who were worried about demographic change.
- 4) It was an important element of the autonomy given to the state and as enshrined in the Delhi agreement.

Controversy about Art 35A

- 1) It is considered discriminatory towards Non permanent residents as it creates a privileged class among Indian citizens.
- 2) Critics allege that it has prevented full integration of the state with the union.
- 3) It denies ~~so~~ equality to women as Kashmiri women are marrying non permanent residents lose their right to own or inherit property.
- 4) There are doubts raised on its constitutionality as it was never discussed in Parliament.

With these points in mind there needs to be an outreach over the need for amendment or repeal with the Kashmiri people and steps can be taken if a consensus emerges.

3. The ambiguity surrounding lobbying in India is further exacerbated by the country's endemic corruption. In this context, critically examine the case for legalising lobbying in India. (150 words) 10 Marks

भारत में लॉबिंग को लेकर विद्यमान अस्पष्टता देश में व्याप्त भ्रष्टाचार से और भी गंभीर हो जाती है। इस संदर्भ में, भारत में लॉबिंग को वैध बनाने के प्रश्न का समालोचनात्मक परीक्षण कीजिए।

Lobbying is the practise of convincing the government to change its policies in a way to benefit your interests. It's an umbrella term including also sorts of activities from advocacy by NGO's to potentially illegal activities like luxurious holidays or luxury items.

In India lobbying is endemic and widespread but also hidden - There is no law to regulate lobbying but it isn't expressly disallowed either. It happens clandestinely only coming into the public ^{consciousness} when exposes like the Radia Tapes exposes the influence of Professional Lobbyists among the nexus of Politicians - Industrialists - Journalists.

Seeing this there is a case to be made for legalising lobbying as:

- 1) Legislation will clearly define 'Acceptable Lobbying' and also define what is unacceptable.
- 2) The experience of countries like the US show that ^{regulated} lobbying provides greater transparency about the motivations behind policies and helps the voters make informed voting choices.
- 3) This transparency will help regulate the hitherto unquantified money influence on the government.

However, there are certain pitfalls of this approach. It increases the influence of moneyed groups and interests disproportionately leading to fears that policies like environment protection might be diluted due to corporate lobbying.

Thus, a mature democracy like India should try and bring varied interest groups into the open and as lobbying is an intrinsic part of this it should be ~~legal~~ regulated but allowed.

4. Independent India adopted a modified version of the Westminster model of government. In this context discuss the commonalities and differences between the political system of India and UK. (150 Words) 10 Marks
स्वतंत्र भारत ने सरकार की वेस्टमिंस्टर प्रणाली का एक मंशोधित संस्करण अपनाया। इस संदर्भ में, भारत और UK की राजनीतिक व्यवस्था के मध्य समानताओं और विभेदों पर चर्चा कीजिए।

India's Polity has been inspired by the British Westminster Parliamentary model due to influence of years of limited self rule due to various British Indian laws like the GOI Act 1935, the Morley Minto and the 1919 reforms etc.

Commonalities

- 1) 2 tiered parliamentary system with the stronger Lok Sabha and the comparatively weaker Rajya Sabha.
- 2) Fusion of executive with the legislature with the executive being responsible to the legislature.
- 3) The concept of Collective Responsibility of the Council of Ministers.
- 4) The institution of Prime Minister as 'Primus Inter Pares' who controls the council and by extension the government.

- 5) Similar procedures for legislation, adjournments, Budgetary, Scrutiny ~~etc~~, No Confidence motion etc.

Differences

- 1) India has a written constitution unlike Britain.
- 2) UK is a unitary state while India is federal.
- 3) UK has Parliamentary Sovereignty unlike India.
- 4) The head of the state (de jure) in India is the President (Republican model) while that of the UK is the Queen (Monarchy).
- 5) No institution of the Shadow Cabinet in India.
- 6) The British speaker resigns from their party.
- 7) The British PM can only belong to the House of Commons unlike ^{the} Indian PM.
- 8) The institution of the whip is common in both but the Disqualifications for disobedience to party orders in 10th schedule of Indian Constitution is more onerous here.

Thus, we can see that the British system was adopted for reasons like convenience but it was also adapted to work in Indian condition.

5. Political parties are an integral part of the democratic set up of India. In the context, discuss the need for strengthening the process of institutionalization of intra-party democracy in political parties in India.

(150 Words) 10 Marks

राजनीतिक दल भारत की लोकतांत्रिक व्यवस्था के अभिन्न अंग हैं। इस संदर्भ में, भारत में राजनीतिक दलों में अंतः दलीय लोकतंत्र को संस्थागत किए जाने की प्रक्रिया को सुदृढ़ करने की आवश्यकता पर चर्चा कीजिए।

Political parties play a key role in India's democracy by Providing a voice to people; India's interest aggregation; Forming governments; Facilitating Electoral Participation etc. The nature of India's democracy has been shaped to a large extent by the nature of its political parties.

With this in mind it's very important that there be intra party democracy because:

- 1) Most Indian political parties resemble oligarchies or family held parties with very little chance for fresh blood at the top.
- 2) India has no traditions of intra party democracy and lacks such laws enforcing it as in the case in countries like USA.

The merits of intra party democracy are:

- 1) Increases the participation of workers in the party thereby strengthening democracy.
- 2) Keeps a check on nepotism, money power or muscle power politics and promotes politics of ideology.
- 3) Provides space for internal dissent thereby promoting dissent externally.
- 4) It strengthens the parties in the long run thereby providing voters with a healthy and viable options.
- 5) This will ultimately strengthen the average Indians' interest in democracy and.

There have been recommendations from the Election Commission to promote this by:

- 1) Making registered parties hold elections to party.
- 2) Creating a written constitution for parties.
- 3) ~~Encouraging~~ Encouraging the parties to create a culture of decision making by voting and taking the views of party workers into account.

6. It is of paramount importance to ensure that the Election Commission of India (ECI) be fully insulated from political pressure to maintain the purity of elections. In this context, discuss the need to have a relook at the process of appointment and removal of election commissioners to the ECI.

(150 Words) 10 Marks

चुनावों की शुचिता बनाए रखने के लिए यह सुनिश्चित करना सर्वाधिक महत्वपूर्ण है कि भारत निर्वाचन आयोग (ECI) राजनीतिक दबाव से पूर्णतया मुक्त रहे। इस संदर्भ में, ECI के निर्वाचन आयुक्तों की नियुक्ति और पदच्युति की प्रक्रिया पर पुनर्विचार करने की आवश्यकता पर चर्चा कीजिए।

The Election Commission of India is a constitutional body as per Art 324 of the constitution whereby the responsibility of holding elections to the Parliament, State Legislatures as well as to the post of President and Vice President is on it.

To hold free and fair elections it is vitally important that the body be free from external pressure. The constitutional protections due to it Chief Election Commission are:-

- 1) Security of tenure, upto the age of 65 years or 6 years from appointment.
- 2) Can only be removed on like grounds as that of a Supreme Court judge i.e. through impeachment.
- 3) His appointment conditions like salary can't be changed to his disadvantage post appointment.

The appointment and removal of election Commissioners though is a matter of concern:

- 1) Appointed by the executive ~~and~~ without concurrence of the CEC. Can be removed without impeachment and the CEC can only recommend their removal.
- 2) There is no bar on further appointment by the government to the EC's.

This is problematic because the decisions of the Commission are taken by majority vote and the EC are subject to greater influence from the government than the CEC is.

The following steps could remedy this:

- 1) The government can make a law formalising the appointment and removal process of the EC's and providing them equal protection.
- 2) The appointment could be via a collegium consisting of the Leader of Opposition or the Chief Justice so that ~~an~~ ^{the} unbiased nature of the commission is maintained.

It is important not just ^{that} the EC be unbiased but also that it appear to be unbiased.

7. In post-liberalised India, it is imperative that the role of state be that of a facilitator, and not one of a regulator. Analyse. (150 words) 10 Marks

उदारीकरण के पश्चात् के भारत में, यह अत्यावश्यक है कि राज्य की भूमिका एक सुविधाप्रदाता की हो, न कि एक नियामक की। विक्षेपण कीजिए।

After the reforms of 1991 India's Private Sector has increased rapidly in size and function and with it the Public Sector has been diminished. The role of government, earlier was that of a 'Cradle to Grave' service provider but it has changed to one of a regulator and facilitator but the balance between both is hard to achieve.

The benefits of ~~this~~ facilitation are:

- 1) It leaves the market forces free to create wealth and reward innovation.
- 2) It has resulted in rapid growth and massive increase in number of people lifted from extreme poverty (nearly 270 million from 2008 to 2018).
- 3) Provided greater choice to Indian consumers from liberalisation of imports.
- 4) The improvement in 'Ease of Doing Business' indicators (Facilitator of the Private Sector) indicates more investment, industry, jobs etc.

5) The inefficient and costly Public Sector has been rationalised freeing up fiscal space for social development schemes.

6) ~~Better regulation~~ ~~but~~ However, there are certain drawbacks to not being a regulator like:

1) The 2008 financial crisis showed that better regulations in India prevented a huge crash.

2) Regulation presents monopolies and crony capitalism preventing all the benefits of a free market to consumers ~~and~~

3) Regulation of ^{essential} services like electricity, water etc ensure that no citizen is left without access to them on account of high costs.

Thus, the need of the hour is for the government to become a facilitator by providing public goods like Human Capital, Infrastructure, Law and Order etc. At the same time independent regulators must be empowered to prevent ~~any~~ unhealthy practices in any sector.

8. By providing new pools of leadership talent, lateral entry will help in addressing the most crucial challenges that the civil services in India currently face. Critically evaluate. (150 words) 10 Marks

प्रतिभावान नेतृत्वकर्ताओं के नए समुच्चय प्रदान कर, पार्श्व प्रवेश भारत में सिविल सेवाओं के समक्ष वर्तमान समय में व्याप्त सर्वाधिक महत्वपूर्ण चुनौतियों को दूर करने में सहायता करेगा। समालोचनात्मक मूल्यांकन कीजिए।

Lateral entry scheme proposes to induct new talent into the middle or upper level bureaucracies from outside (private sector) for a stipulated period of time.

This is supposed to address the crucial challenges facing civil services:

Generalists are unable to effectively handle rapidly changing technologically driven world.

The domain specialists from private sector or academia can help in this regard.

Time driven promotions and career progression engenders lethargy and laissez faire attitude. A fresh induction of talent can provide the necessary boost and motivation.

The fresh talent can provide a radical ~~new~~ outlook to the systems. The private industry and government synergy will increase

and this will enable government to function as a facilitator of growth and development.

- 4) There is shortage of officers at the mid level which can be made up for by lateral entry. For eg. The shortage of IFSC (Indian Foreign Service) officers ~~was to be~~ ^{could be} addressed, as per recommendation of Parliamentary Committee, by lateral entry of experts.

However, there are certain apprehensions that should be addressed before whole scale adoptions.

- 1) Bypassing UPSC will lead to suspicions about the bias in selection of those entrants.
- 2) Frequent Private-Government links might lead to crony capitalism and lax regulations.
- 3) The short time employment would lead to difficulties in ensuring accountability. They would also be ~~un~~ unaware of the practical nuances of government policy implementation.
- 4) It could be seen as a means to bypass reservation.

The government must ensure that transparent and meritorious process is followed. Politicisation of the bureaucracy is to be avoided.

If these concerns are addressed then lateral entry might turn out to be a boon.

9. Discuss the need for an effective and functional working relationship between Gram Panchayats and SHGs. How can an efficient synergy between the two be achieved? (150 words) 10 Marks

ग्राम पंचायतों और SHGs के मध्य एक प्रभावी एवं कार्यात्मक कार्यकारी संबंध की आवश्यकता पर चर्चा कीजिए। दोनों के मध्य एक कार्यक्षम महत्प्रियता किम प्रकार प्राप्त की जा सकती है?

India has had a fruitful experience with SHGs especially in the field of economic empowerment with bank linkages however there has been a lacunae (as observed by the ARC report) in terms of linkages between SHGs and Gram Panchayat (GP)

Benefits of such linkages

- 1) GP suffers from implementation of schemes problem which can be alleviated by such a linkage as:
 - a) Fiscal deficit can be made up by the SHGs Bank Linkage program. The loan repayment rate (>90%) of SHGs along with the backing of GP can make financing of schemes viable.
 - b) GP cannot implement certain schemes due to lack of trained and capable manpower. They cannot hire their own staff but SHGs can act as the implementers.
- 2) Complementarity of aims like empowerment of women, creating social capital, development etc

3) SHG's can benefit from the democratic nature of GP's.

Steps to achieve such a synergy

- 1) Devolution of greater financial power to the Panchayat level alongwith greater autonomy to utilise such funds.
- 2) Inculcating transparency in such dealings by provision of social audit.
- 3) GP's can focus on strengthening the technical capability of the SHG's to carry out their complementary aims.
- 4) Awareness generation by the State Rural Livelihood Mission (SRLM) about the potential of this synergy and highlighting success stories.

positive

The [↑]outcome of this combination has been seen in the success stories of Andhra Pradesh and Kerala. With suitable modifications it needs to be tried in other parts of the country as well.

10. Public service delivery in India has long been marred by various issues leading to poor service delivery outcomes. While discussing the reasons for the same, suggest ways to make public service delivery more efficient.

(150 words) 10 Marks

भारत में सार्वजनिक सेवा वितरण दीर्घकाल से विभिन्न समस्याओं से ग्रसित रहा है जिसका परिणाम निम्नस्तरीय सेवा वितरण है। इसके कारणों पर चर्चा करते हुए, सार्वजनिक सेवा वितरण को अधिक कुशल बनाने के उपायों का सुझाव दीजिए।

Poor public service delivery has long been the bane of governmental development and welfare schemes. India often fails in ensuring access, quality, reliability and effectiveness due to poor delivery.

Causes of Poor Public Service Delivery

Human Capital weaknesses in terms of lack of competence of bureaucrats; poor formulation of policies; organisational weaknesses; weak civil society and poor awareness of their rights and entitlements among the proposed beneficiaries.

Endemic corruption and inadequate funding.
lack of accountability ~~causing~~ or deterrence due to weak anti corruption laws and time bound promotion.

lack of incentives to perform one's duty.

Ways to make amends

Empowering the civil society and the citizens to hold the government accountable via laws like RTI; policies like Citizens Charter and Social Audits etc.

Usage of e-governance to increase transparency and facilitate good governance

Capacity building of the government machinery by focusing on training of government official as well as reforms in the bureaucratic structure.

Increased decentralization of policy formulation and greater flexibility in implementation.

Usage of anti corruption measures like promoting the JAM trinity and direct benefit transfers.

The proof of the pudding is in the eating - therefore as important as the right policies is the correct public service delivery mechanisms to ensure development.

11. Highlighting different Alternate Dispute Resolution (ADR) mechanisms available in India, explain their importance. Also, mention different measures that have been adopted to further improve the framework of ADR in India. (250 Words) 15 Marks

भारत में उपलब्ध विभिन्न वैकल्पिक विवाद समाधान (ADR) तंत्रों पर प्रकाश डालते हुए, उनके महत्व की व्याख्या कीजिए। साथ ही, भारत में ADR के ढांचे में आगे और सुधार लाने के लिए अपनाए गए विभिन्न उपायों का भी उल्लेख कीजिए।

Alternate Dispute Resolution (ADR) mechanisms are alternatives to the traditional justice system for settling disputes. These are usually quicker than traditional methods and involve non criminal matters.

Types of ADR mechanisms:

Conciliation: An outside mediator helps settle civil disputes by forging a consensus decision.

Arbitration: Both parties agree on abiding pleading their case before an outside neutral third party and agree to abide by his decision. The 3rd party is usually fixed at the time of signing the contract.

Mediation: A mediator tries to resolve the problems and thereby remove the whole basis of the dispute. If no compromise is reached then other measures are added.

- 4) Lok Adalat: Provided for under the Legal Services Act, it is a mobile civil court which tries to resolve disputes using conciliation and the conciliator is usually a person with a legal background.
- 5) Nyaya Panchayats: Consist of traditional customs which have been reconstituted at the grassroots level to quickly mediate between 2 disputing parties.

The benefits of ADR mechanisms

- 1) Help lower the burden on the overstretched legal system by reducing the inflow of cases.
- 2) Provides for a quicker resolution to both the parties.
- 3) The mediation and conciliation techniques reduce the hot blood of a normal case in the 2 parties and society as a whole.
- 4) Prevents people from taking justice in their own hands as quick, easy and inexpensive methods are available.

Measures adopted to improve the framework of ADR in India -

- 1) Law Commission recommendations to inform courts to explore various alternatives to litigation at the start of a case.
- 2) India's legal structure has been amended to become closer to International norms on arbitration for contracts.
- 3) Creation of family courts throughout India to preemptively address family disputes.
- 4) Passing Legal Services Act which creates Lok Adalats.
- 5) Awareness camps to increase popularity of these.

To improve public confidence in law and Order capabilities of the state these measures are a boon as they help ensure quick access to justice. They also decongest the courts to deal with criminal and thorny civil cases. ADR methods should be adopted whole scale as quickly as possible.

12. Success of the institutions of local self-governance depends largely on the attitude of state governments. Discuss in the context of constitutional provisions and recent experience of the working of these institutions in India. (250 Words) 15 Marks

स्थानीय स्व-शासन की संस्थाओं की सफलता मुख्य रूप से राज्य सरकारों की प्रवृत्ति पर निर्भर करती है। संवैधानिक प्रावधानों और भारत में इन संस्थानों के कामकाज संबंधी हालिया अनुभव के संदर्भ में चर्चा कीजिए।

The 73rd and 74th Constitutional Amendments realised the objective of the DPSP to ensure democratic decentralisation by creating Gram Panchayats and Urban Local Bodies. This 3rd tier of governance would have its own position in the ~~the~~ federal structure with clearly defined functions and powers. However its success to a large extent depends upon the role of the states because:

- 1) It is the choice of the state legislature to devolve adequate powers, functions, roles, responsibilities and finances to the 3rd tier.
- 2) Institutions like the State Finance Commission, State Election Commissions are largely influenced by the state government and

their proper functioning is necessary for success of ~~these bodies~~ these 3rd tier institutions.

- 3) The responsibility of giving a practical shape to the constitutional provisions rests upon the state.

Recent experiences of States' Role

- 1) Most states are reluctant to devolve adequate powers as well as delegate functions to these.
- 2) The functioning of ~~SS~~ State Finance Commission is disappointing. Their reports are delayed and 'Action taken Report' isn't tabled before the legislature.
- 3) Few states have followed the recommendations given in 10th and 11th schedule of the constitution by devolving these.
- 4) The local self government institutions are dominated by the bureaucracy who are given posts of importance when it comes to implementation.
- 5) There is a political touch to the elections with the ruling party often using underhanded tactics to win them.

Dominance of Caste, Class and Patriarchy in their functioning.

The steps that can be taken to realise their true potential are:

State governments must delegate the responsibilities mentioned in the 11th and 12th schedules to the 3rd tier. For eg Kerala's experience

The state must allow the bodies to collect taxes as well as fees on services.

~~Strengthen~~ Improve functioning of SFC and SEC as well as follow their recommendations when it comes to grants.

Increase synergy between bureaucracy and the 3rd tier. This addresses manpower crunch as well as capacity deficit.

Simplify the governance process by mapping out the functions, finances and functionaries as recommended by the Aiyar Committee.

This way we can realise the full potential of this idea of decentralisation of powers to the ground level.

13. Right to freedom of religion cannot be allowed to deny right to equality and individual dignity. Discuss in the light of constitutional provisions and recent judicial pronouncements. (250 Words) 15 Marks

धर्म की स्वतंत्रता के अधिकार को समानता और व्यक्तिगत गरिमा के अधिकार को नकारने की अनुमति नहीं दी जा सकती है। संवैधानिक प्रावधानों और हाल की न्यायिक घोषणाओं के आलोक में चर्चा कीजिए।

Right to Freedom of Religion is a fundamental part of the Indian Constitution. The Preamble guarantees liberty to practise one's religion. The Art 14 gives the fundamental right to a person to be treated equally regardless of religion. Art 15 guarantees non-discrimination. Art 25 (and Art 21) guarantees the right to practise, profess and propagate one's religion. Art 26-28 guarantee religious institutions various rights over their practises, management of religious affairs provided they satisfy 3 criteria → Public Order, Health and Morality.

However, recently certain rights given to religious communities have been found to be at variance with fundamental rights given to individual. Such as:

- 1) Mumbai High Court judgement ~~allowing~~ ^{allowing} women access to Shani Temple and the Haji Ali Dargah.
- 2) Supreme Court verdict allowing woman devotees of any age access to the Sabrimala Shrine.
- 3) Supreme Court verdict banning Trifla Taluq as a form of divorce.

In the (1st) and (2nd) we can see that the traditional customs and fundamental rights (25-28) guaranteeing them are ~~under~~ in conflict with Art 15 which bars discrimination on the basis of gender. The SC verdict tries to draw a balance between protecting the 'Essential Parts' of a religion (which the SC defines and accepts that should not be changed) and the other parts which ~~cannot~~ ^{can} be changed.

In the (3rd) the SC again views this from the lens of Gender Equality. and It also finds that Triple Talaaq isn't an essential part of the Islamic religion.

Thus, we can see that there is a very tricky balance when it comes to guaranteeing both freedom of individuals as well as freedom of religion. The Supreme Court has opted to uphold progressive notions of gender justice and expanded the protections available under Art 21 (Right to Liberty and Life) by its 'Ess Essential Parts' doctrine.

This positive ~~is~~ obligation of the State will, it is hoped, help protect the fundamental rights and freedoms of every individual without undue interference in the rights given to freedom of religious beliefs.

14. Identify the key areas of reforms required in the judicial system in India. In this context, examine the significance of the idea of putting in place an All-India Judicial Service. (250 Words) 15 Marks

भारत में न्यायिक प्रणाली में आवश्यक मुद्दों के प्रमुख क्षेत्रों की पहचान कीजिए। इस संदर्भ में, एक अखिल भारतीय न्यायिक सेवा स्थापित करने के विचार के महत्व का परीक्षण कीजिए।

According to the National Judicial Data Grid there are more than 29 million cases ~~are~~ pending at just the District Court level. This has made Indians mistrust the judiciary as they perceive it to be too complex, time consuming, and expensive to function.

Key Areas of Reform

- 1) Judiciary is facing an acute manpower crisis. Law ministry data shows that there is a shortfall of nearly 6000 judges.
- 2) The appointments process of judges to SC and HC is considered opaque and potentially open to abuse in the form of corruption, nepotism and favouritism.
- 3) Judicial Backlog prevents speedy resolution of new cases as well.

- 4) Corruption in the judicial staff who frequently use red-tapism to slow down trials and demand compensations.
- 5) Poor ~~de~~ judicial infrastructure and lack of usage of e-Governance tools like digitisation of cases or online ways to view progress.
- 6) The government is the biggest litigant, responsible for nearly 50% of the cases.
- 7) Criminal justice system reforms are needed as the police investigation is often not of the standard required for conviction speedy.

To combat these there have been suggestions given by various Law Commissions ~~and SC~~ to set up an All India Judicial Service.

They would recruit judges ~~at~~ ^{from} an All India exam and ~~also~~ allot them as district judges. The merits of this are:

- 1) Objectivity, Transparency and Merit based approach in appointment of judges.

- 2) Greatest possible pool of talent for selection.
- 3) Uniformity in quality of judges across India.
- 4) Reduction in vacancies and pendency.

However this isn't a panacea for all ills:

- 1) States argue it is against the federal structure.
- 2) It might be perceived as eroding the independence of the judiciary.
- 3) It will not address the issues of criminal justice system reforms; Bhobby Police Inertization; Archaic and Complex laws; Lack of infrastructure; Government litigation etc.
- 4) A national exam may be ignorant of the State laws and Customs.

AIJS can only succeed if it's a part of other much needed reforms. It can help in improving the quality of justice at the lower courts level and that is why the SC too has favoured it.

15. While there are existing laws for the same, substantial efforts still need to be undertaken to prohibit people with criminal antecedents from entering into politics. Discuss in context of the problem of criminalization of politics in India and resulting issues. (250 words) 15 Marks

यद्यपि इस हेतु कानून विद्यमान हैं, तथापि अपराधिक पृष्ठभूमि वाले लोगों का राजनीति में प्रवेश रोकने के लिए अभी भी काफी प्रयास किए जाने की आवश्यकता है। भारत में राजनीति के अपराधीकरण की समस्या और परिणामी मुद्दों के संदर्भ में चर्चा कीजिए।

There are certain legal provisions barring criminals from contesting elections and

the major ones are:

- 1) The RPA, 1951 bars people convicted ~~and~~ for more than 2 years from contesting elections.
- 2) Serving MPs and MLAs who have been convicted in office will be immediately disqualified.
- 3) Fast track courts have been set up to deal with cases involving legislators.
- 4) The SC has made it mandatory for people contesting elections to disclose their and their immediate family's assets, income as well as any pending cases or convictions.
- 5) Politicians convicted of certain offences like

~~to~~ promoting enmities between communities,
promoting social evils like Dowry or Sati etc

However, these safeguards have proven inadequate at preventing Criminalisation of Politics. According to the report of Association for Democratic Reforms (ADR) the present Lok Sabha has the highest percentage of MP's with Criminal cases against them.

Reasons for Criminalisation

- 1) Expensive elections require candidates with black money and criminal background, ~~from a~~
- 2) Political parties frequently give tickets to those with a criminal background.
- 3) Voters often vote on the basis of caste or religion or regional identities rather than on the character of the candidate.
- 4) Proliferation of bogus cases against rival candidates has led to a state where voters find it hard to distinguish between actual criminal conduct and vendetta fake cases. Pendency of trials compounds this.

5) Politicians in power use their clout to negatively influence the Criminal justice systems and get off scot free.

⑤ Way Forward

- 1) Reforms in Electoral Funding especially transparent related ones bringing down the need for black money.
- 2) Reducing pendency of cases involving legislators using fast track courts proposed by the SC.
- 3) Awareness generation among voters about the history of the candidates as provided for by the Model Code of Conduct of the EC.
- 4) Political parties should uphold the highest ideals by promoting internal democracy and reducing tickets to criminals.
- 5) Strict anti corruption vigilance to examine disproportionate rise in asset of legislators.
- 6) Media should play an unbiased and responsible role in its coverage of candidates during elections.

If criminalisation of our politics is not checked, ~~it will~~ our democracy runs the risk of becoming an oligarchy.

16. On the recent World Press Freedom Index (WPFI) India ranks 140. Elucidate the significance of media in a democracy like India. Identify the major issues affecting the media in contemporary times. In this context, enumerate the measures to address these issues. (250 Words) 15 Marks
- हाल ही के विश्व प्रेस स्वतंत्रता सूचकांक (WPFI) में भारत 140वें स्थान पर है। भारत जैसे लोकतंत्र में मीडिया के महत्व को स्पष्ट कीजिए। समकालीन समय में मीडिया को प्रभावित करने वाले प्रमुख मुद्दों की पहचान कीजिए। इस संदर्भ में, इन मुद्दों का समाधान करने हेतु उपायों को सूचीबद्ध कीजिए।

India's ~~media~~ has displayed worrying trends when it comes to its rankings in global press freedom indexes like the WPFI ranking of 140.

This is undesirable because of the significance of the media :

- 1) To enable greater awareness among readers.
- 2) Political awareness increases by media reportage about :-
 - 1) Policy formulations
 - 2) Implementations issues, positive and negative
 - 3) Speeches of politicians, their promises as well as political manifestos.
 - 4) News about election dates, results and also investigative journalism of any lacunae in the process

- 3) Keeps a check on the government by providing factual reportage on its performance. ~~and so on~~
- 4) Editorials by eminent thinkers enrich democracy by providing diversity of ideas, criticisms and suggestions to the state.

⑤

These factors help make democracy an informed choice from the voters rather than just a performance of voting.
It ~~is~~ strengthens as well as deepens democracy.

Major Issues affecting Media

- 1) Perceived bias in media with media houses overtly or covertly aligning with particular parties leading to biased reporting and even factually incorrect coverage. This leads to loss of trust by consumers.

- 2) Presence of laws in India - that could potentially affect unbiased reporters like Sedition Law, Parliamentary Privileges, Contempt of Court etc.
- 3) Rise of social media making print based and traditional media less remunerative.
- 4) Reliance on sources of funding from ~~cor~~ corporates ~~which~~ and on governments (through advertisements) which provides them with control over the media.
- 5) Rise in incidences of killings of journalists.
For eg the murder of Gauri Lankesh.

The steps to address these would be:

- 1) Greater awareness among the stakeholders of the importance of media and a conscious effort to reverse the trend.
- 2) Rationalisation of the laws to prevent any punishment for ~~fair~~ and all but the most egregious abuse of media reporting.

The media is called the 4th pillar of Indian democracy and its health and vitality is essential to ensure good governance.

17. Explain why the doctrine of separation of powers is considered as an indispensable part of a democratic setup. Also, discussing this doctrine in the context of India, explain the principle of 'checks and balances'.

(250 words) 15 Marks

व्याख्या कीजिए कि शक्ति के पृथक्करण के सिद्धांत को लोकतांत्रिक व्यवस्था का एक अनिवार्य घटक क्यों माना जाता है। साथ ही, भारत के संदर्भ में इस सिद्धांत पर चर्चा करते हुए, 'नियंत्रण और संतुलन' के सिद्धांत की भी व्याख्या कीजिए।

Any State's role can be distilled into three parts: Judicial; legislative and Executive.

For a modern democratic country with Rule of Law an indispensable condition for ~~the~~ sustaining this is ~~the~~ adherence to the principle of doctrine of 'Separation of Powers' where the 3 roles are essayed by separate institutions.

Need for Separation of Powers

- 1) It prevents rise of authoritarianism and dictatorship. Judiciary Power
- 2) The independence of Legislative and Executive is necessary for providing checks and balances.
- 3) A principle of Rule of Law is that everyone is equal before the law. With separation of powers the law makers know

- 5) That they'll be subject to the same law. This doctrine helps keep executive tyranny in check by making it accountable to the legislature and judicial scrutiny.

In the Indian context the system we follow is not of strict compartmentalisation, like in the US but one of overlap of functions and we rely on checks and balance.

Executive Scrutiny

- 1) The Government is responsible to the Lok Sabha and only functions as long as they enjoy its confidence.
- 2) The Supreme Court and other courts can rule on the legality of any executive action.

Legislature Scrutiny

- 1) The judiciary can adjudicate on the constitutionality of an act.
- 2) The parliamentary system envisages that the legislature and executive work in tandem.

Judicial Scrutiny,

- 1) The executive has an effective veto on the appointment of a high court judge or a supreme court judge even though they cannot nominate or select judges.
- 2) The impeachment process of a judge is via the legislative wing.

Thus, we can see that in India there is the process of checks and balances with each branch of the state able to act independently as well as controlling the others. This helps preserve a balance and maintain democracy.

18. Government schemes in India have long suffered from monitoring and implementation challenges. What steps have been taken by the government recently in this regard? Also discuss the potential of social audit in addressing these challenges. (250 words) 15 Marks

भारत में सरकारी योजनाएं दीर्घकाल से निगरानी और कार्यान्वयन संबंधी चुनौतियों से प्रभावित रही हैं। हाल में सरकार द्वारा इस संबंध में क्या कदम उठाए गए हैं? साथ ही इन चुनौतियों को दूर करने में सामाजिक लेखापरीक्षा की क्षमता पर भी चर्चा कीजिए।

There's a long standing saying that Indian voters only desire 'Roti, kapda and Makaan' which shows that though every government focusses since 1950²⁷ on those ~~sas~~ schemes they still aren't fully implemented and hence are an electoral vote gaining plank.

This highlights that the major problem with Indian governmental policies remains implementation and monitoring rather than design. The reasons for this are many:

- 1) Corruption at all levels hindering implementation
- 2) Capacity deficit of the government to implement ambitious schemes.
- 3) Lack of funds to properly implement ^{some} schemes.
- 4) Lack of accountability coupled with lack of reward for the implementors.

- 5) Lack of awareness of their rights and entitlements among the would be benefactors.
- 6) Poorly designed schemes with overt centralisation proving unsuitable for the diversity of India.
- 7) Lack of grievance redressal mechanisms.

Some steps taken by the Government

- 1) Implementation of Right to Information Act whereby citizens have the right to demand information for from the government increasing transparency.
- 2) Introduction of Citizens Charter which defines the expected service standards delivery promoting accountability.
- 3) Adoption of Outcome Budgeting and Zero Based Budgeting which help direct money fruitfully and also get better implementation.
- 4) Implementation of ~~digital~~ ^{Digital} India which

proactively provides statistics about government programs. For eg Sarva Bharat Abhiyan's online dashboard which shows the rate of progress and the expected work left.

The Social Audit system also provides an innovative solution. It makes the intended recipients of the government policy directly responsible for auditing it. This creates a bottom down accountability ~~and~~ cycle rather than a top down one and rewards are:

④ Participatory and Inclusive; Innovative decentralisation can occur; keeps the ^{beneficiaries} ~~citizens~~ engaged and transforms them from grateful to entitled etc.

Yet, this isn't a panacea. The social audit suffers from narrow focus, lack of ability of the society to properly audit technical and financial aspects and is informal making a big picture view and comparisons ^{had}. It needs to be used in conjunction with other measures.

19. In the context of recent concerns related to functioning of NGOs in India, discuss the need for self-regulatory guidelines and transparency mechanisms to restore the credibility of voluntary organisations.

(250 words) 15 Marks

भारत में NGOs के कार्यकरण से संबंधित हाल की चिंताओं के संदर्भ में, स्वैच्छिक संगठनों की विश्वसनीयता को पुनर्स्थापित करने के लिए स्व-नियामकीय दिशा-निर्देशों और पारदर्शिता तंत्रों की आवश्यकता पर चर्चा कीजिए।

A recent report by the Intelligence Bureau of India showed that merely 10% of the 31 lakh NGOs in India have ~~are~~ filed annual returns. This coupled with other financial concerns has raised the question of regulation of NGOs.

Some of the concerns are:

- 1) Foreign funding of NGOs where they indulge in activities harmful to the national interest. For eg. Some western countries funded NGOs have been complicit in the protests against the Kudankulam Nuclear reactor which is supported by Russia.
- 2) The use of NGOs as a front for illegal activities like Hawala funds transfer, money laundering etc.
- 3) Financial improprieties by NGOs with donations

or even government funds.

Need for Regulation and Transparency

- 1) The lack of trust from the activities of a few VO's / NAO's harms the credibility of the whole sector.
- 2) The important role of civil society means that they have a responsibility of self regulation to show that their internal functioning is above reproach.
- 3) Greater transparency will encourage public donations to the better managed NAO's.
It will also help the government identify those NAO's who can be 'Partners in Development and Welfare' and provide public funds to them.
- 4) The ~~ones~~ ones indulging in illegal activities can be targeted and closed down if regulation is increased.
- 5) The unorganised nature of the sector necessitates a central law to provide

uniformity of regulatory mechanisms

Seeing that the government should after wide consultation with stakeholders and the VO's groups, ~~and~~ enact a regulatory law which is not too stringent but ~~is~~ promotes transparency and a culture of self regulation. It shouldn't curtail the independence of the NCI's rather should promote the civil society.

In this regard the recent Supreme Court ~~order~~ suggestion to enact such regulations to the

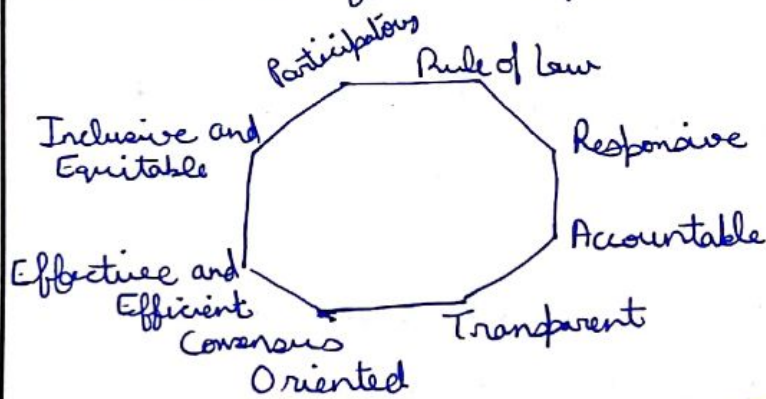
central government should be the opportunity to take steps ~~as~~ mentioned above..

20. Focusing on technology without realizing that e-Governance is basically about ushering reforms in governance has meant that the potential of e-governance has not been realized. Discussing the statement, suggest what should be done to address this situation. (250 words) 15 Marks

ई-गवर्नेंस मूलतः शासन में सुधारों का सूत्रपात करने के लिए है, यह मसझे बिना प्रौद्योगिकी पर ध्यान केंद्रित करने का अर्थ यह हुआ कि ई-गवर्नेंस की क्षमता का दोहन नहीं हो पाया है। इस कथन पर चर्चा करते हुए, सुझाव दीजिए कि इस स्थिति से निपटने हेतु क्या किया जाना चाहिए।

In recent years e-Governance has been seen as a method to ensure good governance.

The outcome of this reform was to be →



GOOD GOVERNANCE

but there has been a greater focus on the technological aspects of e-Governance rather than the outcome.

The focus on technology can be seen in projects like :

- 1) Broadband connectivity to Gram Panchayats.
- 2) Use of JAM trinity -
- 3) Adoption of digitisation in many fields like

Land Records; Government information; Government Tenders etc.

However, we can see that the true revolutionary potential has not been realised yet.

To do this we need to take some further reforms which move beyond the technology to structural changes:

- 1) The government should focus on bridging the digital divide. They should focus on increasing digital literacy by teaching, awareness spreading, partnering with NGOs as well as with the Gram Panchayats.
- 2) Increasing accessibility of the e-Governance measure. This would need greater focus on ~~regions~~ providing services in regional languages as well as on the ^{commonly} more used mobile platforms.
- 3) Usage of big data analytics and machine learning tools to get deeper analysis of the data generated. This might help in

- fields like tax evasion.
- 4) Cooperation between different branches like Tax, Law, Finance etc for seamless flow of information to reap the benefits of greater access.
 - 5) Focus on cyber security and best practices.
 - 6) Re-Engineering of government processes to bring them in line with the optimum benefits of using e-Governance tools.

Without the structural reforms e-Governance will only be seen as a fad and not the radical disruptor it has the potential to be. Only when the whole system ~~to~~ adopts this new paradigm can ~~the~~ 'Good Governance' be achieved.