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GENERAL STUDIES (Test Code : 295)

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Registration No. 1684

Schedule

Module

Place Jalpur

Time

Date

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Classroom

Distance Learning



Classroom & Distance Learning

INDEX TABLE

Q. No.	Maximum Marks	Marks Obtained
1.(a)	16	
1.(b)	16	
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5.(b)	6	
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6.	24	

Maximum Marks : 250

/250

Remarks:

Signature of Examiner

EVALUATION INDICATORS

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

INSTRUCTIONS

1. Do furnish the appropriate details in the answer sheet (viz. Name, ID Number and Test Code).
2. Candidates should attempt answer to the part/sub-part of a question strictly within the pre-defined space. Any attempt outside the pre-defined space shall not be evaluated.
3. The candidate need not write anything in his/her answer that derogates the dignity of an individual or an organization.
4. Candidates should attempt all questions strictly in accordance with the instruction given under each question.
5. The candidate should respect the instructions, given by the invigilator.

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14/10/2013

GENERAL STUDIES (Test Code : 295)

Overall Macro comments / feedback / suggestions on Answer Booklet:

1.

2.

3.

4.

5.

All The Best

1. Answer all four questions:

4 x 16 = 64

(a) List the salient features of the Juvenile Justice (Care and Protection of Children) Act, 2000 and examine whether it should be amended.

- The Act was passed to bring our laws in conformity with the UN convention of on Child Rights, 1989.
- It is one of the most progressive laws & its rules are even better.
- The Supreme Courts and High Courts have special committees to monitor its implementation.
- The Act targets 2 types of children:
 1. Juvenile in Conflict with Law (JCL)
Children
 2. Juvenile Needing Care & Protection (JNCP)
- It defines children up to 18 years of age as juvenile.
- Benefit will be available to them even if they cross 18 during trials.
- in case of JCL,
 - They can be tried only in Juvenile Justice Board (JJB) headed by a

metropolitan / judicial magistrate & have
2 social activist as members.

- Identity of the child has to be kept secret.
- Child's name will not appear in any police records.
- They can be sent in Rehab. homes for max. of 3 years. No cruelty can be committed upon them.

In the light of Delhi Rape Case, there have been demands of amending it to bring down the protection age (to say 16) in case of serious crimes like rape and murder.

But it would be a regressive step. A child is not capable of taking responsibility of his actions. It's actually the society's failure that it didn't protect the child earlier. So the need is rehabilitation, not retribution.

1. (b) Discuss the problems that SHGs are facing and provide some suggestions for their revival. Also comment on the support provided by government agencies to SHGs.

16

SHGs have proved to be very effective in lifting the weaker section women out of neglect and poverty. Yet many challenges remain as follows:

1. Issues of sustainability and technology:

- Even after so many years of existence, many SHGs are not viable and can't exist without mentor support.
- The entrepreneurial activities undertaken ^{use} ~~are~~ mostly primitive technologies & give subsistence level wages only.
- A solution could be :
 - federation structure of SHGs like Kudumbashree model in Kerala.
 - Emphasis on modern technology.
 - Developing marketing linkages.
 - Integrating model and its plans with the PRI model.
 - capacity building efforts need to be undertaken.

2. Issues of financial linkages

- The most workable model is that of Bank - SHG direct linkage. But its reach is very limited.
- (micro finance)
- MFI linkages have been curbed after Andhra Pradesh scandal.
- As a solution, we can
 - focus on developing neighborhood thrift & savings societies.
 - follow federation structure
 - allow MFI in a regulated way.

3. Issue of political interference: leading to loss of participative character of SHGs which was its core strength. To avoid it, politicisation should be checked.

4. Spreading SHGs to urban / peri-urban areas & in northern states: for this funds & mandate of NABARD needs to be extended. Existing govt. support is in the form of giving bank linkages; credit, ~~and~~ training & marketing linkages, NRLM scheme, linking them with PRIs to give strength.

1. (c) Though the 52nd Amendment to the Constitution of India was intended to strengthen parliamentary democracy, it has failed to curb unethical political defections. Critically evaluate. 16

The 52nd Amendment, 1985 provided for:

1. Disqualification of an MP/MLA if he
 - voluntarily relinquishes his party
 - goes against his party whip in voting in legislature.
- The above disqualification doesn't arise if more than $\frac{1}{3}$ rd members of the party do so together in the legislature.
2. Other disqualification cases:
 - an independent member joining a party.
 - a nominated member joining a party within 6 months & leaving later.
 - a nominated member joining after 6 months

The idea behind the Act was that:

- in parliamentary democracy, people in a significant number vote for the party.
- So if a person changes his party after election, it is a negation of the people's will.
- to discourage horse trading activities.

However, its working has shown a lot more is still wanting.

- The speaker retains the final right to decide on disqualification. Also no time limit is set for him to take action. But many a times, it has been seen that speakers sit on the disqualification cases for a long time when it is in interest of their parties. This is done even in cases of obvious disqualification.
- Perhaps to check malapide action by speaker, a time limit of 2 weeks can be imposed & judicial review allowed.
- In the coalition era, the Act should also apply on at least the pre-poll alliances. This is because the same reasons as apply for a party also apply here too.

1. (d) "With the emerging political undertones over the sharing of Transboundary Rivers, negotiations and engagement over water resources is likely to find a prominent place in Indian diplomacy." In the context of this statement, examine India's water diplomacy in the sub-continent. 16

• There are no internationally applicable fixed laws on Transboundary River sharing. But there are a few doctrines generally followed:

- Doctrine of integrated river basin management where whole river basin is treated as one unit and developed. Interests of lower riparian states and equity considerations are important.

- Doctrine of prior use: No ^{new} development shall take place which significantly harms the prior users of river. This generally favors lower riparian states.

• India has generally followed the above 2 doctrines in its dealing ⁱⁿ with sub-continent while rejecting a third one (doctrine of sovereign rights) despite being an upper riparian in many cases.

- India - China : The bone of contention is Brahmaputra. China asserts its sovereignty and is believed to be constructing many dams in Tibet including 38,000 MW one at Motek. India believes doctrine of integrated basin management should be used. River & dam data should be shared and joint groups setup for monitoring. To strengthen its case per doctrine of prior use, it is constructing a 10,000 MW dam in Arunachal.
- India - Bangladesh : India - Bangladesh share Teesta waters in 75:25 ratio & wanted to share remaining in 13:12 but it was blocked by Ms. Mamta Banerjee. Another concern was Tipaimukh dam on Barak river but it is a run of the river dam & India has proposed to ^{end} give equity share to Bangladesh in the project.
- India - Pakistan : The Indus Treaty gives Pakistan 2/3rd of the waters. Recent controversies were for Kishenganga & Baglihar projects.

2. Answer all four questions:

4 x 16 = 64

(a) Analyze the challenges that are being encountered in the implementation of Mahatma Gandhi National Rural Employment Guarantee Act (MNREGA). Suggest some solutions to address these challenges.

Despite its massive success, the MNREGS faces following challenges:

1. Issues related to wage payment:

- Delayed wages can kill the demand driven nature of the scheme. It occurs because: (a) works are not measured on time due to lack of staff. (b) After measurement, there are delays in roll preparation & feeding of data. (c) There are delays in fund release by centre & other agencies in the middle.

To check this, (a) staff should be increased & money allotted; (b) national level NREGA SOFT (real time MIS) should be implemented; (c) centre has come out with direction that upto 50% additional compensation would be payable by the defaulting

party if wages are delayed beyond 15 days.
- corruption in wage payments: workers may be denied legitimate payments, ghost beneficiaries etc.

To check this, we need: (a) increased allopmnt in awareness generation ~~spends~~ campaigns; (b) social audits; (c) AADHAR based payments.

2. Issues related to Asset Quality & Work Completion: (a) work completion rates have fallen to 25% nationwide & 2% in Maharashtra! (b) Most of the assets created are not of good quality.

To check this, we need to invest more in producing & training engineers for NREGA.

3. Issues related to Audit: (a) record keeping is not standardised at village level leading to reports of corruption. To check this we need - (a) CAG audit (b) training at villages (c) standardised accounting.

2. (b) Settlement of cases by mutual compromise is much better than seeking adjudication in the adversary system. With reference to this statement discuss various ADR mechanisms available in India.

16

- ADR mechanisms seek to deliver fast and cheap justice as:
 - they are headed usually by subject experts
 - focus is on following principles of natural justice, equity & not legal procedures.
 - level of proof required is lower.

- The Art 39-A of Constitution in Part IV is the heart behind it.

Following are the various ADR mechanism.

1. Tribunals : - The constitution itself provides for a law to make tribunals over water sharing in inter-state rivers.
 - Art 323 A & 323 B empowers legislature to setup tribunals to hear administrative, tax, land reform, environment etc. related disputes.
 - The idea was to ~~reduce~~ ^{limit} role of judiciary (specially higher jud.) but in practice this has failed as even interim awards are challenged in courts for clarification etc.

2. Lok Adalats: These ^{take}~~can~~ justice to ground level. They can try any civil or criminal case with the consent of parties & their awards are binding.
3. Nyaya Panchayat: The idea is to have justice delivered by elected eminent villagers in village itself in minor cases. But the Bill is still in draft phase.
4. Tribal Councils: Under Schedule 6, the governor may give certain judicial powers over the local matters to the tribal councils.
5. Arbitration proceedings: These are guided by Arbitration & Conciliation Act, 1996 and are usually resorted to by businesses.
6. Informal mechanisms: like khap panchayats, fatwas issued by Deoband etc. But they don't have any legal backing.
7. Regulatory Authorities: like proposed Coal Regulatory Authority; PPP dispute resolution Authority.

2. (c) Discuss the roles and functions played by the Zonal Council and Interstate Council in promoting cooperative federalism in India. 16

Cooperative federalism means a system where both the central & state govt. must cooperate to get things done & further public welfare.

Interstate Council

- constituted on basis of Sarkaria Commission ^{in constitution} recommendations, its role is to:
 - (a) enquire into & advise on disputes between states or states & center.
 - (b) discuss common interest matters.
 However, only (b) was given; not (a) by the govt. But (a) should be given as well.
- Still the council has given many important recommendations, like:
 - (a) non political role of governor (not accepted)
 - (b) creation of ^{shareable} ~~central~~ pool of all central taxes (accepted, 80th const. And.)
 - (c) consultation with CMs while appointing governor (not accepted) ... ~~etc.~~ and many more.

- It can play a great role in consensus building on major issues involving both central & state govt, such as:
 - centrally sponsored schemes like SSA, NREGS.
 - laws related to concurrent list
 - amendment to ³ lists or recent 120th constitution Amendment Bill where consent of majority of states is required.

Zonal Council

- They were created after states reorganisation in 1955 and the idea was to resolve boundary issues, linguistic minority, inter-state transport and other issues arising out of reorganisation.

- They served well in initial years but have largely become defunct now.
- Suggestions for improvement to both council

- they can use common secretariat; more representation of states in secretariat.
- meetings at least 2 times annually; prior agendas fixed & not general speeches.

2. (d) What does NSA PRISM Program mean to India? As a nation affected by it what should we do now?

16

- The PRISM programme is the massive internet surveillance programme where NSA ~~sa~~ directly accesses servers of US companies like google, facebook and monitor data. Reports indicate they look at both metadata & actual contents.
- India is one of the worst affected country and ranks alongside Iran.
- It can have following harmful impacts:
 - USA can spy on all the confidential information of private citizens, companies and govt. This may include IPR info., secret business strategies; financial info.; govt defense strategies etc.
 - It seriously compromises our national interests even in forums such as UNFCC, WTO, BRICS etc.

Remedial Steps

- China should have been on top of the list, not India. Still it isn't. why? Because China has its own face versions of facebook (ren-ren), google (baidu) etc.
 - If we can't have our own companies, then at least we should compel these companies to have the data servers for Indian data in India only. No Indian data must cross our boundaries.
 - ~~At the same~~ ^{US} could do this because it abused the dominant position it has in the internet. All imp. servers & companies are in US & have to follow US laws.
- India should strongly work ~~for~~ to democratise internet & have international U.N. control over it.

3. Answer all four questions:

4 x 12 = 48

(a) Critically evaluate UNICEF's policy of preferring that children stay in orphanages in their countries of birth rather than being adopted by foreign parents.

This policy involves multiple issues.
Some of its pros & cons are:

Positives of the policy

- Issue of child safety: These children are already weak. No one takes care of them. Their protection in foreign countries will be even weaker. At least in home countries they have some institutional mechanism for protection. Abroad, they'll be left entirely to the mercy of foster parents.

This may also increase international child trafficking immensely.

- Citizenship issues: Many countries don't have clear laws regarding giving citizenship to such children.
- Cultural issues: The two countries may differ considerably in cultural practices.

2 the child may have a tough time in adjusting.

Negatives of the policy

- It denies a better life to both the child & the parents. The parents ~~will~~ get lone of child while child may get good food, education, lone & care.
- conditions of orphanages is often miserable.

Balanced view : May be we can allow adoption only ~~by rich parents~~ in a regulated manner

3. (b) Discuss the conditions under which an ordinance can be promulgated and evaluate its impact on democratic spirit. 12

- An ordinance can be promulgated when:
 - none of the houses of parliament are in session; and
 - the president is satisfied that a matter of grave national ~~urgency~~ ^{urgency} exists.
- To check ~~the~~ ^{its} misuse, ~~the~~ ^{the} effect of being a tool to bypass parliamentary authority;
 - the ordinance has to be laid down in the parliament along with a statement on the reasons of

urgency → ~~in~~ ^{as soon} as the next session begins. If the parliament doesn't pass it ~~in~~ within 6 weeks, it lapses.

- it is open for judicial review on grounds of malafide.
- constitution amendment acts can't be done through ordinance.

Still many misuses have come to surface which harm democracy:

- Ordinance raj: re-promulgating the ordinance once it lapses, and again & again.
eg. was in Bihar earlier & more recently in the SEBI ordinance.
- Serving narrow political interests: like attempt to save Rashid Masood & Lalu Prasad Yadav in the RPA ordinance.
- pressure tactics to ^{break} ~~force~~ opposition:
when opposition for some reason is disrupting house functioning. Govt. can pass ordinance. If the opposition continues to disrupt house in next session & the ordinance lapses, govt. can put all blame on ^{oppⁿ}.

3. (c) 'Citizen report cards' provide a simple and widely replicable tool for improving transparency and public accountability. Elucidate. 12

- citizens are the final consumers of many public services. So it is quite natural we should get feedback from them on the quality of service delivered. This is done on an institutional basis by the citizen report cards.
- If there is an institutional way of meaningfully capturing citizen feedback and using it to improve organisational processes & functioning, it would greatly enhance govt. efficiency.
- The method is simple. All it takes is to put in place this mechanism & create public awareness.
- Most citizens are fed up of poor quality govt. services. Once they see their feedback is making a difference, they will flock in greater numbers.

- Thus it can be widely replicated as it only needs some basic processes & tech.
- As citizens participate more, they will start demanding more info. ~~when~~
- When the senior officials / auditors / civil society bodies see the report card, they will demand more info. from the erring officials and hold them accountable.

Thus it is a great tool.

3. (d) In what ways could the outcome of G-20 Summit in Petersburg help in addressing the world's most important and difficult economic challenges? 12

Despite the focus on Syria, the economic achievements of the G-20 summit are equally important.

1. Withdrawal of monetary stimulus: In the aftermath of global crises, most central banks in developed world embarked on aggressive quantitative easing programmes. The time is soon coming for their withdrawal. But this will lead to large scale capital

outflows from developing countries, massive currency depreciation and a BoP crisis. So the summit agreed to an Indian proposal to give adequate forewarning before the withdrawal and to do it in a measured way.

2. Protecting tax bases & sharing tax info: G20 agreed to Indian proposal on ~~on~~ closing taxation loopholes & greater international cooperation so that developing countries can protect their tax bases.
3. Reemphasising commitment to IMF reforms.
4. Reemphasising commitment to global growth, stability, hunger and poverty reduction.

4. Answer all four questions:

4 x 8 = 32

(a) Examine the structural problems that exist in the mid-day meals scheme.

The recent tragedy in Bihar has highlighted the following structural issues:

- Lack of accountability: The scheme has so many ^{overlapping} ~~functionaries~~ at different level & the responsibility is distributed at so many levels that no one takes responsibility.
 - Lack of citizen empowerment: The parents of the children have no role in the scheme despite being biggest stakeholders.
 - Lack of infrastructure & resources: There are inadequate facilities, ~~stove~~ ^{utensils} & cooks. The cooks are paid very little. The food is of poor quality. Hygiene conditions are not met.
 - Lack of Quality Check: No one seems to be checking the quality of all this.
- Thus this is classic case of power lying away from citizens.

4. (b) Discuss the provisions of the Securities Law (Amendment) Bill, 2013 and its likely impact on the powers of SEBI.

8

- The recent high profile cases of Sahara and Saradha have brought this bill into urgency. These cases highlighted:
 - these companies run questionable collection / deposit schemes from general public. Yet they take advantage of regulatory loopholes to remain unregulated.
 - SEBI has no powers to enforce its orders, search / seize documents, attach properties.
- This Bill seeks to remove above handicaps.
 - It brings collective investment schemes, chit funds, Sahara like deposit schemes under SEBI.
 - gives search / seizure powers and also to attach properties.
- It will greatly enhance SEBI efficiency as these companies can no longer challenge SEBI jurisdiction & SEBI can conduct investigation more thoroughly.

4. (c) What role did the nationalist movement play in determining the fundamental principles of the Indian Constitution? 8

The decades long Indian National Movement (INM) is the mainstream from where ~~all~~^{most} fundamental principles of the constitution emerge.

- sovereign: INM was for complete independence.
- socialist: indicates influence of socialist thoughts in INM.
- democratic & secular & republic: Right from the days of moderates, these values remained.
- universal suffrage: reflects mass movt. of INM.
- fundamental rights: INM was against the tyranny of state.
- social, economic justice: reflects the participation of dalits, marginalised sections, the peasants, laborers. in INM.
- liberty: INM sought to protect people from exploitation by others & state.
- peaceful coexistence: INM always believed in unity & brotherhood.

4. (d) Analyse the role of NGOs as active watchdogs in the Indian society. 8

Positive ^{Role} features of NGOs

- NGOs have acted as guardians of people's rights ~~ex~~ exemplarily in many cases. Eg. Narmada Bachao Andolan, Mazdoor Kisan Sangharsh Samiti (RTI); PUCL in many Supreme Court cases.
- In many cases NGOs have provided great services to the society. eg. NGO of the waterman of Rajasthan; Jaipur foot.
- NGOs have brought out ground level facts of our health & education. eg. Kungama 2 ACER reports.
- NGOs have led to successful implementation of many schemes such as NREGA, SHGs etc.

Negative Role of NGOs

- Some exist as fronts for corrupt politicians & businessmen or to satisfy some vested interests. eg. recent revelation that a J&K based NGO existed only to challenge Gen. Bikram Singh's elevation to Army chief.
- Some exist to help mafias.
- Some have been involved in siphoning off state money. eg. allegations against Mr. Khurshid's NGOs.
- ~~They~~ Some play host to foreign interests.

5. Answer all three questions:

3 x 6 = 18

(a) India-Latin America Economic ties.

- Growing at rapid pace & bilateral trade expected to double by 2015.
- Brazil is largest partner, India imports mainly oil & exports refined diesel. India wants Brazil to remove barriers in pharmaceuticals.
- Venezuela: supplies crude oil. India wants to invest in oil exploration & refining there.
- Colombia: India wants it to remove barriers in the movement of IT personnel there. They have a law requiring companies to hire 80% from Colombia only.
- Mercosur: India has a PTA with it.
- CELAC: India has excellent relations & they visited India first after forming the group. Apart from hydrocarbons, India interested in investing in IT, pharma, agro-processing.

5. (b) Street Vendors (Protection of Livelihood and Regulation of Street Vending) Bill, 2012. 6

- Seeks to finally protect street vendors from police harassment & eviction.
- Vending zones would be clearly demarcated. These zones have to be close to the 'natural markets' of the vendors (eg. railway station) and not say far off from the city.

- An authority would be formed having adequate representation of the vendors.
- This authority will look after the issues of zone demarcation, registration of vendors, dispute resolution etc.
- All vendors will have to register.

5. (c) Difference between SHGs and Cooperative Societies.

6

- cooperative societies are registered as so under the Indian cooperatives Act and are guided by it & the provisions in the constitution. SHGs are not registered under the Act. ~~so~~
- cooperatives are usually big and involve thousands of farmers. SHGs on the other hand are small groups of a few women. Thus participatory character is higher in SHG.
- focus in SHG is on women from BPL families. No such specific focus in cooperatives.

- cooperatives usually have a federation structure & have a state wide reach. SHGs, on the other hand, may not be so.
- cooperatives have been politicised to a greater extent than SHGs.

6. Answer all six questions:

6 x 4 = 24

(a) Grand Ethiopian Renaissance Dam

- Ethiopia is an upper riparian state of Nile river. Egypt is a lower riparian state.
- Traditionally Egypt has used most of Nile's water.
- This dam is one of the biggest dams to be built. Ethiopia claims it is only sum of the river dam & no water would be diverted for irrigation.
- Yet Egypt opposes it & has even threatened to go to war over it.
- when it is being filled, it will seriously lower the flow of water in Nile.

6. (b) Senkaku Islands. - believed to hold oil & gas reserves
- Senkaku in Japanese & Diaoyu in Chinese, they lie in East China Sea.
 - Japan, China & Taiwan all claim it.
 - Recently came in controversy as Tokyo's

- mayor decided to purchase it.
- China opposed & asserted its sovereignty.
 - It even sent its patrol ships & jets to the islands. Japan opposed.
 - USA supports Japan's claims & has re-affirmed its guarantee to Japan's territorial integrity.

6. (c) Special Category States

4

- Under Gadgil-Mukherjee formula, they get ^{assistance.} ~~grants~~ are distributed.
- These states get a share of 30% of total ^{assistance} ~~grants~~. 90% of it come as grants.
- Uttarakhand, Jammu Kashmir, Himachal & 8 North Eastern states are in this category.
- Criteria for eligibility are:
 - (a) high tribal population and/or low pop. density.
 - (b) strategic location along ^{international} borders.
 - (c) hilly difficult terrain
 - (d) economic & resource backwardness
- Rajan committee recommended abolition.

6. (d) National Green Tribunal

4

- Special tribunals to handle the cases related to environmental clearances, pollution, wildlife, degradation etc.
- Headed by supreme court judge (retd/serving)

they also have environment specialists.

- focus is on addressing technical questions & following principles of natural justice, than legal procedures.
- recently gave the order to ban illegal sand mining in noida after Durga shakti Nagpal case.
- located in Delhi, benches in Pune & other cities.

6. (e) Section 62(5) of RPA

4

- It debar a person from being a voter if he is in a lawful police custody. ~~which~~ (concept for preventive detention).
- Supreme Court said that one of the conditions to contest election is that the person must be a voter in the electoral roll. But if he ceases to be a voter due to being in police custody, ^{so} he cannot contest polls from jail.
- Parliament overturned this decision by a law.

6. (f) Judicial Appointments Commission Bill

4

- 120th Const. Amendment empowers the President to appoint / transfer judges in Supreme Court & High Court on the "recommendation of a Judicial Appointment Commission." (JAC)

- This bill is to create the JAC.
- It would be headed by Chief justice of India, would have 2 more judges of supreme court as members (by seniority) law minister & 2 eminent jurists nominated by a selection committee involving PM + Chief justice + leader of opposition in Lok Sabha.
- The issue is it can be radically altered in future by a simple majority and thus severely ~~the~~ threatens independence of judiciary.