



# VISION IAS

www.visionias.in

## GENERAL STUDIES (TEST CODE : 1691)

Name of Candidate	DIVYA MISHRA		
Medium Eng./Hindi	Eng.	Registration Number	30515
Center	Online	Date	23.10.2020

INDEX TABLE			INSTRUCTIONS
Q. No.	Maximum Marks	Marks Obtained	
1	10		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	10		2. There are TWENTY questions printed in ENGLISH & HINDI इसमें बीस प्रश्न हैं अंग्रेजी और हिन्दी में छपे हैं।
3	10		3. All questions are compulsory. सभी प्रश्न अनिवार्य हैं।
4	10		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	10		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 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।
6	10		6. Word limit in questions, if specified, should be adhered to. प्रश्नों में शब्द सीमा, जहाँ विनिर्दिष्ट है, का अनुसरण किया जाना चाहिए।
7	10		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।
8	10		
9	10		
10	10		
11	15		
12	15		
13	15		
14	15		
15	15		
16	15		
17	15		
18	15		
19	15		
20	15		
Total Marks Obtained:			
Remarks:			

16-B, 2<sup>nd</sup> Floor, Above National Trust Building, Bada Bazar Marg, Old Rajinder Nagar, Delhi-110060

Plot No. 857, 1st Floor, Banda Bahadur Marg (Opp Punjab & Sindh Bank), Dr. Mukherjee Nagar  
Delhi- 110009

## 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.

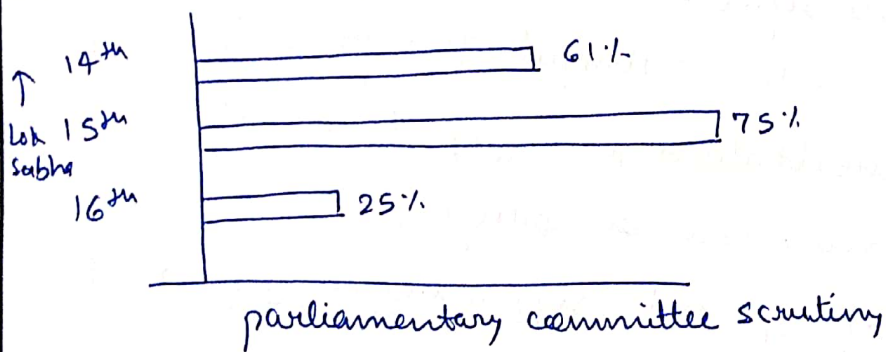
1. The practice of passing of bills without the scrutiny by the parliamentary standing committees undermines their significance and sets a wrong precedent. Discuss.

(150 words) 10

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

1<sup>st</sup> session of the 17<sup>th</sup> Lok Sabha was one of the most productive with many laws being passed without parliamentary committee scrutiny.

### Current status



### Why scrutiny is important?

- It increases legislature's hold on the executive - about laws on public expenditure and social development policies.
- Complexity and volume of work at parliament has increased
  - ↳ increase in quillative usage.

- Frequent ordinances or bills passed in money bills (as seen by SC).
- Parliament lacks time and expertise to go into technical details of each bill.
- Committees provide neutral platform where legislators can discuss about the legislation without fear of whip.
- Consultation from experts of the domain can be sought.
- It upheld separation of powers between executive and legislature while making executive responsible to latter.

For efficient functioning of parliament as observed by 2<sup>nd</sup> ARC consultation of parliamentary committees like (PAC, DRSC) is important. It ensures accountability of the executive.

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 the instrument of direct democracy where electorate has the right to remove an elected representative from his office for not performing or under-performing.  
e.g. Switzerland.

### Much Needed Step for India

- Ensures accountability of elected representatives to the people.
- Curbs use of money and muscle power in the elections for fear of removal later in recall.
- Less corruption in governance.
- Increase transparency in the public offices.

Concerns

- Populist measures may increase to woo the voters.
- Political parties in opposition may collude to remove a candidate later.
- False implications or charges on leaders.
- The representative will be in fear always of being removed.
- Curbs risk taking appetite.
- It will diminish impact of whip on members
  - as they are more amenable to electorate than party.

To address both the issues India should start with electoral reforms like Right to reject, State-funding of elections (277<sup>th</sup> report - Law Commission and Dinesh Goswami committee report).

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।

52<sup>nd</sup> Amendment Act, 1956 introduced 10<sup>th</sup> schedule in the constitution to curb the tendency of legislators from horse trading (Aaya ram - gaya ram) between political parties.

Restriction on freedom of choice of legislators -

- Binds the legislator to party's whip.
- More loyalty to party's mandate than to people's mandate.
- Curbs freedom of speech. (a fundamental right).

Some Benefits

- It ensures no retail defection (only 2/3<sup>rd</sup> of the members merging are allowed)
- Gives stability to the government
- Enforces discipline in party ranks.

Speaker's role

- Final authority on disqualification.
- Supreme court can only intervene once presiding officer has taken decision.
- Many times alleged to be politically motivated.

Some measures

- Like UK, applicability of law can be limited to matter of government's stability like - confidence motion.
- Time limit to be prescribed for speaker to take decision - (by SC)  
e.g. delay in decision in Kanwar assembly case

Stability and freedom of speech need to be balanced. SC's observation in Kihoto Hollohan should be used for guidance.

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

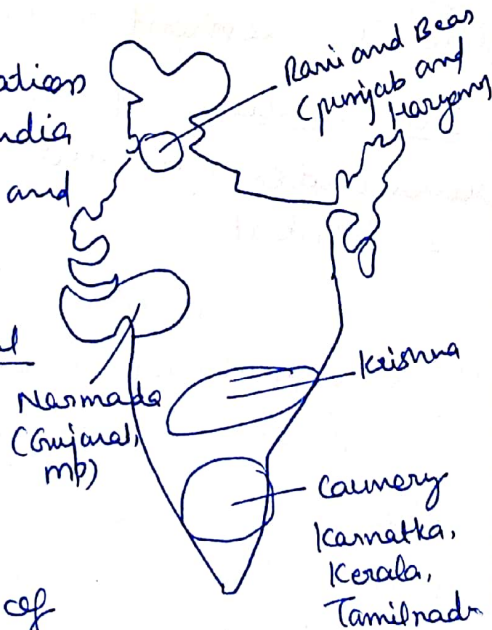
अंतर-राज्यीय नदी जल विवाद, भारतीय संघीय प्रणाली द्वारा सामना किए जाने वाले सर्वाधिक अहम मुद्दों में से एक रहा है। इस संदर्भ में, इसमें सम्मिलित मुद्दों के समाधान में अंतर-राज्यीय नदी जल विवाद (संशोधन) विधेयक, 2019 की क्षमता का परीक्षण कीजिए।

Article 262 provide the parliament power to constitute tribunals for interstate water disputes as there lie in the union list (7<sup>th</sup> schedule).

eg. Beas and Cauvery disputes had been pending for more than 25 years.

### Inter state river water disputes

- o No clarity on the data availability of river water.
- o Water stress situations in peninsular india
- o climate change and variable rainfall.
- o SC under special achieve Article 136 hears the appeal again
- o Non-enforcement of verdicts by the States



Interstate river/water dispute (Amendment)

Bill 2019 -

- Makes Single unified tribunal for all the disputes.
- National arbitration council to amicably solve the dispute.
- Dispute goes to tribunal if it is not solved at council.
- A definite timeframe for closure of the case.
- Mandated central government to ensure the enforcement of the Act.
- Data collection for allocation of river water - An authority will be constituted.

Further, rather than political boundaries as suggested by CWC and NITI Aayog hydrological boundaries should be constructed for water allocation. Aquifer mapping should also be done. in accordance with cooperative federalism and Heilinki rules

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।

Article 14 in the Indian Constitution guarantees to each citizen these two equalities.

### Equality before law

- It is derived from British common law.
- It is a negative equality, i.e. no special privilege.
- No arbitrary application of law.
- Everyone is equally subjected to the ordinary law of the land enforced by the ordinary law courts.
- No one is above law.

### Equal protection of law

- Derived from American constitution
- It is a positive concept.
- Same persons situated in similar circumstances to be treated equally

- equals should be treated equally  
and unequals unequally.

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 form the steel frame of our country and implement and guide the policy making. Though constitutional protection has been given through Article 311 and 312, further interventions are needed to ensure the independent functioning.

Civil service board. (CCSB)

- Headed by cabinet secretary to coordinate and regulate the promotion, transfer and posting of higher level civil servants.
- It will give security of tenure to civil servants.
- More freedom to take non-partisan decisions.
- Prevent politicisation of bureaucracy.

Limitation

- Still the political leadership can sway the decision making of CSB.
- The appointment, functioning and mandate of CSB is not clear.
- Not enough teeth to this body.

Other measures

- Implementing Meta Committee recommendations regarding the functioning and security of civil servants.
- Mid career appraisal and performance based promotion.
- Security of tenure.
- Later entry to augment pool of expertise (NITI Aayog).

Civil Services are repository of experience, expertise and symbol of continuity the reforms area must to ensure its effective functioning

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 मान्यता बढ़ेगी। समाजोच्चतात्मक विक्षेपण कीजिए।

Currently voting is not a compulsory obligation. However the latest electoral turnout was just more than 60% which shows the elected government may not be fully representative of the people's mandate.

### Pros

- More voters → more representativeness of government
- More political consciousness among masses.
- more scrutiny of government on their delivery of election promises.

### Cons

- It will be coercive
- There could be incidences where voter do not read the names and give their vote to 1<sup>st</sup> name on the ballot

more important is -

- o Electoral reforms
- o nudging people to vote more
- o voter education
- o NOTA and right to reject  
can be explored.

Law should not be enforced. It is the expression of social necessity, and ~~denat~~ demand should come from within.

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।

Data is a public good.

'National data sharing and accountability policy' mandates the sharing of government data with people directly.

OGD: A game changer

- More data → more research
- Evidence based policy making
- better allocation of scarce government resources.
- Efficient reach of schemes to the right beneficiary pool.
- It will eliminate inclusion and exclusion errors  
     eg. PDS ration card duplication  
     -ive -
- It will save public money which could be utilized in other areas
- Important to hold government accountable

for its commission and commissions.

### Challenges

- Official secrets Act, 1904 - data can be hidden under this.
- May compromise national sovereignty.
- Efficient and sophisticated western countries' technological tools may target Indian market based on this data.

For the concern of data privacy, recommendations of BN Srikrishna committee can be adopted. Data is the new oil. More we mine more we will prosper.

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

(150 words) 10

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

NGOs, voluntary organisations are a critical pillar of social welfare and development. They compensate for the spaces left by the government machinery to uplift the marginalised. Currently 31 lakh NGOs are working in India.

eg. Greenpeace, NBHS, CES

### Foreign funding

- o Foreign contributions regulation Act
  - o Foreign exchange management, Act,
- & These two Acts regulate the foreign funding within NGOs.

### Concerns

- o CBI - highlighted only 10% of the NGOs file their annual financial statements.
- o Lapses in income tax filing.

- More than 3000 NAOs received over 22000 crores from foreign funding.
- Money is used for thwarting the developmental efforts of India  
e.g. opposition to coal powered plants → causing damage to environment
- Religious conversions or engaging in anti-State activities

Therefore it is important to regulate NAOs to ensure their transparency while maintaining national integrity and sovereignty

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

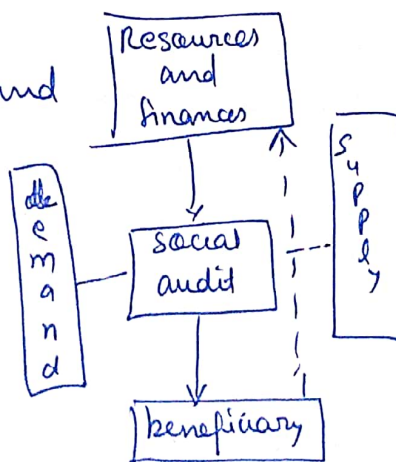
Social audit is the process of measuring, understand, reporting and correcting the gap between the targeted aims/ideals of schemes and achieved objectives/outcomes by the beneficiaries of the scheme themselves.

eg. MGNREGA provides for it.  
eg. recently Meghalaya enacted a law for the same.

### Role of Social audit

- Review of outcomes and utilization of allocated fund increases the accountability of service providers.

- It ensures that the necessary financials and data is released in the public domain for decision making.



- It is multistakeholder, polyvalent, and participatory.
- It leads to social empowerment and increases efficiency of social welfare schemes  
 ex. in MGNREGA - the number of new job cards issued and funds released can be tracked.

### Impediments

- No legal status bearing few cases.
- Rural people lack financial literacy to carry out right audits.
- The data fudging was observed due to paper-based record making.
- people with vested interests can easily sway them

However, a case of Mazdoor Kisan Shakti Sangathan (Rajasthan) that initiated Jansunwai that led to RTI Act shows the potential of social audit.

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 पुनरीक्षण करने की आवश्यकता है?

Election Commission of India (ECI) is the watchdog of Indian electoral regime. Under Article 324 it is vested with powers to supervise, control and direct the elections of President, Vice-President, Lok Sabha and State legislature.

#### Quasi-judicial functions

- It allocates the election symbols to the political parties under Representation of People Act 1951 and decides upon the disputes regarding that.
- In matters of filing of report by political parties about their election expenditure.

#### Advisory functions

- Under Article 143 as Adviser President about disqualification of MIPs (advice is binding)
- During National emergency confirm that elections can't be held (Article 352).

### Recent challenges

- No power to de-register a political party under Section 8 of RPA, 1951.
- Rampant use of money power and muscle power in elections.
- Fake news and paid news menace
- Inadequacy of Section 126 in regulating media.
- Violations of MCC.
- Voter bribing and psychometric targeting using subtle social media platforms of Cambridge analytics case.
- Criminalisation of politics
  - 33% of sitting MPs with charges filed against them.
- Electoral funding - anonymity and canalisation of black money.

### Reclaiming at power

To address the above challenges following can be done.

- Giving more teeth to it.

- Except extra-ordinary powers under Article 326 it use RPA, 1951 & IPC, hence codification of laws needed.
- Codification of MCC → making it enforceable.
- State funding of elections can be looked into.
- Intraparty democracy - 2<sup>nd</sup> NRC
- Power to de-register political parties.
- CVIGIL type public participation models to be encouraged.
- NOTA and negative voting can be allowed.
- Declaration of public assets was made mandatory by SC in Lokprahari Case (2013) which can be further extended.

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।

Recently number of SC judges was increased from 31 to 34 including the chief justice of India. It might reduce the current case burden > 50,000 cases pending a SC.

### Benefits of increase

- Larger number of benches can be framed
- More democratic and polyvalent verdict delivery
- Increase case disposal rate
- Relieve burden

### Current challenges

- More than 3 crore cases are pending at all level together
  - 85% only at subordinate level.
- Huge vacancy at subordinate level.
- Less number of working days
- Quality of verdicts at lesser level

remain poor → appeal cases increases

- SC and HC - cases of appeal and inter-pretation of law are dealt together.
- Increase in business due to judicial activism - PIL.
- Lower usage of alternative dispute redressal mechanisms (ADRs)

### Broader reforms

- All India Judicial services at district level can be recruited by UPSC.
- Separation of SC into → court of appeal  
↓  
Constitutional court
- More regional benches of SC
- Filling vacancies -
- Popularising ADR to resolve business disputes.
- Fast track courts and special courts

Case disposal to be monitored.

- Reducing number of judicial vacancies.
- Digitisation of the process.
- Lokadalats to be expeditiously promoted alongwith Gram nyayalayas.

Some measures taken

- LMBS - to handle government legal disputes
- tele-law and pro-bono legal services.
- National judicial data grid - for data collection and analysis about the cases.
- e-courts - online case filing, tracking
- Video conferencing method to be adopted at larger scale.
- Overall Criminal justice system needs to be strengthened as recommended by Santhanam committee
  - Better investigation by police will increase conviction rate which was  $\sim 14\%$  currently.

Justice delayed is justice denied. Judiciary is vanguard of democratic polity, its health is vital for India's health.

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

Indian federalism is called bargaining federalism or federalism with centralising tendencies due to asymmetries visible in power distribution. VII<sup>th</sup> schedule gives an account of the division (territorial and legislative) of subjects between centre and states.

### Federal tensions

- GST- State compensation share is released with delay (> 2 months)
- Inter-state river water disputes (Article 262)
- Demand for special category status - Andhra Pradesh.
- Asymmetric federalism
  - number of seats in Rajyasabha varies from 1 to 31
  - Centrally sponsored schemes with 60:40 (Centre: State in plain areas and 50:50 for Himalayan states and North East)

- Financial Commission recommendation give more authority to centre.
  - 15<sup>th</sup> FC. reduced state allocation from 42:1 to 41:1
- Ignorance of vital areas by states due to lack of resources
  - e.g. Agriculture (Contract farming and APMC laws vary across states)
- Recently Kerala government triggered Article 371 regarding centre's policies on CAA.
- Frequent emergency imposition and controversial role of government.

### Reforming 7<sup>th</sup> schedule

- Health and Agriculture - for the want of uniformity across the country should be brought under concurrent list.
- Equitable distribution of resources to the states - grants-in-aids, revenue deficit grants, finance raising authority should be given.

- New areas like Cyber security should be added.
- Known residuary powers should now be segregated into respective list.
- Intertate council (Article 263) can be used for providing common platform to state.
- NITI Aayog - Governin council to be made more effective by granting it statutory powers.
- Current way of value based GSTC decisions with (Centre - 73 weights and state - 2/3) is a welcome step.
- Common river tribunal and Hydrology based boundaries rather than political boundaries are viable solutions.

"Better states make better Nation." Our federalism in words of Alexanderwicz is in generis and we should make it cooperative federalism from conflictual federalism.

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 pertains to the right of state to acquire any land for its use against the property held by a private party.

### Applications

- Earlier right to property was given under Article 19(1)(f) and 31.
- Which caused frictions on land reform measures e.g. zamindari abolition Act
- Government introduced 1<sup>st</sup> Amendment Act and inserted Schedule 5 where laws could not be challenged on violating fundamental right to property.
- SC in Koelha case upheld the

- o 44<sup>th</sup> amendment Act (1978) removed the law from fundamental right and introduced as constitutional right in Article 300.

1691

**VISION IAS™**

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

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?

Before 102<sup>th</sup> Constitution Amendment Act the question of Backward classes was dealt by statutory authority, National Commission of backward classes. (NCCB) However, this amendment entered article 330B and give it a constitutional status.

### Structure

- 1 chairperson and 1 vice chairman
- Other members with atleast 1 woman with expertise in the matter of OBCs.
- Chairman could be a retired judge or sitting judge of Highcourt or any other person eligible to be the same

### Functions

- Safeguarding the rights of OBCs.
- Review existing constitutional and legal safeguards.
- Advising upon the current status of OBCs.
- Advising to government on related

matters of policy development

- Taking suo moto cognizance of the violation of rights-
- It is vested with the power of civil court.
  - can take evidence on affidavit.
  - direct person to be witness
- It has to present its report to president who puts it in the parliament about measures suggested.

### Recent changes

- Constitutional status
- OBCs do not need to seek recourse to NCSC for grievance redressal as that power is vested in NCBC now.
- Legitimacy is increased.

### Significance

- It will realize the DPSP under Article 46 - State should take steps for development of socially and educationally backward classes.

- Mandal commissions highlighted: > 50% of population to be OBC.
  - meets aspirations of the marginalised.
- Its recommendations's non-implementation can now be morally wrong.
- Government will not file its response along with reasons for non-implementation of its recommendations

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

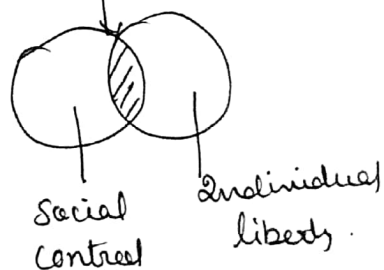
उद्देशिका में प्रयुक्त 'न्याय' शब्द से जुड़े प्रत्येक विशेषण की विवेचना कीजिए। भारत में उनमें से प्रत्येक की दिशा में उठाए गए कुछ संवैधानिक और विधिक कदमों को रेखांकित कीजिए।

... Justice - social, political & economic... ensures that the each individual gets a fair and just equality and liberty to realize his moral personality.

"Justice, is a protean notion that changes its shape and assumes new forms with a ready facility."

### 1) Social Justice

"equals should be treated equally and unequals unequally."



Constitution - under

Article 39 : welfare state, equal pay for equal work

Article 40 : panchayats (Article 243-243o)

Article 41 : nutrition, public health and raising living standard

- Equal remuneration Act, 1976
- National food security Act - 2013
- Ayushman Bharat
- Maternity Benefit Act
- Prover Right to Education Act, 2009.

### Political equality

Each citizen should have equal political status and equality in political rights.

- Article 14, 15, 16, 17, 18, 19, 21, 25-28 etc.
  - ↳ political - fundamental rights (equality, freedom, of speech, freedom from exploitation, right to life)
- Article 325, 326 - voting rights.
- Representations of people Act - 1950
  - ↳ Electoral roll.
- Civil rights Act, 1955
- Information Technology Act, 2000

### Economic equality

It is not just equality of opportunity but adequate opportunity owing to different classes. It involves positive discrimination for marginalised sections.

- Article 29 - welfare state
  - no concentration of ownership of wealth.
- Article 39A - participation of workers in management of firms.
- MGNREGA, 2005

These measures ensure that fruits of development reach to all sections of society, to build an INCLUSIVE India.

17. What are the challenges in conducting free and fair elections in the era of proliferation of social media? In this context, identifying the steps taken by the ECI, suggest further measures. (250 words) 15

सोशल मीडिया के प्रसार के युग में स्वतंत्र और निष्पक्ष चुनाव के संचालन में आने वाली चुनौतियाँ क्या हैं? इस संदर्भ में, ECI द्वारा उठाए गए कदमों की पहचान करते हुए आगे के उपायों को सुझाए।

Social media is different from any other media in terms of its velocity, volume, variety. It enables, one-one; many-many; one-many contact, asynchronous information transfer (real time) and its device indifferent (can be operated from the mobile, computer or tablet).

Challenges it poses to elections

- It influences the voter's opinion by subtle politically motivated messages  
eg. USA elections (2016)
- It cannot be controlled with existing Model Code of Conduct.
- Any law formed will need to be updated continuously, as it changes its form too.

- Nexus between social media giants and political parties can sway voters.
- It's reach is multiple times higher than conventional modes of TV, radio etc.

### Steps by ECI

- Media coordination committee to look at violations by political parties.
- Voluntary code of ethics to be followed by social media companies was extracted.
- It took social media account detail of contesting candidate to keep a close watch.
- CVIGIL - citizen participation to report any violation of MCC by candidates.
- SVEEP - for education of voters regarding the interpretation of normal messages from political messages.

Further measures

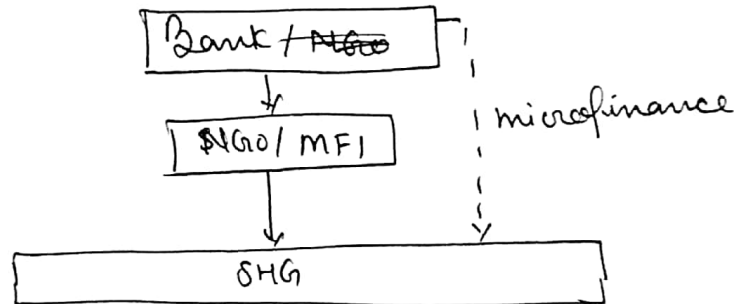
- Codification of Mee into law.
- permanent social media monitoring cell within its institutional structure.
- Greater watch and regulation of social media manipulation through legislative measures.
- Laws under RPA, 1951 to enforce its directions on social media companies during elections.

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।

Currently India has 31 lakh NGOs, working and various SHGs. The microfinance scheme was inspired by its success in Bangladesh and currently 95% of its beneficiaries are women.

### Linkage



- During 1990s, bank adopted SHG linkage programme which boosted its lack of access to finance.
- Funds could be directly availed by SHG or through an NGO - depending upon the capability of the SHG.

SHG - are the group of people in rural areas with homogeneous socio-economic setting and rotates the individual savings.

- Underlying principle is - "collateral is based on trust and peer pressure."
- Bank extend loans to SHGs when they mature and develop financial and credit off take habits.
- Guarantee for such fund can be provided by the NGOs.

### role of NGOs

- Enable easy access to finance due to their reputational benefits.
- Train the SHG members in matters of financial discipline and management.
- NGOs can themselves extend the loan to SHGs as well, serving as a conduit of depositors' money at bank and SHG.

Development of rural areas

- Greater participations and awareness among people.
- Better household expenditure quality in SHG members.
  - as per report SHG household see more number of children school enrollment and better health statistics.
- Developing habit of collective thinking
- Enhances their bargaining power.
  - bank ultimately start giving loan to SHG directly.
- Gender empowerment - as most of the members are women.

Hence SHG have evolved as a tool for rural development, following Malegam committee report the coercive practices for funding need to be stopped. Their empowerment is rural empowerment.

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

मन्रेगा (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 an employment guarantee legislation - that provides 100 days of assured employment to an adult member of household who is willing to undertake manual work.

### Issues

- Job cards updations is not properly
- Delay in payment of wages by central government to some states who have not filed procedural formalities within time.
- Social audit lacks force.
- The construction of assets-quality is questioned on many occasions.
- Unemployment allowance is not released on time.
- Gram Sabha related corruption cases.

Reforms

- o GPS and geo-tagging of the constructed assets.
- o Construction of only durable assets.
- o More power to Gram Sabha for beneficiary identification and Job card enrollment

1691

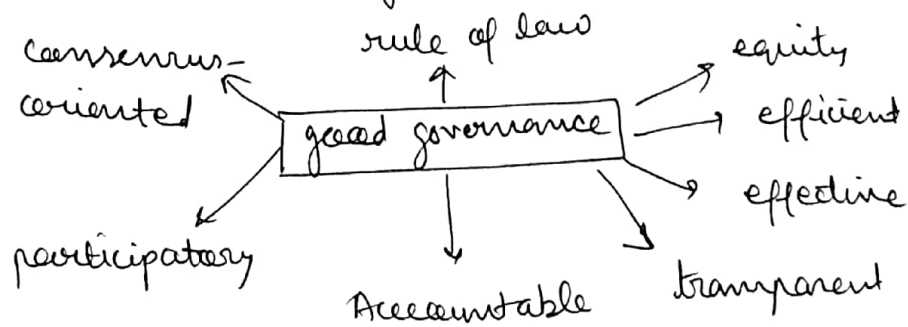
# VISION IAS™

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

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 मुशासन हेतु कुछ आवश्यक पूर्वपेक्षाएं हैं। सविस्तार वर्णन कीजिए।

Good governance means a mechanism for welfare of all through instrumental of law and state resources.



### Sound legal framework

- The laws should be comprehensive to ensure smooth implementation.
  - ef. Prevention of Corruption Act, 1988 makes bribe taking an offence but doesn't address concern of coercive bribe giving.
  - ef. challenges in GST.
  - ef. MGNREGA - social audit deficiency

- Sound legal framework ensures the transparency, objectivity and rule of law without arbitrariness.

### Robust institutional mechanism

- Efficient Judiciary with fast case disposal rate.
- Better quality of judgments.  
e.g. Vishakha guidelines

It will ensure right interpretation of legislative intent.

### Competent and dedicated workforce

- Police should be more agile, active, tech-savvy (SMART-police)
- Distinction between law and order and investigation functions.
- Lack of modern arms, ammunition vehicles and the technology.  
e.g. fund allotted in the Police modernisation scheme is still underutilized.
- Efficient and Accountable bureaucracy

It will ensure implementation of schemes and programmes in the spirit of drafted law.