1. What are the socialist principles enshrined in the Indian Constitution? Discuss.

Approach

A simple and straightforward question where in you need to discuss the socialist principles enshrined in the Indian constitution with some relevant examples from the constitution.

Introduction

India is a country with second largest population in the world but also it is a developing economy. The only reason of India being developing is unequal distribution of wealth as well as its dual economy character. Socialism becomes important in this background where social and economic equities are to be tackled in fulfilling India's growth story.

Body

- A socialist is someone who supports the political philosophy of socialism, which is governmental system that advocates community ownership and control of all lands and businesses rather than individual ownership.
- A Constitution is a set of fundamental principles according to which a state is governed. Indian constitution has different set of political philosophies in it. Many leaders of different political orientations took part in drafting this "Magna Carta of Socio-economic transformation".
- The word 'Socialist', added in the Preamble by 42nd Amendment Act, 1976 indicates the incorporation of the philosophy of "socialism" which aims to eliminate inequality in income, status and standard of living. By inserting 'socialist' to the preamble of the Constitution of India as a basic structure to the Indian Constitution.
- The Constitution had a socialist content in the form of certain Directive Principles of State Policy (esp. Arts. 39(b) and 39(c)), even before the term was added in 1976. However, the 'socialism' envisaged by the Indian Constitution is not the usual scheme of State socialism, which involves 'nationalisation' of all means of production, and the abolition of private property.
- Instead, Indian Socialism is 'democratic Socialism', influenced by Fabianism. It is a peaceful gradual transformation of the society in participation with the state and not against the state. Though the word 'Socialism' may seem to be vague, our Supreme Court has observed that its principal aim is to eliminate inequality of income and status and standards of life, and to provide a decent standard of life to the working people.

In this regard, the socialist principles enshrined in the Indian Constitution can be seen from the following points –

- Article 38 - To promote the welfare of the people by securing a social order permeated by social, economic and political justice and to minimise inequalities in income, status, facilities and opportunities.
- Article 39 - To secure (a) the right to adequate means of livelihood for all citizens; (b) the equitable distribution of material resources of the community for common good; (c) prevention of concentration of wealth and means of production; (d) equal pay for equal work for men and women; (e) preservation of the health and strength of workers and children against forcible abuse.
- Article 39A - To promote equal justice and to provide free legal aid to the poor.
- Article 41 - To secure the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement.
- Article 42 - To make provision for just and humane conditions for work and maternity relief.
- Article 43 - To secure a living wage, a decent standard of life and social and cultural opportunities for all workers. Also, 43A states -To take steps to secure the participation of workers in the management of industries.
- Article 47 - To raise the level of nutrition and the standard of living of people and to improve public health.

The Indian Constitution, therefore, does not seek to abolish private property altogether but seeks to put it under restraints. Instead of a total nationalization of all property and industry, it envisages a 'mixed economy', but aims at offering 'equal opportunity' to all, and the abolition of 'vested interests.'

However, some have argued that the Indian state is deviating from its path of Socialism. The following have been cited as reasons behind this line of argument:

- The Indian state has failed to end mass poverty where 17% of the population still has incidence of multi-dimensional poverty in 2020.
- Adoption of neo-liberal economic policy: The new economic policy (1991) of liberalization, privatization and globalization has diluted the socialist credentials of the Indian state.
- Growth, which happened after the reforms of 1990s exacerbated inter-state and intrastate disparities. Further, this growth has been without any meaningful job creation.

Conclusion

Though the present conditions demand focus on market economy, socialism cannot be completely abandoned due to India's socio-economic realities and further being a part of basic structure doctrine, it should be upheld as the concept of basic structure as such give's coherence and durability to a Constitution for it has a certain intrinsic force in it.

2. Discuss the key features adopted in the Indian Constitution from the Government of India Act, 1935.

Approach

Students are expected to write about the Government of India act 1935. And discuss the important key features of government of India act 1935 adopted in Indian constitution.

Introduction

The Government of Indian Act was passed by the British parliament in 1935 and came into effect in 1937. It was based on a report by a Joint Select Committee, led by Lord Linlithgow, set up the two houses of the British parliament. The report, in turn, was the result of the Joint Committee's scrutiny of the 'White Paper' – a scheme of constitutional proposals - prepared by the British government close on the heels of the Round Table conferences.

Body

The Act played a key role in the drafting of the Constitution of India, 1950. A significant chunk of the Constitution, particularly the administrative provisions, are borrowed from the Act.

Key features adopted in Indian constitution from the Government of India act, 1935:

- It provided for the establishment of an All-India Federation consisting of provinces and princely states as units. The Act divided the powers between the Centre and units in terms of three lists Federal List (for Centre, with 59 items), Provincial List (for provinces, with 54 items) and the Concurrent List (for both, with 36 items). Residuary powers were given to the Viceroy. Indian constitution took this provision in 7th schedule and placed residuary power in centre.
- The provinces were allowed to act as autonomous units of administration in their defined spheres. Moreover, the Act introduced responsible governments in provinces, that is, the governor was required to act with the advice of ministers responsible to the provincial legislature. This provision later transferred into state governments power.
- Thus, the legislatures of Bengal, Bombay, Madras, Bihar, Assam and the United Provinces were made bicameral consisting of a legislative council (upper house) and a legislative assembly (lower house). Six States having a Legislative Council in addition to the Legislative Assembly through Article 169 of the Constitution.
- It extended franchise. About 10 per cent of the total population got the voting right. Article 326 in The Constitution of India 1949. Elections to the House of the People and to the Legislative Assemblies of States to be on the basis of adult suffrage the elections to the House of the People and to the Legislative Assembly of every State shall be on the basis of adult suffrage.

- It provided for the establishment of not only a Federal Public Service Commission but also a Provincial Public Service Commission and Joint Public Service Commission for two or more provinces. Articles 315 to 323 of Part XIV of the constitution, titled as Services Under the Union and the States, provide for a Public Service Commission for the Union and for each state. This was adopted from the government of India Act 1935.
- It provided for the establishment of a Federal Court, which was set up in 1937. India's Supreme Court succeeded the Federal Court of India on 28 January, 1950 which was established by the Government of India Act 1935 and the Privy Council, which was the highest judicial body in the country during British era.

Conclusion

The 1935 Act was aimed to perpetuate British rule and design to appease Nationalists. The act also had regressive provisions such as separate electorate and had divide and rule as it's guiding philosophy. GOI Act, 1935 reduced the time frames of constitution creation, we should not forget that it was created to manage (or control) the affairs of a colony upon vested commercial interests of The Great Britain. At the same time, we need to accept that there were many Indian intellectuals laid a strong foundation well before GOI Act, 1935 for this cause.

3. What are the socialist principles enshrined in the Indian Constitution? Discuss.

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5. Was the constitution assembly a truly representative body? Critically comment.

Approach

As the directive is to critically comment, overall constitution of constituent assembly can be given in first half and then arguments can be put forward about the representation and its significance.

Introduction

It was in 1934 that idea of constitution assembly for India was put forward by M. N. Roy, a pioneer of radical democratism. In 1935, congress party officially demanded a constituent assembly to frame a constitution. This demand was finally accepted in principle by "august offer" of 1940. Finally, cabinet mission was sent to India. Mission rejected idea of two constituent assemblies, it put forth a scheme which satisfied demands of Muslim league.

Body

Composition of constituent assembly
- Assembly was constituted in November 1946, under a cabinet mission plan, according to which a scheme was formulated.
- The total strength of assembly was to be 389. Of these 296 were allotted to British India and 93 allotted to princely states.
- Out of 296 allotted to British India, 292 members were to be drawn from eleven provinces and four from, four chief commissioners' provinces i.e., British Baluchistan, coorg, Delhi, Ajmer- Mewari.
- Each province and princely state were to be allotted seats in proportion to their respective population. Roughly, one seat was to be allotted for every million population.
- Seats allocated to British India provinces were to be decided among three principal communities- muslims, sikhs and general i.e., all except muslims and sikhs, in proportion to their population.
- The representatives of each community were to be selected by members of that community in the provincial legislative assembly and voting was done to be by the method of proportional representation by means of single transferrable vote.
- The representatives of princely states were to be nominated by the heads of princely states.

It is therefore clear that assembly was partly elected and partly nominated body. More importantly, members were indirectly elected by the members of provincial assemblies, who themselves were elected on a limited franchise.

Was it a truly representative body:
- The elections to constituent assembly (for 296 allotted to British Indian provinces) were held in July- august 1946. The Indian national congress won 208 seats, the Muslim league 73 seats and small groups and independents got remaining 15 seats.
- The 93 seats allotted to princely states remained empty as they decided to stay away from constituent assembly.

- Although constituent assembly was not directly elected by the people of India on the basis of universal adult franchise. The assembly comprised of representatives from all sections of society.
- Hindus, muslims, Sikhs, Jains, parsis, Anglo- Indians, Indian Christians, SC's, ST's including women of all these sections were given representation in the assembly.
- Though not a universal adult franchise, congress made it a point to make this body more representative of diversity of India. Most of the barristers were framers of the constitution. But two most important of all stayed away from constituent assembly, Mahatma Gandhi and M. A. Jinnah.

Conclusion

Fact of matter is universal franchise was first given in independent India by constitution itself, but elections to assembly of constitution were not based on it. One might find paradox here, but we see voices of Dalit, tribal women making their opinions in assembly. Leaders from all walks of life joined this humongous task of framing a constitution. Last but not the least, united, undivided and more integrated India is evident of strong constitution and its widespread legitimacy across all sections of India.

6. Preamble is the philosophical key to the Indian Constitution. Elucidate.

Approach

A simple and straightforward question where in you need to elucidate upon the aspect of Preamble being the philosophical key to the Indian constitution through multiple examples and details of preamble.

Introduction

Preamble refers to the preface of the constitution. It embodies the basic philosophy and fundamental values on which Indian Constitution is based i.e., moral, political and religious. As it reflects the dreams of the founding fathers of the constitution, SC has held that Preamble is the key to understanding the mind of constitution makers.

Body

- The preamble of the Indian constitution, which is based on the objective's resolution drafted by Jawaharlal Nehru, summarises the ideals and thoughts the founding fathers of independent India had dreamed of. It is the central theme around which the constitution revolves.
- The Preamble does not grant any power but it gives a direction and purpose to the Constitution. It outlines the objectives of the whole Constitution. The

Preamble contains the fundamentals of the constitution. The preamble to an Act sets out the main objectives which the legislation is intended to achieve.

- The Preamble embodies the basic philosophy and fundamental values – political, moral and religious –on which the constitution is based. The Preamble is the key to the minds of the maker of the constitution. The edifice of our constitution is based upon basic element mentioned in the preamble –

1. Sovereign – India is sovereign and free to conduct its own affairs (internal and external). It can acquire foreign territory and cede also as per mentioned in the constitution (Article 1-4).
2. Socialist –India has democratic socialism i.e., both public and private sector co-exist. This is evident in Directive principles of state policy (DPSP) socialist principle.
3. Secular – All religion in India has the same status and support from the state. This is evident in Fundamental Rights (FR-Article 25-28) and DPSP.
4. Democratic – The preamble has mentioned about Political, social and economic democracy. FR ensures political democracy while DPSP ensures socialist and economic democracy.
5. Republic – The head of state is always elected directly or indirectly. Republic means political sovereignty lies in the hands of people and public offices are being opened to every citizen without any discrimination.
6. The Idea of Justice, Liberty, Equality and Fraternity of Preamble has been ensured in the various provision of the FR and DPSP.

As Constituent Assembly member Pandit Thakur Das Bhargava observes 'The Preamble is soul of the constitution. It is a key to the Constitution'. It acts a philosophical key with –

- Guide for the state in its functioning whether it is the socialist nature or secular government functioning.
- It instigates the state to take steps to realize the directive principles of state policy. E.g., the land ceiling policy was justified by the then government as in lines of socialist nature of state as mentioned in the preamble itself.
- It helps the judiciary in deciding the cases based on the philosophical and ideological brainstorming behind the judgements. E.g., Supreme Court in the recent Sabarimala and Triple Talaq case mentioned secularism as well as equality as mentioned in the preamble is the basic Indian philosophy which needs to be adhered.
- It acts as a guide for Indian citizens in their conduct. For instance, the philosophy of equality, fraternity as mentioned in the preamble requires citizens to stay secular, give up communal issues and so on.

As Justice Sikri observed, "It seems to me that the preamble of our Constitution is of extreme importance and the constitution should be read and interpreted in the light of the grand and noble vision expressed in the preamble."

- The Supreme Court has stated that the preamble is a part of the basic structure of constitution. In the Kesavananda Bharati case (1973), it stated that the preamble can be used as a viewpoint to understand the basis of certain articles of the constitution. These features suggest that the preamble is the philosophical key to the constitution.
- So, one can Say that Preamble is the introduction or preface to the constitution of India. Whenever there is any doubt regarding any provision in the constitution Preamble will act as guiding light and can be used for grey area (interpretation).

Conclusion

It will not be wrong to say that the spirit or the ideology behind the Constitution is sufficiently crystallized in the preamble. The Preamble embodies the spirit of the constitution to build up an independent nation which will ensure the triumph of justice, liberty, equality, and fraternity.

7. Even though the term 'secular' was added to the preamble by the 42nd amendment, the Indian Constitution was already secular in its principles and provisions. Do you agree? Comment.

Approach

Students are expected to write about the term secular in the preamble. And highlight on how Indian constitution was already a secular in its principles and provision.

Introduction

Secularism is a doctrine that states religion is kept separate from the social, political, economic and cultural spheres of life. Religion is open to one and all and is given as a personal choice to an individual without any different treatment to the latter. In the words of P B Gajendragadkar, a former Chief Justice of India, secularism is defined as 'The State does not owe loyalty to any particular religion as such: it is not irreligious or anti-religious; it gives equal freedom to all religions.

Body

Secular term in the preamble:
- The Preamble of Indian Constitution aims to constitute India a Sovereign, Socialist, Democratic Republic. The terms socialist and secular were added to it by the 42nd amendment. The whole constitution is summarised in the preamble. It is the mirror to the spirit of the constitution. Indian society is a multi-religious society, it is having different caste, religion along with several religion diversification.

- It emphasises the fact that constitutionally, India is a secular country which has no State religion. And that the state shall recognise and accept all religions, not favour or patronise any particular religion.

Indian Constitution guaranteed secular principles and provision even before 42nd constitutional amendment such as:

Through fundamental rights:

- Article 25 provides 'Freedom of Conscience', that is, all persons are equally entitled to freedom of conscience and the right to freely profess, practise and propagate religion.
- While Article 14 grants equality before the law and equal protection of the laws to all, Article 15 enlarges the concept of secularism to the widest possible extent by prohibiting discrimination on grounds of religion, race, caste, sex or place of birth.
- Article 16 (1) guarantees equality of opportunity to all citizens in matters of public employment and reiterates that there would be no discrimination on the basis of religion, race, caste, sex, descent, place of birth and residence.
- As per Article 26, every religious group or individual has the right to establish and maintain institutions for religious and charitable purposes and to manage its own affairs in matters of religion.

Through DPSP:

- Article 44 of the Directive Principles in the Constitution says the "State shall endeavour to provide for its citizens a uniform civil code (UCC) throughout the territory of India."

Through preamble:

- Preamble secures all citizens of India Liberty of thought, expression, belief, faith and worship.

Through adult franchise:

- Article 326: Elections to the House of the People and to the Legislative Assemblies of States to be on the basis of adult suffrage. Adult franchise means that the right to vote should be given to all adult citizens without the discrimination of caste, class, colour, religion or sex. It demands that the right to vote should be equally available among all.

The constituent assembly has visualised the peculiar situations of the country and arranged Indian constitution to secure secular principles. It made incumbent upon the state to take positive as well as negative actions to promote fraternity with upholding secular provision and principles.

Threats to Secularism:

- Politicisation of any one religious group leads to the competitive politicisation of other groups, thereby resulting in inter-religious conflict.
- One of the manifestations of communalism is communal riots. In recent past also, communalism has proved to be a great threat to the secular fabric of Indian polity.

Conclusion

Secularism undoubtedly helps and aspires to enable every citizen to enjoy fully the blessing of life, liberty and happiness, but in the pursuit of this ideal, those who believes in secularism must be inspired by a sense of ethical purpose in dealing with their fellow citizens.

8. Discuss the doctrine of basic structure and its significance in a constitutional democracy.

Approach-
Question is straight forward. Candidate is required to give evolution of basic structure doctrine in the beginning, laid out its significance in context of healthy working of Indian democracy.

Introduction

Basic means, base, foundation on which a thing stands. In case the base is removed, the structure will fall. The Doctrine of Basic Structure signifies the basic features of the Constitution, which cannot be changed or amended.

Body

- Since the adoption of Indian Constitution, debates have started regarding the power of the Parliament to amend key provisions of the Constitution.
- In the early years of Independence, the Supreme Court conceded absolute power to Parliament in amending the Constitution, as was seen in the verdicts in Shankari Prasad case (1951) and Sajjan Singh case (1965).
- In both the cases the court had ruled that the term "law" in Article 13 must be taken to mean rules or regulations made in exercise of ordinary legislative power and not amendments to the Constitution made in exercise of constituent power under Article 368.
- This means Parliament had the power to amend any part of the constitution including Fundamental rights.
- Article 13(2) reads, "The State shall not make any law which takes away or abridges the right conferred by this Part (Part-III) and any law made in contravention of this clause shall, to the extent of contravention, be void."
- Since the adoption of Indian Constitution, debates have started regarding the power of the Parliament to amend key provisions of the Constitution.
- In the early years of Independence, the Supreme Court conceded absolute power to Parliament in amending the Constitution, as was seen in the verdicts in Shankari Prasad case (1951) and Sajjan Singh case (1965).
- However, in the Golaknath case (1967), the Supreme Court held that Parliament could not amend Fundamental Rights, and this power would be only with a Constituent Assembly.
- The Court held that an amendment under Article 368 is "law" within the meaning of Article 13 of the Constitution and therefore, if an amendment "takes away or abridges" a Fundamental Right conferred by Part III, it is void.

Keshavananda Bharati case

- The case of Kesavananda Bharati v. State of Kerala where the Supreme Court emphasising on the essence of the basic structure held that "every provision of the Constitution can be amended provided in the result the basic foundation and structure of the Constitution remains the same." The concept of basic structure as such give's coherence and durability to a Constitution for it has a certain intrinsic force in it.
- In the Kesavananda Bharati, SC laid down the very first list of features - "discernible not only from the Preamble but from the whole scheme of the Constitution" that would constitute the "basic foundation and structure" of the Constitution:

1. Supremacy of the Constitution;
2. Republican and Democratic form of Government.
3. Secular character of the Constitution
4. Separation of powers between the Legislature, the executive and the judiciary;
5. Federal character of the Constitution
6. The dignity of the individual secured by the various
Fundamental Rights and the mandate to build a welfare
state contained in the directive principles;
7. The unity and the integrity of the nation;
8. Parliamentary System.
9. parliamentary system
10. rule of law.
Since then, the constituents of the Basic Structure have reviewed, examined and delved into by the Supreme Court in several cases.

Significance

- The framers of the Constitution have built a wall around the fundamental rights, which has to remain forever, limiting the ability of the majority to intrude upon them. That wall is a part of basic structure.
- under Article 368 "one cannot legally use the Constitution to destroy itself", as the doctrine of constitutional identity requires. The theory of basic structure is based on the principle that a change in the thing does not involve its destruction, and destruction of a thing is a matter of substance and not of form.

Conclusion

Basic structure of constitution is cornerstone of democratic form of government. We have witnessed altering destruction of constitution by political class in our neighbourhood and all over the world. The robustness of Indian constitution derives its power from seminal principles of basic structure which is necessary for working constitutional democracy.

9. What according to you have been the two most landmark amendments to the Indian Constitution in the 21st century? Substantiate.

Approach

As the derivative is substantiate so it necessitates an explanation in which you have to give evidence or provide information to prove that something is true

Introduction

Under Article 368 of the Indian Constitution, the Parliament is empowered to amend it and its procedures. Amendments to the Indian Constitution are not easy to produce and require compliance with other provisions. Article 368 grants Parliament some powers allowing it to amend it while keeping its fundamental form just the same. In 73 years of Indian Independence, the constitution has been amended 104 times.

Body

THE TWO MOST LANDMARK AMENDMENTS TO THE INDIAN CONSTITUTION IN THE 21ST CENTURY

1. **THE CONSTITUTION (86TH AMENDMENT ACT-2002):**

- Provides Right to Education until the age of fourteen and early childhood care until the age of six.
- One of the most important amendments, the government directed private schools to take 25% of their class strength from economically weaker or disadvantaged groups of society through a random selection process with the help of the government funding.
- This initiative was taken to try and provide elementary education to all. Moreover, the local and state governments were made to ensure its proper implementation.
- In order to make the right to free and compulsory education a fundamental right, the Act inserts a new Article, namely Article 21A, which confers the right to free and compulsory education on all children aged between 6 and 14 years.
- The Law amends the Constitution in Part-III, Part -IV, and Part-IV(A).

2. **THE CONSTITUTION (101ST AMENDMENT ACT-2016):**

- Goods and Services Tax (GST) commenced on 8 September 2016 with the enactment and subsequent notices of the 101st Constitution Amendment Act, 2016.
- The constitution incorporated ARTICLE 246-A, 269-A, 279-A. The amendment allowed amendments to the constitution's 7th cycle.

- Union List entry 84 earlier contained duties related to cigarettes, alcoholic liquors, marijuana, Indian hemp, medicines and drugs, medicinal and bathroom arrangements. Petroleum oil, high-speed gasoline, engine spirit (petrol), natural gas, and air turbine power, cigarettes, and cigarettes goods should be listed following the amendment.
- Entry 92 has been removed (newspapers and ads published therein), they are now under GST. Entry 92-C (Service Tax) is now deleted from the list of unions.
- Entry 52 (entry tax for in-state sale) has now been removed from the State register.
- Entry 54, Taxes on the export or purchasing of products other than newspapers, according to the provisions of Entry 92-A of the List I have now been supplemented by Taxes on the selling of petroleum oil, high-speed gasoline, motor spirit (petroleum), natural gas, aviation turbine fuel and alcoholic spirit for human consumption, but not including the sale or distribution in the form of inter-State commerce or commerce Reference 55 (Taxes on Advertising) was omitted.
- Entry 62 (Luxury taxes, including taxes on entertainment, entertainment, betting and gambling) has now been replaced by these taxes only to be levied by local authorities.

Conclusion

Article 368 is vague on whether or not the parliament has the right to change the basic structure, but this still does not mean this Article 368 imposes the restriction on the modification of the basic structure and Part III of the Constitution. Although having provisions to amend the constitution was progressive to the fathers of our nation, it is important that such provisions are not misused. Misuse could lead to undue legislative or executive authority that could rip apart the fabric of our society. Indians may not always know all the procedural details of this lengthy and imperfect document, but they know the core — that it's not the whims of political greed that governs them, but the constitutional words. And on Republic Day, this is worth celebrating.

10. What are the latest amendments made to the provisions related to citizenship. What are your views on these amendments? Discuss.

Approach:

The question demands a thorough explanation of all the amendments made to citizenship act since it was enacted from 1955, also vies need to expressed in a balanced, forward looking and logical manner.

Introduction:

Citizenship signifies the relationship between individual and state. Like any other modern state, India has two kinds of people—citizens and aliens. Citizens are full members of the Indian State and owe allegiance to it. They enjoy all civil and political rights. Citizenship is an idea of exclusion as it excludes non-citizens. Citizenship is the status of a person recognized under law as being a legal member of a sovereign state or belonging to a nation. In India, Articles 5 – 11 of the Constitution deals with the concept of citizenship.

Body:

- **Citizenship at the commencement of the Constitution-**
  Articles 5 to 11 talk about citizenship for people at the commencement of the Constitution, i.e., on November 26th, 1949. Under this, citizenship is conferred upon those persons who have their domicile in Indian territory and Who was born in Indian territory; Whose either parent was born in Indian territory; Who has ordinarily been a resident of India for not less than 5 years immediately preceding the commencement of the Constitution.
  citizenship is regulated by the Citizenship Act, 1955. The Act specifies that citizenship may be acquired in India through five methods – by birth in India, by descent, through registration, by naturalisation (extended residence in India), and by incorporation of territory into India.

- **Amendments:**
  The Citizenship (Amendment) Bill, 1986-
  As per the law amendment, it is no longer adequate to be born in India to be granted Indian citizenship. At the time of birth either one of the parents has to be an Indian citizen for the person to become a citizen of India.

- The Citizenship Amendment Bill, 1992-
  The Act provides that a person born after January 26, 1950 but before the commencement of the Act shall be a citizen of India if the father is Indian at the time of birth; after the commencement of the Act, the person shall be Indian if either of the parents is Indian. Also replaces references to "male persons" with "persons".

- The Citizenship (Amendment) Act, 2003-
  The Act was passed by the Parliament in December 2003, and received presidential assent in January 2004. It is labelled "Act 6 of 2004". The Act amended The Citizenship Act, 1955 by introducing and defining a notion of "illegal migrant", who could be jailed or deported.

- Citizenship (Amendment) Act, 2016
  In 2015 and 2016, the central government issued two notifications exempting certain groups of illegal migrants from provisions of the Foreigners Act, 1946 and the Passport (Entry into India) Act, 1920.These groups are Hindus, Sikhs, Buddhists, Jains, Paris's and Christians from Afghanistan, Bangladesh and Pakistan, who arrived in India on or before December 31, 2014.This implies that these groups of illegal migrants will not be deported or imprisoned for being in India without valid documents. The Citizenship (Amendment) Bill,

2016 was introduced in Lok Sabha on July 19, 2016 to amend the Citizenship Act, 1955. It seeks to make illegal migrants belonging to the same six religions and three countries eligible for citizenship.

Views-

- Citizenship act has been constantly amended since 1986 because of the very reasons of the issues in some parts of the country like assam since 1971with the formation of Bangladesh as a separate country from erstwhile east Pakistan with the influx of refugees in large numbers in the immediate neighbour states like Assam, west Bengal, Tripura etc but with recent amendment of 2019 there has been protests in large numbers against the provisions like providing citizenship to particular minority groups like Hindus Sikhs Buddhists in India coming from the countries like Pakistan, Afghanistan and Bangladesh, this with the formation of national register of citizens the fear among minority groups in India particularly among Muslims because they think it is politically directed towards them with serious negative intentions.

- **Concerns-**

  It contradicts the Assam Accord of 1985, which states that illegal migrants, irrespective of religion, heading in from Bangladesh after March 25, 1971, would be deported. Critics further argue that the extensive exercise of updating the National Register of Citizens (NRC) will become Null and Void due to this Amendment act. There are an estimated 20 million illegal Bangladeshi migrants in Assam and they have inalienably altered the demography of the state, besides putting a severe strain on the state's resources and economy.
  It is argued that it is violative of Article 14 of the Constitution (which guarantees the right to equality and applicable to both the citizens and foreigners) and the principle of secularism enshrined in the preamble of the constitution.
  India has several other refugees that include Tamils from Sri Lanka and Hindu Rohingya from Myanmar. They are not covered under the Act.

- **Governments stand:**
  The government claims that these persecuted migrants will be eligible to apply for citizenship only after intense assessment and recommendation of district authorities and state government. The government has also clarified that Pakistan, Afghanistan, and Bangladesh are Islamic republic's where Muslims are in majority hence, they cannot be treated as persecuted minorities. The beneficiaries under the Citizenship Amendment Bill can reside in any state of India the burden of these persecuted migrants will be shared by the entire country and not only Assam. Moreover, these migrants were earlier given protection against legal action in the years 2015 & 2016. Long term visa protection was also granted to them. Thus, the proposed amendment will only extend these benefits further to make these persecuted migrants eligible to apply for citizenship.

Conclusion:

While addressing the rights of Chakma refugees, the Supreme Court in NHRC vs. State of Arunachal Pradesh case provided equal protection before the law and rights under Article 21 (Right to life) to all immigrants including those who are considered as illegal. With the passage of this legislation, then by means of naturalization, these persecuted immigrants would be entitled to enjoy the benefits of rights guaranteed under the constitution of India, including equality, free of speech and expression, life, vote, work, food, etc. Hence, the law should not limit itself to minorities from Afghanistan, Pakistan, and Bangladesh, but also include refugees from persecuted minorities of all religions who have made India their home.

11. What do you understand by the term 'liberty'? Discuss. What are the key constitutional provisions related to personal liberty? Examine.

Approach

The above question has two parts, first part demands explanation of the term Liberty very comprehensively, also it is important to define the term in Indian context as well and its importance in constitutional democracy like India. In the second part of the question, detailed explanation of constitutional provisions related to liberty is needed.

Introduction

"I have never thought, for my part, that man's freedom consists in his being able to do whatever he wills, but that he should not, by any human power, be forced to do what is against his will." **Jean-Jacques Rousseau**
The above quote from Rousseau underlines the importance of liberty as the epitome of human progress, and that individual is the master if his own will and liberty is the expression of the same human will which allows him to live freely without subjugation. In modern societies liberty is the backbone of a functional constitutional democracy which allows people to freely express their choices and opinions.

Body

- Liberty in its literal sense means the absence of restraints and rights to do whatever one likes. Liberty, therefore, means freedom to do everything provided it does not injure other's freedom. It implies necessary restraint on all to ensure the greatest possible amount of liberty for each. In this sense, Liberty can be maximized only when there is mutual respect and goodwill, and all follow a simple rule of social behaviour.
- The simple rule of man's sociability tends to harmonise his liberty with that of his fellows. It entails such restraints as reasonable and necessary to promote and ensure the greatest possible extent of liberty.

- Reasonable Restraints and restrictions do not destroy liberty; it is destroyed only When such restraints are arbitrary and unjust. It constitutes the enjoyment of those rights, and the creation of such opportunities as help man grow to be the best of himself, develop his faculties, and plan his life as he deems best. The true test of liberty lies in the laws of the State and the extent to which they help a citizen to develop all that is good in him. Liberty is, thus, a product of rights. It thrives best where rights are guaranteed to all without distinguishing sex, creed, caste, colour, or status in society.

In Indian context-

- Preamble of the constitution secures to all the citizens Liberty of thought, belief, faith, Expression and worship through their fundamental rights enforceable in the court of law. Liberty as elaborated in the preamble is very essential for the successful functioning of the Indian democratic system and all-round development of the individual's capabilities.

Constitutional Provisions-

- Liberty is the basis on which the pivots of our own freedom struggle stood, therefore, our forefathers ensured that the future generations immerse in this beautiful concept which enables every individual the right life with dignity.
- The Preamble of the Indian Constitution too proclaims that one of its objectives is to secure Liberty "Liberty of thought, expression, belief, faith and worship".
- Article 19 is the most important and key article which embodies the "basic freedoms". Article 19 provides that all citizens shall have the right to:
  -Freedom of speech and expression.
  -Assemble peaceably and without arms.
  -To form associations or unions.
  -Move freely throughout the territory of India.
  -Reside and settle in any part of the territory of India.
  -Practice any profession, or to carry on any occupation, trade or business.
- Article 21-Protection of Life and Personal Liberty- No person shall be deprived of his life or personal liberty except according to procedure established by law. This fundamental right is available to every person, citizens and foreigners alike. Article 21 provides two rights-Right to life and Right to personal liberty. The Supreme Court of India has described this right as the 'heart of fundamental rights. The right specifically mentions that no person shall be deprived of life and liberty except as per the procedure established by law. This implies that this right has been provided against the State only. State here includes not just the government, but also, government departments, local bodies, the Legislatures, etc.
- Right to Freedom of Religion (Articles 25 – 28)- This indicates the secular nature of Indian polity. There is equal respect given to all religions. There is freedom of conscience, profession, practice and propagation of religion. The

State has no official religion. Every person has the right to freely practice his or her faith, establish and maintain religious and charitable institutions.

- Preventive Detention (Article 22)- Preventive detention means detention of a person without trial and conviction by a court but merely on suspicion in the minds of the executive authority. Preventive detention is a specific law in which the executive is authorized to impose restrain upon the liberty of a man who may not have committed a crime but who it is apprehended, is about to commit acts that are prejudicial to the public safety etc.

Conclusion

In India the concept of liberty has received a far more expansive interpretation. The Supreme Court of India has rejected the view that liberty denotes merely freedom from bodily restraint and has held that it encompasses those rights and privileges that have long been recognized as being essential to the orderly pursuit of happiness by free men. The meaning of the term personal liberty was considered by the Supreme Court in the Kharak Singh's case, which arose out of the challenge to Constitutional validity of the U. P. Police Regulations that provided for surveillance by way of domiciliary visits and secret picketing. The concept of personal liberty is not a simple or isolated issue. Its protection through law inevitably conflicts with other important values. Personal liberty is an unusually broad term, encompassing both fundamental Constitutional rights such as freedom from government intrusions into homes and the right of citizens to make decisions about marriage, contraception and abortion and less well defined and arguably less critical issues.

12. What were the objectives of including fundamental duties in the Indian Constitution? Discuss. Have those objectives been met? Critically examine.

Approach

A straightforward question where in you need to discuss the objectives of including fundamental duties in the Indian constitution while in the second part you need to critically examine whether those objectives have been met or not.

Introduction

The Constitution of India, the longest written Constitution of the world, has envisaged a holistic approach towards civic life in a democratic polity. Since human conduct cannot be confined to the realm of Fundamental Rights, the Constitution has envisaged certain duties, which are correlated to the rights, and those duties have been described as Fundamental Duties

Body

Constitution is the supreme law of India. Fundamental Duties of the citizens of India are mentioned in Article 51A of the Indian Constitution. By the 42nd Amendment of the Constitution, adopted in 1976, Fundamental Duties of the citizens have been

enumerated after the Swaran Singh Committee suggested for inclusion in the Constitution of certain Fundamental Duties and obligations which every citizen owes to the nation. In this regard, the objectives for including fundamental duties in the Indian constitution can be seen from the following points –

- The Fundamental duties have been incorporated in the constitution to remind every citizen that they should not only be conscious of their rights but also of their duties. The concept of Fundamental Duties was taken from the constitution of USSR along with the concept of Five-Year Plan.
- No democratic polity can ever succeed where the citizens are concerned only about their rights and are not willing to be active participants in the process of governance by assuming responsibilities, discharging citizenship duties and coming forward to give their best to the country.
- The Government thought that non-declaration of citizen's duty was a missing part of the 'social contract' which the citizens' are deemed to have entered into with the Government under the framework established by and under the Constitution of India.
- The general objectives behind were also to "remove the difficulties in achieving the objective of socio-economic revolution, to end poverty, ignorance, disease, inequality, etc."
- The incorporation of Fundamental Duties in the Constitution was an attempt to balance an individual's civic 'freedoms' with his civic obligations. It is expected that a citizen of India, while enjoying Fundamental Rights, should also perform these duties.
- Inclusion of this Article has brought our Constitution in line with Article 29(1) of the Universal Declaration of Human Rights which provides that: "Everyone has duties to the community in which alone the free and full development of the personality is possible."

While examining whether the objectives of fundamental duties have been met, following points can be considered –

- Fundamental duties act as a constant reminder that the citizens while enjoying their fundamental rights should not forget about their duties towards the nation. These duties act as a warning signal for the people against any type of antisocial activities.
- Some duties are of such a nature that they are being performed by the citizen in each and every case like paying respect to the National Flag and National Anthem.
- These duties have given a chance to the people to have an active participation in the society rather than being a spectator. These duties promote a sense of discipline and commitment towards the society.
- For example, the Supreme Court of India ordered cinema halls to play National Anthem while portraying the Nation Flag. This was a remarkable step taken by the Supreme Court while giving the importance to the fundamental duties.

- The courts use fundamental duties for determining constitutionality of law. If any law is challenged in court for its constitutional validity and if that law is providing force to any of the fundamental duties then that law has been held reasonable.
- For example, in AIIMS Students Union v. AIIMS (1983), it has been held that Fundamental Duties though not enforceable by writ of the court, yet provide a valuable guide and aid to interpretation of constitutional and legal issues.

At the same time, it is pertinent to note that most of the objectives of fundamental duties are far from being achieved, as is evident from the following points –

- Some of the duties are vague and terms used therein are complex which even a highly educated man would find difficult to grasp like it is difficult to identify the noble ideas that inspired our national struggle for freedom. Thus, some duties are ambiguous in nature.
- There has been very less awareness in the general public with regards to fundamental duties where focus in general discourse is provided to fundamental rights but hardly anyone focuses on fundamental duties.
- There is no specific provision nor any sanction as to implementation and enforcement of Fundamental Duties. Thus, these duties cannot be enforced by a court of law so, many feels that it is of no use to include these duties in the Constitution.
- Critics don't consider the list of fundamental duties as exhaustive. They feel that many more important duties like paying taxes, casting votes that were also suggested by the Swaran Singh Committee were not included in this list.
- These duties are placed in Part IV-A of the Indian Constitution that is after the Directive Principles of the State Policy, that's why not much importance is given to them. According to the experts, it should be placed in Part III after the Fundamental Rights.
- Lip service is being paid to the doctrine of gender equality. The fact remains that generally women are still regarded as inferior both at home and workplace although there has been an improvement, however the degree of the improvement has been minimal.

Way Forward –

- The first and foremost step required by the Union and State Governments is to sensitise the people and to create a general awareness of the provisions of fundamental duties amongst the citizens on the lines recommended by the **Justice Verma Committee**.
- Further, the **NATIONAL COMMISSION TO REVIEW THE WORKING OF THE CONSTITUTION** recommends - Preamble to the Constitution of India and the 10 clauses of article 51A on Fundamental Duties to be appropriately displayed on all government publications, diaries, calendars and at public places so that they always remain in the focus of the citizens.

- It also recommends that Article 51A be shifted to Part II (Citizenship) of the Constitution and suitable changes may be carried out to make Fundamental Duties to form a compendium with the Fundamental Rights.
- Need to set up an autonomous body to act like ombudsman on Citizenship Values which could create a mechanism to act as catalyst towards overseeing operationalization of Fundamental Duties.

Conclusion

In modern context, it has become increasingly important to instil a reinvigorated sense of civic responsibility among Indian citizens. This can be achieved by adding new duties to the existing list of Fundamental Duties while also laying emphasis on the performance of the existing ones. Awareness of our citizenship duties is as important as awareness of our rights. Thus, the Fundamental Duties act as the foundation of human dignity and national character. Those duties actually constitute the conscience of our Constitution.

13. Discuss the underlying principles of the DPSP? How relevant are the Gandhian principles for a free market democracy? Comment.

Approach

Students are expected to write about the DPSP in the introduction and underlying principles of the DPSP in 1st part of body. And also write about how much Gandhian principles are relevant for a free market democracy.

Introduction

The Directive Principles of State Policy are guidelines to the central and state governments of India, to be kept in mind while framing laws and policies. These provisions, contained in Part IV of the Constitution of India, are not enforceable by any court, but the principles laid down therein are considered fundamental in the governance of the country, making it the duty of the State to apply these principles in making laws to establish a just society in the country.

Body

Underlying principles of DPSP:

- Many scholars believe that DPSPs is the kernel of the Constitution. The DPSPs lay down the guidelines for the state and are reflections of the overall objectives laid down in the Preamble of Constitution.
- The expression "Justice- social, economic, political" is sought to be achieved through DPSPs. DPSPs are incorporated to attain the ultimate ideals of preamble i.e., Justice, Liberty, Equality and fraternity. Moreover, it also

embodies the idea of the welfare state which India was deprived of under colonial rule.

- The provisions contained in this Part cannot be enforced by any court, but these principles are fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws.

Gandhian principles are based on Gandhian ideology used to represent the programme of reconstruction enunciated by Gandhi during the national movement. Relevance of Gandhian principles for a free-market democracy are as follows:

- Gandhi was a first-rate egalitarian and a socialist whose ideas on socialism were an improvement on present-day notions of socialism and communism. His idea was that power is to be as decentralised as possible. Gandhi had a different take on diffusing powers to the grass-root level later it culminated into 73rd and 74th constitutional amendment as directed under Article 40. And 97th Amendment Act for cooperative societies as per Article 43B. The powers were decentralised and the responsibility of every individual was to be performed effectively.
- Globalisation has turned the world into a global village while Gandhi wanted to promote a Globe of Villages. He said that developing a village is to make it self-sufficient and capable enough to develop itself against the world. The village industries are still abiding by the Gandhian Model of development. As directed under Article 43.
- Globalisation and consumerism have in fact made people's lives tougher. The gulf between the rich and poor is widening day by day. Gandhian principle of self-sustenance and serving others is a significant requirement in present times as ever. But some people repudiate the Gandhian idea of self-reliance. They are of the view that this principle has become obsolete in contemporary times, as it seems like a form of a protectionist barrier. But his values of self-empowerment and self-control are crucial in current times because people seem to have succumbed under the worldly temptations.
- Social justice is also one of the basic principle of Gandhianism. He was of the view that absolute equality is impossible but we can try to bridge the gap between the rich and poor as far as possible. Starting from universal healthcare under Ayushman Bharat, Reservation programmes for SC, ST and other weaker section of society as directed under Article 46, scheme like Sarva Shiksha Abhiyan to Obamacare policy in the United States of America, the contemporary world has adopted the concept of social justice as a guiding principle in recent times.
- His principle of Swadeshi is quintessential in times of globalisation. Globalisation results in local producers being harmed. Gandhi always said to wear Khadi and use products which are made in India, but in present times this is not the case. Government and even the citizens need to work and encourage the producers to use local resources and make local products. The central government's initiative of Make in India and Atmanirbhar Bharat is one step ahead to achieving self-sufficiency.

- The main tenet that he propagated was Satya. As opposed to this, in contemporary times, people are not truthful and they are not presented with the existing reality of the system. Here, technology plays its part. Technology can help bring the reality and truth out of the systems. It can curb our main evil, corruption. Information and Communications Technology plays a significant role in this.

Conclusion

All the climate deals, environment conservation treaties and Sustainable Development Goals follow the Gandhian principle of self-sustenance directed in DPSP. The Gandhian idea of trusteeship is one of the most significant principles in these dire times. We need to realize that we don't own the universe and how our behaviour disrupts nature and sustainable living is the need of the hour.

14. The Basic Structure has maintained the integrity of Indian constitution. Elucidate

Approach:

As the directive in the question is elucidate it is important to explain the doctrine of basic structure clearly and then explain, how it has maintained integrity of the Indian constitution over the period of time, also question demands to highlight important court judgements which have followed subsequently.

Introduction:

The constitution empowers the Parliament and the State Legislatures to make laws within their respective jurisdiction. Bills to amend the constitution can only be introduced in the Parliament, but this power is not absolute. If the Supreme Court finds any law made by the Parliament inconsistent with the constitution, it has the power to declare that law to be invalid. Thus, to preserve the ideals and philosophy of the original constitution, the Supreme Court has laid down the basic structure doctrine. According to the doctrine, the Parliament cannot destroy or alter the basic structure of the constitution.

Body:

Origin-

• The origins of the basic structure doctrine are found in the German Constitution which, after the Nazi regime, was amended to protect some basic laws. The original Weimar Constitution, which gave Parliament to amend the Constitution with a two-thirds majority, was in fact used by Hitler to his advantage to made radical changes. Learning from that experience, the new German Constitution introduced substantive limits on Parliament's powers to amend certain parts of the Constitution which it considered 'basic law'.

• The Supreme Court recognized the Basic 'Structure concept' for the first time in the historic 'Kesavananda Bharati' case in 1973. Ever since the Supreme Court has been the interpreter of the Constitution and the arbiter of all amendments made by parliament. In this case validity of the 25th Amendment act was challenged along with the Twenty-fourth and Twenty-ninth Amendments. The court by majority overruled the 'Golak Nath' case which denied parliament the power to amend fundamental rights of the citizens. The majority held that article 368 even before the 24th Amendment contained the power as well as the procedure of amendment. The Supreme Court declared that Article 368 did not enable Parliament to alter the basic structure or framework of the Constitution and parliament could not use its amending powers under Article368 to 'damage', 'emasculate', 'destroy', 'abrogate', 'change' or 'alter' the 'basic structure' or framework of the constitution. This decision is not just a landmark in the evolution of constitutional law, but a turning point in constitutional history.

Maintaining Integrity-

The essence of the constitution lies in its values like justice, equality, rule of law, separation of powers, secular character, a unique form of federalism etc. Basic Structure plays an important role in cementing these values as the base of constitutionalism in India.

• Subsequent to the evolution of Basic Structure in 1973 Supreme Court in its various rulings tried to protect the integral features as mentioned in the keshvananda bharti case by striking down laws which are in contravention to the Basic Structure of the Constitution. For example, in Minerva Mills Vs Union of India the Supreme Court used the Basic Structure doctrine to strike down the 39th Amendment and the parts of 42nd amendment respectively and paved the way for restoration of Indian democracy.

• In I. Coelho Vs State of Tamil Nadu, the Supreme Court held that all laws were subject to the test of being consistent with fundamental rights which are the part of Basic Structure thus giving primacy to the fundamental rights as an integral feature and its importance in upholding the essence and values of the constitution because rights are the base of any constitution if it has to succeed in principle.

• Basic Structure paved the way for executive and parliament to follow certain ideologies and principles such as socialism and secularism in letter and spirit. Thus, allowed political dispensation to play an important role in the socio-economic justice.

• If the majority of the Supreme Court had held (as six judges indeed did) that Parliament could alter any part of the Constitution, India would most certainly have degenerated into a totalitarian State or had one-party rule. At any rate, the Constitution would have lost its supremacy. One has to only examine the amendments that were made during the Emergency. The 39th Amendment prohibited any challenge to the election of the President, Vice-President, Speaker and Prime Minister, irrespective of the electoral malpractice. The 41st

Amendment prohibited any case, civil or criminal, being filed against the President, Vice-President, Prime Minister or the Governors, not only during their term of office but forever. Thus, if a person was a governor for just one day, he acquired immunity from any legal proceedings for life. If parliament were indeed supreme, these shocking amendments would have become part of the Constitution.

• Supreme Court fairly relied on the Basic Structure to strike down the 99th constitutional amendment act which sought to set up NJAC (National Judicial Appointments Commission) to replace the appointment of judges by the collegium system. This, despite the bill being passed by the two-third majorities of both houses of the parliament and 20 state legislatures. Thus, prohibiting the influence of executive interference in the judicial appointments which comes under the basic structure of the constitution.

Conclusion:

In a country governed by a written Constitution, the democratic right flows from the attribute of constitutional sovereignty. We cannot claim our fundamental right or any other legal rights, unless we retain the structure of our sovereignty, the respect of the Constitution is effectively the respect of its basic structure, even that may not be immune to reconsideration by a bench larger than the one which presided over Kesavananda Bharati (a review of the judgement by a 13-Judge Bench was almost undertaken in 1975). In any case, perhaps the only things whose constancy can and must be taken for granted in a constitutional democracy are the existence of a Constitution and democracy. And both should be directed at preserving the nation, its identity, integrity and those institutions which are essential for its survival as a constitutional democracy.

15. The 42nd amendment is considered a watershed in India's constitutional history. Why? Justify.

Approach

A simple and straightforward question where in you need to justify with reasons why the 42nd constitutional amendment act is considered a watershed in India's constitutional history.

Introduction

The year 1976 is remembered as a landmark for the Indian Constitution, because of the sweeping 42nd Constitutional Amendment Act (CAA). It was majorly based on the proposals made by Swaran Committee. The amendment amended the Preamble of the Constitution, 40 Articles, Seventh Schedule and added 14 New Articles to the Constitution.

Body

The 42nd CAA had brought about widespread changes to the Constitution, whose effects can still be felt to this day. Overall, the 42nd amendment is considered a watershed in India's constitutional history, this is evident from the following details –

- **Preamble** – The characterization of India as "Sovereign Democratic Republic" was changed to "Sovereign Socialist Secular Democratic Republic". The words 'unity of Nation' replaced with 'unity and integrity of Nation'.
- **Directive Principle of State Policy** - Four new directive principles were added
- To secure opportunities for healthy development of children (Article 39)
- Enabling free legal aid Article39A
- Protection of workers in factories Article 43A
- Protection of environment and to safeguard Forest and Wildlife Article 48A
- **Fundamental Duties** - Part IVA was added to the Constitution enabling Fundamental Duties to the citizens.
- **Federal** - Insertion of Article 257A, to enable the Centre to deploy armed forces to deal with any grave situation of law and order arising in any State.
- **Emergency** - It authorized the President to declare emergency in any part of the country.
- **Legislature -** Life of Lok Sabha and State Legislative Assembly was extended from 5 to 6 years.
- **Executive** - Article 74(1) was added, which stated that President shall act in accordance to the council of ministers.

Judiciary - Insertion of Article 32A in order to deny Supreme Court the power to consider the Constitutional validity of a State law. Another new Article

- 131A, gave the Supreme Court an exclusive jurisdiction to determine question relating to the Constitutional validity of a central law.

The 42nd amendment is also sometimes called 'mini-Constitution' or 'Constitution of Indira', and was the most comprehensive amendment carried out during internal emergency (1975-1977). This background of being enacted during an emergency also makes the amendments controversial, even to this day.

- As it was undertaken at the time of Emergency, when most of the opposition leaders were detained in preventive detention, so it became more or less a party affair. The Act introduced several changes, most of which sought to tilt the power in the favour of executive away from the Judiciary.
- History often takes note of the introduction of the words secular and socialist to the Preamble. But although the original Preamble did not contain these specific words, several provisions in the Constitution, especially those relating to "Fundamental Rights" and "Directive Principles of State Policy" entrenched particular variations of secularism and socialism in keeping with the vision of the framers.
- The 42nd amendment to the constitution is seen in the context of efforts towards a growing global consciousness for the protection of the environment

in the seventies. This is evident from Article 48A, part of the Directive Principles of State Policy and Article 51A (g), part of the Fundamental Duties, added through this amendment.

The 42nd amendment was also watershed for its aftermath where for the first time in Indian history, a non-congress led government was formed in India after elections post emergency. Under the leadership of Morarji Desai, Janta Party Government started the work of reforming the Constitution.

- The powers of the Supreme Court and High Courts were provided back to them through the 43rd Amendment.
- Along with the strengthening of the Judiciary and removing the 42nd amendment, the 44th Amendment has also done the task of strengthening the Constitution even more than ever.
- This amendment did many changes to escape the situation like the 42nd Amendment in the future. The term "Armed Rebellion" was added in the place of "Internal Unrest" in Emergency related provisions. Along with this, this amendment also strengthened the fundamental rights.

Conclusion

A Constitution to be living must be growing. Using Article 368, the 42nd Constitutional Amendment Act of 1976 has touched upon almost all the parts of the Constitution, disturbing the balance between various organs of government as well as the federal structure but Indian democracy and constitution proved to be resilient and were further strengthened from this shock in the future.

16. How does the principle of checks and balances operate in the Indian polity? Explain in the light of constitutional provisions.

Approach

Students are expected to write about the checks and balance in the Indian polity and how it operates in the light of constitutional provisions.

Introduction

There is a system of checks and balances wherein the various organs impose checks on one another by certain provisions. The aim of checks and balances is to safeguard that different branches of government control each other internally (checks) and serve as counter weights to the power possessed by the other branches (balances).

Body

Principle of Checks and balance in the Indian polity:

The doctrine of separation of powers is a part of the basic structure of the Indian Constitution even though it is not specifically mentioned in it. Hence, no law and amendment can be passed violating it. The system of checks and balances is essential for the proper functioning of three organs of the government. Different organs of the state impose checks and balances on the other.

The following examples illustrate the checks and balances:

- Judiciary exercises judicial review over legislative and executive actions. Judiciary has the power to void laws passed by the Parliament. Similarly, it can declare the unconstitutional executive actions as void.
- Legislatures review the functioning of the executive.
- Executive appoints the judges.
- Legislative branch removes the judges. It can also alter the basis of the judgment while adhering to the constitutional limitation.

Some of Indian constitution provisions which emphasizes the checks and balance are the following:

- The judiciary has the power to strike down any law passed by the legislature if it is unconstitutional or arbitrary as per Article 13 (if it violates Fundamental Rights). A system of checks and balances has been embedded so much so that the courts are competent to strike down the unconstitutional amendments made by the legislature.
- Article 50 This article puts an obligation over the State to separate the judiciary from the executive. But, since this falls under the Directive Principles of State Policy, it is not enforceable.
- Articles 121 and 211 The legislatures cannot discuss the conduct of a judge of the High Court or Supreme Court. They can do so only in matters of impeachment. It, in a way, provides for the separation of the legislature and the judiciary. This article states that the conduct of justice or the way a judge discharges his duties of any Court cannot be discussed in the legislature (state or union).
- Articles 122 and 212 The courts cannot inquire the validity of the proceedings of the legislatures. This article is aimed at keeping the judiciary (the law interpreting body) and the legislature (the law-making body) separated. It does so by stripping the judiciary of any power to review and question the validity of proceedings that take in a legislature or the Parliament.
- Articles 53 and 154 respectively, provide that the executive power of the Union and the State shall be vested with the President and the Governor and they enjoy immunity from civil and criminal liability.
- Article 361 This article separates the judiciary and the executive. It states that the President or any governor of any state is not answerable to any court in the country for actions and activities are taken in performance/exercise of the powers and duties of their office.

Weakening System of Checks & Balances:

- Judicial Activism: In many recent judgments, the Supreme Court has become hyper-activist in making judgements that are deemed as laws and rules. This transgresses the domain of legislature and executive.

- Executive Excesses: Executive in India is alleged of over-centralisation of power, weakening of public institutions like CIC & RTI and passing laws to strengthen law, order & security of the state but curbs freedom of expression as well like UAPA.
- Weakened Legislature Scrutiny: According to data by PRS Legislative Research, while 60% of the Bills in the 14th Lok Sabha and 71% in the 15th Lok Sabha were referred to Department-related Standing Committees (DRSCs) concerned, this proportion came down to 27% in the 16th Lok Sabha.

Conclusion

For a democratic polity and diverse society like India, a Constitutional system with strict separation of powers is undesirable and impracticable. However judicious and calculated constitutional functional overlapping makes way for democratic collaboration of the three organs of the government. Such mutual cooperation bridges the executive, legislative and judicial gap facilitating smooth functioning of government.

17. What are the most pressing challenges of governance arising due to India's federal polity? Examine.

Approach:

As the directive in the question is 'examine' it is important to mention challenges in a detailed manner with clear logical exposition, use of proper and appropriate examples is a must, moreover explanation of the state of India's federal system is also important.

Introduction:

Federalism in its literal sense is a system of government in which power is divided between a central authority and constituent political units. India's federal structure is very peculiar in nature, it encompasses all those features which suit India's polity according to its own needs and thus has helped India to grow as the largest functional democracy of the world. According to K.C. Wheare the Indian Constitution, can be described as "a system of government which is Quasi Federal a unitary state with subsidiary federal state with subsidiary unitary features." Prof. Wheare observes that "the federal principles is the method of dividing powers so that the general and regional government are each within a sphere are co-ordinate and independent. Both the federal and the regional governments are co-ordinating and independent in their spheres and not subordinate to one another."

Body:

Structure of India's federal polity-

- Article 1 of the Constitution of India states that 'India that is Bharat shall be a union of states. Indian federation was not a product of coming together of states to form the federal union of India. It was rather a conversion of a unitary system into a federal system. It is a compromise between two conflicting considerations such as autonomy enjoyed by states within the constitutionally prescribed limit (State List) and the need for a strong centre in view of the unity and integrity of the country (Union List).

- India's federalism is asymmetric in nature the main forms of administrative units in India are the Centre and the States. But there are other forms, too, all set up to address specific local, historical and geographical contexts. Besides the Centre and the States, the country has Union Territories with a legislature, and Union Territories without a legislature. Just as the Centre and the States do not have matching powers in all matters, there are some differences in the way some States and other constituent units of the Indian Union relate to the Centre. This creates a notable asymmetry in the way Indian federalism works. Examples are Article 371, The Sixth Schedule to the Constitution contains provisions for the administration of tribal areas in Assam, Meghalaya, Tripura and Mizoram. These create autonomous districts and autonomous regions.

Challenges of governance due to federal polity-

- India has 25 major river basins with most rivers flowing across states, with rivers being shared between states. Adequate involvement of centre is necessary for preservation and equitable distribution of river water. However Inter-state Rivers have become sites of contestation between states because of the conflictual federalism dispute resolution has become a long and tiresome process which creates problems of water availability, for agriculture and drinking purpose. Centre's role only comes in dispute resolution in spite of legal framework in the form of Inter State River Water Disputes Act 1956 and River Boards Act 1956.

- Even as Indian Federalism has a tendency towards centralised form, states have sought to assert their interests and influence over the years. This led to imbalance and inconsistency in central governments approach towards the issues which effect country in general such as Tamil issue in Srilanka, river water dispute with Bangladesh etc.

- Increased regional demands such as creation of new states developmental issues ad excess to the resources has led to the conflicts taking India's internal security a hostage.

- One of the most pressing needs of India after its independence was the distribution of land to the landless who have suffered at the hands of colonial powers, but because of the nature of federal polity with distribution of subjects and agriculture and land distribution coming under the purview of states idea of land reforms could not be materialised as envisaged.

- Uneven development is one of the important issues arising out of the existing federal structure in India many of the states in spite of being resource rich

could not prosper because policy paralysis and politics based on emotions of caste, and communalism thus development took a back seat.

• Lax attitude of states in implementing centrally sponsored schemes has led to an imbalance in critical social sectors like health and education among the states. An important scheme in the heath sector like Jan Arogya has not been implemented in states like West Bengal, Maharashtra etc.

• In India it is too hard and difficult to bring in comprehensive socio economic and political reforms because of the nature of federal polity. Recent initiatives like GST which revolutionised indirect tax structure in India took around 15 years of deliberations and discussions between states and centre.

• New challenges like environmental issues are impossible to implement unless states play an important role to the commitments in implementing the decisions taken at central level and the commitments India have made at the Paris Conference on Climate Change.

• With the advancement of technology like Industrial Revolution 4.0 and internet of things machine learning, role of states is important in bringing out reforms like ease of doing business, skill development, infrastructural development so that India does not lag behind and could reap the benefits of demographic dividend.

Conclusion:

A diverse country like India needs a proper Balance towards maintaining the needs of the states where they can frame and implement laws and policies according to their needs. The GST reform tells us that consensus building is not a one-time exercise. Sustained dialogue and deliberation are important to allow a maximum convergence of interests between centre and states in dealing with the issues created out of the existing federal structure. Centralisation is not a panacea for all the ills rather harmonious relationship cooperation and collaboration is important to strengthen cooperative federalism

18. While briefly explaining the concepts, illustrate the benefits of cooperative and competitive federalism?

Approach

A straightforward question where in you need to explain the concepts of cooperative and competitive federalism in brief in the first part of the answer while also illustrating the benefits of both competitive and cooperative federalism in the second part of the answer.

Introduction

The quasi-federal structure of the Indian nation was settled in after the country became free of colonialism and gained independence from the British. This style of

federalism is responsible for the introduction of its cooperative as well as competitive variants in the country.

Body

- The Constitution of India has created a strong Central government, but at the same time, it has not made the state governments weak and has not reduced them to the level of administrative agencies for the execution of policies of the Central government. Rather, the states have an independent constitutional existence.
- The concept of cooperative federalism professes a horizontal relationship between the Central as well as the State governments. This essentially means that the legislature at the Union as well as the State levels cooperate to serve the larger public interest. Such an arrangement, if executed successfully, would be a significant leap in enabling the participation of States in determining national policies.
- Usually, cooperative federalism is seen in socialist economies where most of the resources are controlled by the government. It is being promoted in India through steps like the formation of NITI Aayog, passing of GST etc.
- On the other hand, competitive federalism, the States share a vertical relationship with the Central government while competing amongst themselves. Essentially, States individually work towards attracting funds and investment to aid their developmental activities. This leads to the formation of a free market scenario amongst the States wherein they play the role of the sellers and the investors become the buyers.
- A type of Competitive federalism is seen in India where states want more funds and perks from the state government for growth. Also, states can be involved in International treaties and business deals. They are also trying to woo MNCs to get more FDI.

The benefits of co-operative federalism can be seen from the points given below –

- The essence of co-operative federalism is that the Centre and the State Governments should be guided by the broader national concerns of using the available resources for the benefit of the people.
- Co-operative federalism encourages the Government at different levels to take advantage of a large national market, diverse and rich natural resources and the potential of human capabilities in all parts of the country and from all sections of the society for building a prosperous nation.
- Co-operative federalism makes it possible to raise all the available resources by the Government at different levels in a co-ordinated way and channel them for use for the common good of the people. This requires a harmonious relationship and co-operative spirit between the Centre and the States and among the States themselves.

- Co-operative federalism is intended to ensure a minimum bundle of basic services and a nationally acceptable level of living for all the people of the country.

Similarly, the benefits of competitive federalism are listed in the points below –

- Competitive federalism follows the concept bottom-up approach as it will bring the change from the states. It ensures inclusive development in the country.
- It instils a spirit of positive competition and help utilisation of successful models of development across many states. Thus, it helps in reducing inter-states and intra-states inequalities through development.
- It ensures that every limb of the whole country is developing. E.g., there are many disparities between various cities in terms of development, competitive sub-federalism reduces such disparities. It helps in instilling sense of responsibility in city administrations, ensuring no one have been left out.
- The policy of one-size-fit-all is replaced with different policies of various states based on the own priorities with in the state. Each state will design their own policies for development of the cities with self-fund. The concept also promotes discipline among the states.

Cooperation as well as Competition on a national level is not a small feat to achieve and thus it requires a mutual understanding between the Central and State governments. While prosperous States may be able to execute both policies effectively but economically backward States would require the Centre's support to achieve their goals.

Conclusion

Instituting a system of cooperative and competitive federalism has been a hallmark of India's policy-making in the past five years and has achieved considerable results. Cooperative and competitive federalism are complementary ideas that will drive India's growth story in the coming decades

19. Critically evaluate the efficacy of the manner in which powers are distributed between the Union and the States.

Approach

Students are expected to write about the distribution of power between union and states. And then critically evaluate the efficacy of the manner in which powers are distributed.

Introduction

According to Dicey, power distribution is an essential feature of a federation. The object behind the formation of a federal State involves an authoritative division between the National Government and the Government of the separate States. The federal tendency is restricting every side of the Governmental action, and separation of the strength of the State among parallel and independent authorities is particularly noticeable as it forms a significant distinction between a federal system and unitary system of Government.

Body

The Constitution of India provides a dual polity with a clear division of powers between the Union and the States, each being supreme within the sphere allotted to it.
Efficient Manner in which powers are distributed between the union and states:

- Demarcation: The 7th schedule of the Indian Constitution having 3 lists is formulated to ensure the federal character of Indian polity. The division has been helpful in demarcation of subjects and fixing responsibility for lapses in administration.
- International relations and communications: UNO, foreign affairs etc., are subjects in Centre list and hence decisions are taken with uniformity and certainty. E.g., Ex-UN secretary Kofi Annan noted Indian foreign policy as stable and credible.
- Holding Accountability: The lists have demarcated the functions and thus help in holding the state/Centre government answerable. E.g., imposition of president rule in UP after Babri masjid incident.
- Uniformity in Administration: subjects like trade and commerce, Banking, regulation of mines, labour etc., ensure uniformity. E.g., uniform interest rate in banks, labour costs etc., ensure that every state is competent in the sphere of economic attraction.
- External security: central government being responsible has been fairly successful in taking timely decisions with necessary force whenever required. E.g., any delays during war time causes set back. Quick decision taken during Kargil was possible only because the defence was entirely with the Centre.

Time and again centre-state relations come under scanner due to increasing centralization of power such as:

- Asymmetric distribution: States complain that Centre has more and important subjects and there is asymmetry in division. Thus, it results in unitary bias. E.g., Raising loans from international market, Banking regulations etc.
- Balance between flexibility and uniformity: Some laws leave little flexibility for states to sync the laws according to their needs for achieving uniformity. A higher degree of detail in law ensures uniformity across the country and provides the same level of protection and rights, however, it reduces the flexibility for states to tailor the law for their different local conditions.
- If a Proclamation of Emergency is in operation: During the operation of the Proclamation of Emergency, the Parliament shall be empowered to legislate for the entire Indian territory or any of its parts with respect to all the matters enumerated in the State List.

- Limited capacity of states: Some laws enacted by Parliament in the concurrent list might require state governments to allocate funds for their implementation. But due to federal supremacy while the states are mandated to comply with these laws, they might not have enough financial resources to do so.
- Constitutional practice indicates that use of residuary powers has been at the cost of provincial autonomy, even though the principle of continuing exhaustiveness remains key to the structure of the Seventh Schedule.
- Composition variation: States allege that the union and concurrent list has grown over the years at the cost of state list. A majority government at the Centre helps in this. E.g., 42nd constitutional amendment transferring 5 subjects from state to concurrent list.
- Infringement in the domain of states: Some Bills may directly infringe upon the rights of states i.e., relates to central laws on subjects that are in the domain of state legislatures. E.g., anti-terrorist laws, Lok pal bill, issues with GST and Aadhar etc. where states' power are taken away in a cloaked manner.
- Colourable legislation: The allegations on Centre to encroach upon the state jurisdiction finding the loopholes. E.g., the recent Jammu Kashmir reorganization bill was passed under president rule. The President gave assent to the controversial farm Bills passed by Parliament.

Way forward:

- Strengthening of Inter-State Council: Over the year committees starting from Rajamannar, Sarkaria and Punchi have recommended strengthening of Interstate Council where the concurrent list subjects can be debated and discussed, balancing Centre-State powers.
- Autonomy to states: Centre should form model laws with enough space for states to manoeuvre. Centre should give enough budgetary support to states so as to avoid budgetary burden. There should be least interference in the state subjects.

Conclusion

The Indian constitution aim at reconciling the national unity while giving the power to maintain state to the State governments. It is true that the union has been assigned larger powers than the state governments, but this is a question of degree and not quality, since all the essential features of a federation are present in the Indian constitution. It is often defined to be quasi-federal in nature. Thus, it can be safely said that Indian Constitution is primarily federal in nature even though it has unique features that enable it to assume unitary features upon the time of need. Federal but its spirit is unitary.

20. What role do States play in extending the welfare measures of the Union to the intended population? Explain. What are the current challenges on this front? Discuss.

Approach:

In the first part of the question, the answer should mention about the role of states in implementing and helping the centre for the welfare of the people. It entails, the effectivity of State Governments in the implementation of Centrally Sponsored Schemes and Central Sector Schemes. In the second part, the challenges with respect to these welfare measures need to be mentioned. Finally, the conclusion should hinge upon improving the Centre-State relations to effectively extend the welfare measures of the Union.

Introduction:

The Indian Constitution provides a strict demarcation between the legislative competences of the Union and the States. Yet, the Union, which also has far greater control over the nation's finances than the States, plays a leading role in determining welfare priorities for the nation through schemes and budgetary allocations (Article 246). In order to provide a uniform framework for the holistic development of the country as a whole, the Union Government does provide budgetary allocations and schemes. These schemes- Central Sector Schemes, Centrally Sponsored Schemes aim at the social and economic welfare of the Indian republic, but need effective coordination of the Indian states being a part of the quasi-federal set-up.

Body:

For the first fifty years of the Indian republic, social and economic welfare was primarily administered through ad hoc measures known as schemes. In the early 2000s, there was a shift to "rights-based welfare." The Government of India codified several important aspects of social welfare into statutes. These included Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (MGNREGA), the Right of Children to Free and Compulsory Education Act, 2009 (RTEA) and the National Food Security Act, 2013 (NFSA). This was welcomed by the academic community, who described it as a "new social contract" between Indians and the State.

Role of States:

In the present federal set-up of India, the seventh schedule of the Constitution provides a tight-model of distinction of powers between Centre and States. However, ultimately it is the states which work at the grassroot level for the development of their respective states. The fourteenth Finance Commission substantially enhanced the share of the States in the Central divisible pool from 32% to 42%. which was untied and can be spent by the States as desired. However, doing so it delinked many schemes which were previously centrally funded, thus sharing the burden of the welfare between Centre and States.

- In case of Centre Sector Schemes like Bharatnet, PMSAMPADA even though the Central government is primarily responsible for funding and implementation. The collaboration and concurrence of the state governments is equally needed for the effective implementation. As such, states like

Karnataka, Andhra Pradesh are way ahead in providing internet facilities in the rural areas as compared to Bihar, Jharkhand and Odisha.

- In the Centrally Sponsored Schemes, states have even a greater role to play to ensure that the particular scheme is effective in carrying out its desired objectives. For instance, case of MGNREGA where the devolution is 60:40 between Centre and States, the role of state governments is paramount for the effectivity of the scheme. States like Tamil Nadu, Rajasthan, Kerala have had nearly 90% efficiency when it comes to enhance the output, while Jharkhand, Bihar and Uttar Pradesh have just been 60% effective.
- Schemes like Public Distribution System, Mid-Day Meal Scheme have directly been under the State Government Implementation and therefore the comparative performance of the states, depend on the manpower, effective funding and the resources the state government attempt to spend on these schemes.
- National Health Rural Mission under NHM provides for development of the quality health-care at the primary health-centers in villages which is directly overseen by the State Governments. Therefore, State Governments are critically important in ensuring that there is effective disposal of the Centrally mandated welfare for the intended population.

Challenges at the Front:

The Union Government plays a prominent role in determining State level development priorities through CSS. These are grants made by the Union for a specific purpose, i.e., the scheme guidelines, to be implemented by the States. However, there are certain challenges:

- Article 282 of the Constitution confines the Union's power to making grants on the state subject, implying that the implementation should be left entirely to the states. However, with Centrally Sponsored Schemes, the states are left with little discretion with respect to how these are to be implemented.
- With the central schemes on the anvil, the state governments actually depend on the Central Government funds. Recently, the delaying of the funds in schemes like MGNREGA, PDS have witnessed the tussle between Centre-State relations.
- Parliament has limited powers and wide discretion under Article 282, meaning that it is not bound to make consistent, predictable grants to States year after year. That is problematic with states being highly dependent on the Centre for these welfare schemes.
- Even at the Third-Tier government, the Centre Government has again at the loggerheads when it comes to Finance Devolution and implementation. Even these grassroot level governments are indirectly dependent on the Central Government which again creates problems for the effective implementation.
- The scope of economic and social rights in India is properly within the domain of the legislature, and the States ought to play a pivotal role on matters within their competence. By making Union grants variable and highly discretionary,

States are unable to plan for consistent and predictable welfare measures — such as those provided by statute — year after year.

Conclusion

There is no doubt that the Union should still play an important role in determining national priorities for development. One way to do so is to encourage the creation of clear entitlements through statute wherever possible, as in the case of MGNREGA and NFSA. Another possibility is to provide a greater share of Union assistance through block grants and to allow States a greater role in designing welfare measures implemented at the State. In any event, there is an urgent need for greater cooperation between the Union and the States of India to create a strong, rights-based welfare system for its citizens.

21. What is the Interstate Council? What are its mission objectives? Discuss. What potential does it hold to transform the dynamics of centre-state and interstate cooperation? Examine.

Approach

Address the question is few parts where the first part should address what is the Interstate Council and the next part should discuss its mission objectives. The next part of the answer, you need to examine the potential inter-state council holds to transform the dynamics of centre-state and interstate cooperation.

Introduction

Inter-State Council (ISC) is a constitutional body as provided by Article 263 of the Constitution of India which is mandated to investigate and advise on disputes between states, has been recently reconstituted with Prime Minister as its chairman and six Union ministers and all chief ministers as members.

Body

- The Inter-State Council's mandate is to inquire and advise on interstate disputes and to provide recommendations for better policy coordination. However, it is a recommendatory body to investigate and also discuss subjects, in which some or all of the states or the Central government have a common interest.
- In fact, it is set up on the basis of provisions in Article 263 of the Constitution of India by the Presidential Order, 1990 based on the recommendation of Sarkaria Commissions.
- The Inter-state council is not a permanent constitutional body for coordination between the states and Central government. Rather, President can establish it at any time if it appears to him that the public interests would be served by the establishment of such a council.

- Article 263 provides explicit provisions with respect to an inter-State Council i.e. If at any time it appears to the President that the public interests would be served by the establishment of a Council charged with the duty of –
- Inquiring into and advising upon disputes which may have arisen between States;
- Investigating and discussing subjects in which some or all of the States, or the Union and one or more of the States, have a common interest; or
- Making recommendations upon any such subject and, in particular, recommendations for the better co-ordination of policy and action with respect to that subject.
- Article 263 further states that it shall be lawful for the President by order to establish such a Council, and to define the nature of the duties to be performed by it and its organization and procedure.

In terms of potential to transform the dynamics of centre-state and interstate cooperation, the Interstate Council can be considered as a proven concept, evident from the following points –

- Based on the Sarkaria Commission's recommendations, it was constituted under Article 263 of the Constitution in 1990. It proved to be crucial in the implementation of many of the commission's recommendations, such as altering the states' share of central taxes. This clearly shows its future potential to transform federal relations.
- Further, the council helped bridge the trust deficit between the centre and the states. If not always a problem solver, it at least acted as a safety valve.
- As opposed to NITI Aayog, the ISC is more political in nature with constituent members being Chief Ministers of states and Chief Ministers/Administrators of Union Territories with the Prime Minister as the Chairman.
- Functionally, it was visualised as having functions separate from a National Development Council which would deal with matters of socio-economic planning. The ISC was structured in a manner that eschewed voting by majority and instead focused on arriving at a consensus "in a spirit of mutual accommodation, comity and compromise".
- Punchhi Commission (2007) stated, "Federalism is a living faith to manage diversities and it needs to be supported by institutional mechanisms to facilitate cooperation and coordination among the Units and between the Units and the Union. Cooperative federalism is easily endorsed but difficult to practise without adequate means of consultation at all levels of government." This is adequately provided by the ISC, which enhances its role.
- The body was handmade for use in situations such as the COVID wherein an issue of national importance was at play and inter-governmental relations were at stake. The role of the Centre as a facilitator in
(i) Ensuring that the best practices being followed in states such as Kerala are implemented across other states;
(ii) The issues such as transportation of migrant labours are dealt with expediently using coordinated planning and opening up of borders in parts to ensure that safety norms were followed, was sorely missed.

(iii)   Even with respect to inter-state travel, accusations kept flaring about restrictions regarding entry at the border. For example, in May, the Uttar Pradesh Government stopped buses from Rajasthan and Haryana from entering its borders, Karnataka restricted entry of people from Gujarat, Maharashtra and Tamil Nadu.

- The Inter-State Council is seen as an extremely useful mechanism for consensus building and voluntary settlement of disputes, in case, given the autonomy required for functioning as a Constitutional body, independent of the Union and the States.
- The very rationale of having a constitutional body like the Inter-State Council is to have an extremely wide perspective which would be all encompassing, besides having an integrated approach towards building a consensus on policies of national importance. In the present context, we may have lost an opportunity but it may still not be too late.

Conclusion

The challenges of maintaining a federation are many, but the solution is healthy debate and discussion. In past decades, the centralized nature of the Indian economy—even after liberalization—made papering over the cracks possible. But present federalist vision is different, one with an emphasis on decentralizing decision making and encouraging state competition. If that vision is to succeed, the ISC must be a core component of the new cooperative federalism.

22. Examine the challenges of fiscal federalism in India.

Approach

Students are expected to write about the fiscal federalism and examine the challenges of the fiscal federalism.

Introduction

The Government of India Act 1919 and 1935 formalised the tenets of fiscal federalism and revenue sharing between the Centre and the states. Fiscal federalism refers to the financial relations between the country's federal government system and other units of government. It is the study of how expenditure and revenue are allocated across different vertical layers of the government administration.

Body

In recent years, fiscal relations between the union and state governments have undergone significant changes.

- The abolition of the Planning Commission in January 2015 and the subsequent creation of the NITI Aayog;

- Fundamental changes in the system of revenue transfers from the centre to the states through the provision of higher tax devolution to the states based on the recommendations of the Fourteenth Finance Commission (henceforth, "14th FC"); and
- The Constitutional amendment to introduce the Goods and Services Tax (henceforth, GST) and the establishment of the GST Council for the central and state governments to deliberate and jointly take decisions.

Challenges of fiscal federalism in India:

- State's dwindling resources: The findings suggest that recent changes in India's fiscal architecture, including the Goods and Services Tax (GST) regime, and increase in state shares for the Centrally Sponsored Schemes (CSSs) had placed
- Shortfall in devolution: Adding to state woes is the significant divergence in past periods between the amount of GST compensation owed and the actual payments made, including for states such as Uttar Pradesh, Bihar and Jharkhand that need greater fiscal support. Even before Covid-19 hit, 11 states estimated a revenue growth rate below the estimated 14% level, implying higher amounts will be owed as GST compensation.
- Fiscal woes: The economic slowdown prior to the Covid-19 outbreak resulted in lower revenues for both the Union and state governments, as evident from their budgets. The Union government's revised estimates of tax collections (net of devolution to states) for 2019-'20 were about 8.8% lower than its 2019-'20 budget estimates.
- The Case of Horizontal Imbalances: The horizontal imbalances arise because of differing levels of attainment by the states due to differential growth rates and their developmental status in terms of the state of social or infrastructure capital. Traditionally, Finance Commissions have dealt with these imbalances in a stellar manner, and they should continue to be the first pillar of the new fiscal federal structure of India.
- Vertical Imbalances: The creation of vertical imbalances is a result of the fiscal asymmetry in powers of taxation vested with the different levels of government in relation to their expenditure responsibilities prescribed by the Indian Constitution. The central government is given a much greater domain of taxation, with a collection of 60% of the total taxes, despite their expenditure responsibility only amounting to 40% of the total public expenditure.
- Such vertical imbalances are even sharper in the case of the third tier consisting of elected local bodies and panchayats. Vertical imbalances can adversely affect India's urbanization, the quality of local public goods and thus further aggravating the negative externalities for the environment and climate change.

In this regard multiple criteria steps will be helpful in promoting fiscal federalism in the following manner:

- Efforts made by the States in expansion and deepening of tax net under GST will help in realisation of a competitive tax environment where fiscal position of states will improve in turn improving the fiscal federalism.

- 'Progress made in increasing capital expenditure, eliminating losses of power sector, and improving the quality of such expenditure in generating future income streams' criteria can help tackle the stress of NPAs in power sector and improve the fiscal situation of states.
- State Finance Commissions should be accorded the same status as the Union Finance Commission and the 3Fs of democratic decentralisation (funds, functions, and functionaries) should be implemented properly.
- Single Rate GST with suitable surcharges on "sin goods," (goods that are harmful to society and individuals, for example, alcohol and tobacco, drugs, etc), zero ratings of exports and reforming the Integrated Goods and Services Tax (IGST) and the e-way bill.
- This 'one-size fits all' approach to fiscal consolidation has constrained fiscally strong States to raise more resources. Therefore, State-specific targets of fiscal deficit in the FRBM legislation of States. The fiscal correction path may factor in the variations in the initial fiscal situation across States and be made State-specific.

Conclusion

Redefining the fiscal architecture of India can strengthen the fiscal federalism. Independent Finance commission, effective NITI Aayog, creating the new fiscal federal architecture based on the effective decentralisation and transparent GST regime can strengthen India's unique cooperative federalism.

23. In what ways did the 1975 national emergency affect the political discourse in India? Examine.

Approach

Candidate are expected to write about 1975 national emergency with its short background and also examine how 1975 national emergency affected the political discourse in India.

Introduction

The emergency was declared by the Indira Gandhi government in 1975 and was in place for 21 months. Threat to national security and bad economic conditions were cited as reasons for the declaration. A state of emergency in India refers to a period of governance that can be proclaimed by President of India during certain crisis situations. Under the advice of the cabinet ministers, the President can overrule many provisions of the Constitution, which guarantees Fundamental Rights to the citizens of India.

Body

Civil liberties were suspended, media was censored, state and parliamentary elections were postponed, and anyone who wrote or spoke against the Government was put behind bars. Let us look at how it affected the political discourse in India –

- The government made blatant and extensive use of its power of preventive detention. Political personality were arrested and detained only on the apprehension that they may commit an offence. Negating the judgment of several High Courts, the Supreme Court in April 1976 gave a judgment upholding the constitutional validity of such detentions during the Emergency.

- Acts of dissent and resistance did happen during the Emergency, but these were few. Newspapers like the Indian Express and the Statesman protested against censorship by leaving blank spaces where news items had been censored.

- Just a few months after declaring Emergency, President's Rule was imposed on the two states ruled by the opposition party Gujarat and Tamil Nadu thereby bringing the entire country under the direct control of the central government.

- As a result of a fallout with Sanjay Gandhi, Kishore Kumar's songs were banned from playing on the All India Radio and Doordarshan. Artists like Kumar and Dev Anand, who were vocally critical of the Emergency, later faced unofficial bans from government and state broadcasters.

- In the name of family planning, mass sterilisation drives were organised. While there are no official numbers available, millions of people (both men and women) were forced to get sterilised during this 21-month period. Sanjay Gandhi was seen to have 'extra-constitutional' powers during the Emergency, and enjoyed full impunity.

- Parliament passed the 42nd amendment, giving Parliament unlimited powers to amend the Constitution and not allow Constitutional amendments to be challenged in the courts.

- Over the course of the year, the Constitution was amended to protect 64 laws from any judicial scrutiny, and thousands of people were arrested for opposing the government. Leaders like George Fernandes went underground to continue the resistance. Twenty-six political organisations, including the Rastriya Swayamsevak Sangh (RSS) and Jamaat-e-Islami, were banned.

- The Maintenance of Internal Security Act (MISA) was amended through an ordinance to allow the detention of any person who may pose a political threat by voicing opposition, without a trial. The Shah Commission estimated that nearly 1,11,000 people were arrested under preventive detention laws. Torture in police custody and custodial deaths also occurred during Emergency.

- The 21 months of the Emergency had a lasting impact on India. For the first time, a non-Congress government came to power at the Centre, and it was during this period that several contemporary leaders became politically active. The 1977 elections turned into a referendum on the experience of the Emergency, at least in north India where the impact of the Emergency was felt most strongly. The opposition fought the election on the slogan of 'save democracy'.

- The lesson was clear and has been reiterated in many state level elections thereafter governments that are perceived to be anti-democratic are severely punished by the voters. In this sense the experience of 1975 -77 ended up strengthening the foundations of democracy in India.
- The new party accepted the leadership of Jayaprakash Narayan. Some leaders of the Congress who were opposed to the Emergency also joined this new party. Some other Congress leaders also came out and formed a separate party under the leadership of Jagjivan Ram. This party named as Congress for Democracy, later merged with the Janata Party.
- The forced relocation and displacements, the forced sterilisations, were mostly concentrated in the northern States. But more importantly, north India had experienced some long term changes in the nature of political competition. The middle castes from north India were beginning to move away from the Congress and the Janata party became a platform for many of these sections to come together. In this sense, the elections of 1977 were not merely about the Emergency.

Conclusion

The provisions of emergencies are provided keeping in view the security and stability in the nation. But they must not be used for political gains or disturbing the democratic structure of the nation. They are meant only to maintain the constitutional machinery only in cases of real crisis situations. If autocratic rule tries to destroy the democratic structure of India, the citizens have the powers to change the rule by general elections as done in 1977.

24. What was the mandate of the Mandal Commission? What were the key recommendations of its report? Discuss.

Approach

Question is straight forward, candidate can start with the brief history of Mandal commission and then elaborate on the recommendations with the impacts it had on the liberalized Indian economy.

Introduction

On August 7, 1990, the then prime minister V.P. Singh made a historic decision that changed Indian politics and way of ensuring social justice. The then government decided to implement the recommendations of the Mandal Commission, and open up reservations for Other Backward Classes (OBCs) in government job. He announced that OBCs would get 27% reservation in jobs in central government services and public sector units. This was perhaps the world largest affirmative action programme.

Body

History of reservation –

- Establishing First Backward Class Commission: In January 1953, the JL Nehru government had set up the First Backward Class Commission under the chairmanship of social reformer Kaka Kalelkar. The commission submitted its report in March 1955, listing 2,399 backward castes or communities, with 837 of them classified as 'most backwards'. However, the report was never implemented.
- Establishing Second Backward Class Commission: On January 1, 1979, the Morarji Desai government chose Bindeshwari Prasad Mandal, a former chief minister of Bihar, to head the Second Backward Class Commission. Mandal submitted his report two years later, on December 31, 1980.

Mandate of Mandal commission –

- In 1979, it was the Morarji Desai government which set up the Mandal Commission with the mandate to identify socially or educationally backward classes to address caste discrimination. It was chaired by B.P. Mandal, who was once the Bihar chief minister.
- The commission developed 11 criteria to identify the backward classes who were called **"Other Backward Classes" or OBCs**. The criteria are classified as social, economic and educational.

Social Indicators
- Castes or classes considered socially backward by others.
- Castes or classes that relied on manual labour for their livelihood.
- Castes or classes where:
- At least 10% males and 25% females more than the state average got married below the age of 17 years in rural areas
- At least 5% males and 10% of females more than the state average got married below the age of 17 years in urban areas
- Castes/classes where participation of women in work is at least 25% more than the state average.

Educational Indicators
- Castes or classes where the number of children between the ages of 5 and 15 who never attended school is at least 25% more than the state average.
- Castes or classes when the rate of student dropout between the ages of 5 and 15 is at least 25% more than the state average.
- Castes or classes amongst whom the proportion of matriculates is at least 25% less than the state average.
- Economic Indicators
- Castes or classes where the average value of family assets is at least 25% less than the state average.
- Castes or classes where the number of families living in kutcha houses is at least 25% more than the state average.

- Castes or classes where the number of households having taken consumption loans is at least 25% more than the state average.

Mandal Commission recommendations –

The Commission reported that 52% of the country's population was comprised of OBCs. Initially, the commission argued that the percentage of reservation in government service should match this percentage. However, this would have gone against an earlier Supreme Court ruling which had laid down the extent of the reservation to under 50%. There was already a 22.5% reservation for SCs and STs. Therefore, the figure of reservation for OBCs was capped at **27%** which when added to the already existing reservation would be below the 50% mark. The Commission also identified backward classes among non-Hindus. The recommendations are briefly mentioned below –

1. Reservation of 27% public sector and government jobs for OBCs for those who do not qualify on merit.
2. Reservation of 27% for promotions at all levels for OBCs in public service.
3. The reserved quota, if unfilled, should be carried forward for a period of 3 years and deserved after that.
4. Age relaxation for OBCs to be the same as that for SCs and STs.
5. A roster system should be prepared for the backward classes on the pattern of that for the SCs and STs.
6. Reservations to be made in PSUs, banks, private sector undertakings receiving government grants, colleges and universities.
7. The government to make the necessary legal provisions to implement these recommendations.

Effects of Mandal commission –

- Opposition to report- on two grounds, that reservation would compromise the merit and can the reservation be given on economic lines.
- However, it revolves around vote-bank politics which defeats the original purpose of reservation policy.
- Defeating the Intended Goal of Reservation Policy: In order to fulfil populists demands, political parties continued to expand reservation to the extent that communities who are well-off, avail reservation quotas.
- Unequal Benefits and Creation of Political Divide: According to the Rohini Commission, out of almost 6,000 castes and communities in the OBCs, only 40 such communities had gotten 50% of reservation benefits for admission in central educational institutions and recruitment to the civil services.

Conclusion

In pursuit of social justice, the Mandal Commission recommendations were implemented. However, only half of the recommendations of the commission were

implemented. The commission held that reservations along all financial assistance will remain mere palliatives unless the problem of backwardness is tackled at its root. Implementation of Mandal commission recommendations empowered communities. But the current architecture of reservations needs a review, with the aim of creating a just, inclusive and equal society

25. Discuss the circumstances under which the new economic policy was announced in 1991. What were the prominent changes introduced by the policy?

Approach

The question is asking you to discuss that is a written debate where one has to use your skill at reasoning, backed up by deliberately selected evidence to make a case for and against an argument, or point out the advantages and disadvantages of a given context.

Introduction

Almost half of India is born after 1991 economic reforms. New Economic Policy of India was launched in the year 1991 under the leadership of P. V. Narasimha Rao. This policy opened the door of the India Economy for the global exposure for the first time.

Body

THE CIRCUMSTANCES UNDER WHICH THE NEW ECONOMIC POLICY WAS ANNOUNCED IN 1991

- The historic 1991 reforms ushered in liberalization transforming India into a growth engine that it is today. Prior to that, India suffered greatly under the sanctions of the 'License Raj'
- The data reveals that fiscal deficit during 1990-91 was as large as 8.4 percent of GDP. The License Raj created a 'scarcity economy', and this scarcity also applied to foreign reserves since we practiced 'swadeshi'.
- The Balance of Payment crisis arose in the 1970s and worsened towards the end of 1980s. The balance of payments situation came to the verge of collapse in 1991, mainly because the current account deficits were financed by borrowings from abroad.
- The economic situation of India was critical; the government was close to default. With India's foreign exchange reserves at USD 1.2 billion in January 1991 and depleted by half by June, an amount barely enough to cover roughly three weeks of essential imports, India was only weeks way from defaulting on its external balance of payment obligations.
- India was in the need of an International Monetary Fund (IMF) bailout. The price of the bailout was the License Raj.

THE PROMINENT CHANGES INTRODUCED BY THE NEW ECONOMIC POLICY

- Free determination of interest rate by the commercial Banks: Under the policy of liberalisation interest rate of the banking system will not be determined by RBI rather all commercial Banks are independent to determine the rate of interest.
- Increase in the investment limit for the Small Scale Industries (SSIs): Investment limit of the small scale industries has been raised to Rs. 1 crore. So, these companies can upgrade their machinery and improve their efficiency.
- Freedom to import capital goods: Indian industries will be free to buy machines and raw materials from foreign countries to do their holistic development.
- Freedom for expansion and production to Industries: In this new liberalized era now, the Industries are free to diversify their production capacities and reduce the cost of production. Earlier government used to fix the maximum limit of production capacity. No industry could produce beyond that limit. Now the industries are free to decide their production by their own on the basis of the requirement of the markets.
- Abolition of Restrictive Trade Practices: According to Monopolies and Restrictive Trade Practices (MRTP) Act 1969, all those companies having assets worth Rs. 100 crore or more were called MRTP firms and were subjected to several restrictions. Now these firms have not to obtain prior approval of the Govt. for taking investment decision. Now MRTP Act is replaced by the competition Act, 2002.
- Sale of shares of PSUs: Indian Govt. started selling shares of PSU's to public and financial institution e.g., Govt. sold shares of Maruti Udyog Ltd. Now the private sector will acquire ownership of these PSU's. The share of private sector has increased from 45% to 55%.
- Disinvestment in PSU's: The Govt. has started the process of disinvestment in those PSU's which had been running into loss. It means that Govt. has been selling out these industries to private sector. Govt. has sold enterprises worth Rs. 30,000 crores to the private sector.
- Minimisation of Public Sector: Previously Public sector was given the importance with a view to help in industrialisation and removal of poverty. But these PSU's could not able to achieve this objective and policy of contraction of PSU's was followed under new economic reforms. Number of industries reserved for public sector was reduces from 17 to 2.
- Reduction in tariffs: Custom duties and tariffs imposed on imports and exports are reduced gradually just to make India economy attractive to the global investors.
- Long term Trade Policy: Forcing trade policy was enforced for longer duration.

Conclusion

The 1991 economic reforms were focused primarily on the formal sector, and as a result, we have seen significant boom in those areas that were liberalized. Sectors such as telecom and civil aviation have benefited greatly from deregulation and subsequent reforms. However, liberalisation and economic reforms still have a long

way to go, especially for the informal sector—including the urban poor who hold jobs as street vendors or rickshaw pullers, the agricultural sector, Micro, Small and Medium Enterprises (MSMEs) and tribal. The slow growth and stagnation in these sectors which have not seen any reform further highlights the significant role of the 1991 reforms in helping India's economy become what it is today.

26. Analyse the evolution of coalition politics and its impact on Indian polity.

Approach

Question is very straight forward in its approach, students are expected to provide a detailed analysis about evolution of coalition politics in India and its impact on Indian polity, and also examples are needed to substantiate points properly.

Introduction

A coalition is formed when multiple political parties cooperate, join forces and come together (which can happen prior or post-elections) which reduces the dominance or power of any single political party. A coalition is usually formed When no single political party is able to secure a working majority in the Parliament,There is possibility for a deadlock to be created when two parties are even, in such a situation one of the parties would need an ally to gain majority. The 1967 elections – the fourth in the series – saw for the first time a real challenge to the Congress party. While it gained the majority in the Lok Sabha, it lost in several state assemblies. That was the first time when the phenomenon of tandem voting got a jolt. People voted differently for the Vidhan Sabha and the Lok Sabha.

Body

Evolution – It was the Indian National Congress which was in power both. at the centre and ·the state levels. It was essentially a one-party dominance. But it is equally interesting to note that the Congress as a unit of political power was also a combination of many interests and issues. So structurally it was a one-party affair, but inwardly it was a coalition of many interests issues, and objectives. So, it may not be incorrect to say that coalition of political interests was there in Indian politics right from the beginning. The course of Indian Politics underwent substantial changes after the Fourth General Elections in 1967. For the first time some non-congress government were formed in some states. This was the beginning of coalition politics in India.

Timeline of coalition governments in India –

- Morarji Desai for 857 days (between March 1977 and June 1979): These were the first elections held after the National Emergency. The Janata Party won these elections and Morarji Desai took charge as the prime minister and formed the first non-Congress government. However, the Janata Party was an

amalgamation of several parties and the government fell in 1979 when several parties in the Janata alliance pulled out, forcing Desai to step down.

- Charan Singh for 171 days (between July 1979 and January 1980): As Morarji Desai's government collapsed, Bharatiya Lok Dal (BLD) leader Charan Singh (who was a part of the Janata Party) took charge as the prime minister. However, the government fell after Singh couldn't prove majority in the Parliament and fresh elections were declared.

- VP Singh for 344 days (between December 1989 and November 1990): In the 1989 elections, the Janata Dal formed the National Front government with the external support of the BJP and Left parties. VP Singh became the prime minister, but had to step down after Chandra Shekhar broke away from the party.

- Chandra Shekhar for 224 days (between November 1990 and June 1991): In 1990, Chandra Shekhar became the prime minister with the external support of Congress. Even this experiment lasted only for a short while, forcing general elections in less than a year.

- AB Vajpayee for 13 days in May 1996: The BJP's strength grew in the elections held in 1996 as the Congress came into elections facing allegations of corruption. The BJP won 161 seats, Congress' tally stood at 140, and the Janata Dal won 46 seats. The regional parties won 129 seats. As per the norm, the BJP was invited to form the government. Vajpayee attempted to form a coalition but the government lasted for 13 days – and Vajpayee stepped down ahead of the trust vote.

- Deve Gowda for 325 days (between June 1996 and April 1997): As the Vajpayee government collapsed, Deve Gowda became the prime minister with the support of regional parties and Congress from outside. However, the Congress decided to withdraw support and Deve Gowda's government collapsed in 11 months.

- IK Gujral for 333 days (between April 1997 and March 1998): Deve Gowda's resignation made way for IK Gujral, who became the prime minister. The Congress was once again supporting this United Front government but as they pulled support, the government collapsed.

- AB Vajpayee for 394 days (between March 1998 and April 1999): In 1998 elections, the BJP emerged as the single largest party with 182 seats of the 543 seats in Lok Sabha. The BJP formed the National Democratic Alliance (NDA) with regional parties and formed the government. AB Vajpayee once again was sworn in as the prime minister. But the government fell in 13 months after AIADMK withdrew support from NDA.

- AB Vajpayee from 1999 to 2004: In 1999, the BJP won 182 seats of the 543 seats in Lok Sabha. The regional parties won 158 seats and the Congress won 114 seats. However, the BJP was able to form a stable alliance which lasted for a full five-year term.

- Manmohan Singh (UPA I - 2004 to 2009): The Congress emerged as the single largest party in 2004 and won 145 seats, while the BJP won 138 seats. The Congress then went on to form the UPA (United Progressive Alliance) with the

support of regional parties and outside support of Left parties, under Manmohan Singh's leadership.

- Manmohan Singh (UPA II - 2009 to 2014): As the elections were held in 2009, the UPA came back to power. The Congress also improved its tally from 145 to 206 seats, while the BJP could only win 116 seats. Manmohan Singh was elected as the prime minister for a second term.
- The present government (NDA), which has been in power since 2014, is also a coalition government since the BJP's alliance partners are also part of the government. But the BJP won 282 seats in the 2014 elections and was above the half-way mark on its own.

Impact on Indian Polity –

- It led to the concept of "governance through consensual approach." A number of issues that attracted attention of the Political Parties and which demanded national consensus were electoral reforms, centre-state relations, settlement of inter-state water dispute, welfare or the weaker sections and above all issues relations to economic reforms. In this connection an interesting point can be sited where major national parties came to agreement on vital issues like constitutional amendments and making adequate room for the regional parties to play major role in the governmental policy making process.
- Deepening of Democracy- Regional political parties could capture power in states like Assam, Haryana, Bihar, Orissa, Andhra Pradesh, Tamil Nadu and others. To the observers, this development was a healthy sign for the prospect of cooperative federalism besides ensuring national unity.
- It also led to the harmonization of national and state interests through a concensus based approach between state and central governments.
- Coalition government formed with the support of regional parties allows them to have a say in the decision making. They can put forward issues and concerns related to their region and expect a serious discussion. One-size-fits-all approach will not work in Indian context. A health care policy which will work for northern states like UP and Bihar might not be relevant in states like Tamil Nadu and Kerala which are already doing good in the field of healthcare. Thus coalition government give the regional parties a power to tailor the policies in accordance with their region.
- India is a land of diverse cultures and demographics. The coalition government enables people from diverse cultures to represent themselves. Thus, having a coalition government does empower the regional parties and gives voice to regional aspirations, strengthens the federal setup in India.

However Coalition politics has also impacted Indian polity in negative ways as well some of them are listed as follows –

- Coalition government slows down the decision making. Multi party agreements are required before taking any decision and this adds to the delay already present in passing a new bill.

- Coalition government sometimes allows regional interest to take precedence over the national interest. This happened when the UPA government did not conclude the water sharing agreement with Bangladesh because West Bengal(WB) government was of the idea that this would hamper WB development.
- There are occasions when particular issues become a focal point of public indignation and agitation. The corruption involved in the alleged payment of commission to secure the contract for guns by the Swedish company Bofors was exposed in the press and Parliament Also common wealth games scam coal auction scam and 2G scam became basis for agitation against corruption in 2012. This led to expose of issues like differential power centres in the union cabinet where coalition partners used to pull the strings of governance thus creating inefficiency and governance deficit.
- In coalition governments foreign policy becomes a tool of political bargain, with increasing influence of states in foreign matters creates a deadlock examples in this case are, Indias dealing of Tamil issue in srilanka, Nuclear deal with USA, Teesta river water issue with Bangladesh.

Conclusion

The concept of coalition government is good, however, its success depends on the manner in which the coalitions are forged and how governance percolates down. That is equally true of single party governments. With all their ills, coalition governments are actually far more inclusive than single party majority governments. However, both can be two sides of the same coin of fascism as long as the will of the people is not represented properly. In the present-day democracy, the decentralization of power is a must. This is possible on a real scale only if regional parties are adequately represented at the centre. Seeking majority should not be the sole purpose of creating coalition. National parties should keep the idea of Pan India progress in mind and try to form coalition with parties which represent the regional people.

27. Comment on the recent agreement on disengagement at the Ladakh border. Why should India be more cautious now? Examine.

We need to mention and comment on provisions of agreement on disengagement at the Ladakh border. Further after mentioning positive outcomes, we need to mention reasons to be cautious.

Introduction

After 10 months of an intense standoff between Indian and Chinese troops in eastern Ladakh on the Line of Actual Control (LAC), Defence minister in parliament said both sides had begun the process of disengagement in Pangong Tso area.

Body

Main provisions of recent agreement on disengagement at the Ladakh border –

- India will move its troops back to Finger 3, while China will move back to Finger 8 along the peaks surrounding Pangong Tso Lake in Eastern Ladakh.
- The agreement also entails that any structures that had been built by both sides since April 2020 in both north and south bank area will be removed and the landforms will be restored.
- There is also a moratorium on patrolling in this area until resumption is discussed by both sides through diplomatic and military talks.
- Once complete disengagement is achieved at all friction areas, both sides will undertake de-escalation along the LAC.

Disengagement is a welcome step due to following reasons –

- Triumph of peaceful bilateral dialogue: Even after violent Galwan clash, both sites realized potential of peaceful bilateral dialogue. It took 9 rounds of talks to come up with current disengagement understanding.
- Preventing a costly affair: Heavy troop and equipment deployment in difficult terrain and extreme climatic conditions put heavy cost. Thus current agreement prevents not only economic drain but also saves lives of personnel.
- It provides opportunity to discuss and resolve other standoffs especially Depsang plains. Even long standing sticky issues like demarcating Line of Actual Control (LAC), etc. can be discussed for a long term and sustainable peace.

However, India needs to be more cautious now due to following reasons –

- 1962 experience: in July, 1962, the then Prime Minister Jawaharlal Nehru had welcomed the 'partial' withdrawal of Chinese troops from Ladakh. However, China invaded Indian territory barely three months later in a blatant act of betrayal.
- Galwan conflict: The Galwan Valley clash that killed 20 Indian soldiers on 15 June, 2020. It had taken place during a verification process after both sides had agreed to disengage from the location. Thus, India needs to maintain cautious approach while current disengagement as per the agreement.
- Other pending standoffs: standoff in Depsang Plains, Hot Springs, Gogra, Charding Ninglung Nallah junction in Demchok sector, etc. are not part of the current disengagement plan. Though not tense currently but they need an amicable resolution to prevent future escalation.
- Restrictive terms of disengagement: As per agreement Indian troops cannot patrol in area between Finger 4 to Finger 8, which Indian troops patrolled before the standoff. Thus, as per current disengagement process nothing stops the Chinese from coming back later.
- Heavy troop deployment: China and India has deployed more than 50000 troops in the standoff region. Understanding on withdrawal of troops is still pending and continues to be a major reason of worry.

- Apprehension of conflict in other areas: Still, there is confusion over the reason for current stand off by Chinese side and also no clarity on why disengagement now, why not earlier or later. Thus, many analyst fear of unknown Chinese activities possibly in Indo-Pacific region, on Sikkim-Arunachal border and on Western border especially in CPEC area.

Conclusion

The 1962 experience lies at the heart of the apprehensions about Chinese intentions, where China used deception and smokescreen to mount a full-frontal attack on India at multiple locations. Thus, India needs to maintain firm resolve and seek 'distrust and trust but verify' approach while dealing with China.

28. Examine the provisions with respect to the nomination of members in both the houses of the Parliament.

Approach

In short, we have to mention provisions related to the nomination of members in both the houses of the Parliament. Further, we need to establish the key facts and issues related to these provisions.

Introduction

Article 80 and 331 of Indian constitution deal with the provisions related to the nomination of members in Rajya Sabha and Lok Sabha respectively. In recent times, the President of India nominated Ex-Chief Justice of India as a member of Rajya Sabha under Article 80.

Body

The provisions related to the nomination of members in both the houses of the Parliament –

- Article 80 empowers President of India to nominate 12 members of the Rajya Sabha from people who have special knowledge or practical experience in art, literature, science and social service.
- Article 331 dealt with the nomination of two members from the Anglo-Indian community if the community was not adequately represented in the Lok Sabha. This provision was removed under the 104th Constitutional Amendment Act, 2019.
- The nominated members become disqualified for being a member of the House if he joins any political party after the expiry of six months from the date on which he takes his seat in the house.

The nomination process was intended to satisfy following objectives –

• Inclusive representation: Representation to Anglo-Indians and eminent persons made Parliament more inclusive and representative.

• Diversifying political discourse: Eminent persons from varied fields highlighted issues of their respective fields. They brought experience and expertise to the houses. E.g.: Sachin Tendulkar (Sports), Javed Akthar (Film & Music), etc.

• Enhance policy making: They provide relevant inputs to policies and make policy making more informed.

• Patronage and Promotion: Encouragement and motivation to fields of art, science, literature etc.

However, these provisions with novel intentions have following issues –

• Skewed approach: Nomination members from a specific community and expertise cause neglect of other needy communities and expertise. E.g.: Jews, Parsi, etc. are in minority and have minuscule or no representation.

• Lack of transparency in nomination procedure cause allegations of favouritism, nepotism, etc.

• Pulled into party politics: Joining a political party before six months puts nominated member under the Whip of the concerned political party. This defeats the very purpose of nominating members to the houses.

• Lack of attendance and participation in debates: Below average attendance and asking few questions highlight inefficient use of important political platform. E.g.: Performance of Sachin Tendulkar, actress Rekha attracted huge criticism.

• Bad precedent: Nomination members from judiciary (ex-CJI Ranjan Gogoi,etc.), civil services, religious figures etc. impact sanctity of concerned institutions.

• Till date no bill has been initiated by the nominated members

• Nominated members especially eminent persons prioritise commitment to their personal engagements instead of Parliamentary sessions

Conclusion

Nomination of members in both the houses of the Parliament has contributed in diversifying India's political discourse. However, the process of nominating members needs to be reviewed; it needs to be more transparent and democratic to strengthen India's democratic polity.

29. What are your views on the frequent disruption of parliamentary proceedings? Shouldn't there be a strict law to curb such disruptions? Critically comment.

Approach

Candidates are expected to write views on disruptions of parliamentary proceedings and comment on whether there is requirement of law to curb such disruption.

Introduction

Parliament is the highest law making body in the country. In addition to its legislative function, it keeps a check on the functioning of the government and passes the country's budget. As a representative institution, it also highlights important issues being faced by the people. These responsibilities have been entrusted to both Houses of Parliament by the Constitution. The fulfilment of this mandate is dependent upon the effective participation of Members of Parliament (MPs) in its proceedings.

Body

The members of the parliament have been vested with the freedom of speech and expression. As the very essence of our parliamentary democracy is a free and fearless discussion, anything said by them expressing their views and thoughts are exempted as per Article 105 of parliamentary privileges from any liability and cannot be tried in the court of law. But these causes disruption and obstacles to legislative process.
Frequent disruptions of parliamentary proceedings:
•   In the last decade, MPs have raised slogans, snatched papers from ministers and used pepper spray in the House. During this session, both houses witnessed coordinated sloganeering and display of placards. MPs threw paper planes and a protesting MP, dressed in costume as a former chief minister, and played music to disrupt the house.
•   In most cases, disorders in the House arise out of a sense of frustration felt by members due to lack of opportunities to make his point, or clear his chest of grievances of the people that move him or out of the heat of the moment. They are perhaps easier to deal with. What is more difficult to tackle is planned parliamentary offences and deliberate disturbances for publicity or for political motives.
•   Disruptions have become an endemic feature of the functioning of the Indian Parliament. This has led to waste of taxpayers' money on a perpetually disrupted and consequently, non-functioning Parliament; second, the legislative paralysis that has stultified governance.
•   Accordingly, ruling governments may, in some cases, schedule the transaction of business of each Session in such manner so as pave the way for greater disruptions in Parliament. Such disruptions make it impossible for the Speaker/Chairman to conduct the Question Hour/Zero Hour, and, in some sense, allow governments to avoid answering questions that are posed to them.
Stricter law to curb disruption:
•   New stricter law to check disruption of Parliament proceedings and stop members from frequently entering into the Well of the House and shout slogans, a phenomenon which has kept the transaction of crucial legislative business at bay in many sessions.
•   Stricter law with harsh provisions can stifle the freedom of MPs therefore there is need to have a "Code of Conduct" for members of Lok Sabha, Rajya Sabha, State Assemblies and Councils to minimise disruptions in the House especially relating to suspension for entering and protesting in the well of the House.
•   With code of conduct on lines 'Parliamentary Disruption Index' can be used to assess. It can draw a distinction between genuine interruptions which raise issues of national importance and seek to engage members, from different political parties, in

a healthy debate, from disruptions, which are made simply to stall the smooth and efficient functioning of the House(s).

• To address this, the parliamentary sessions may be structured on similar lines as in the UK and USA, where the opposition parties get the opportunity to lead discussions. At least one day per week, preferably a Monday so as to reduce incidents of disruptions during the rest of the week, must be allocated towards discussions that are led by the members of the opposition parties.

• The Ethics Committees may also be vested with the power to specifically publish information on disruptions, including names of MPs who disrupt the most, on a periodic basis as well as a record of complaints and enquiries relating to disruptions.

• Thus, the application of the law of defection by convention should only be when a MP votes against the party whip on a no-confidence motion or a finance bill. For ordinary legislative activity as well as non-legislative activity (where whips are issued), a contrary vote should not attract the anti-defection law.

• However, little attention has been paid to what the underlying causes for such disruptions are. More crucially, very little writing has focused on why MPs, envisaged as the embodiments of responsiveness to their constituents, have continued to disrupt Parliament, and been immune to popular criticism.

Conclusion

Parliamentary debates are recorded for posterity. They offer an insight into the thinking of our elected representatives. Disruptions ensured that no such insights are available to future generations. An inscription on top of the gate of the inner lobby of the Lok Sabha reads: "Truth has been said to be the highest duty." When we look at the work done by the Parliament in many disputed sessions, our MPs might have fallen short of their constitutional duty.

30. What are the key considerations that attract foreign investors to a country? Discuss. What are the recent initiatives taken by the government to increase the? inflow of foreign investment in the country? Examine.

Approach

First discuss the key considerations that attract foreign investors to a country (to discuss means to use your skill at reasoning, backed up by deliberately selected evidence to make a case for and against an argument) then examine the recent initiatives taken by the government to increase the inflow of foreign investment in the country (examine means to inspect something in detail and investigate the implications)

Introduction

Foreign direct investment (FDI) means companies purchase capital and invest in a foreign country. For example, if a US multinational, such as Nike built a factory for making trainers in India; this would count as foreign direct investment.

Body

THE KEY CONSIDERATIONS THAT ATTRACT FOREIGN INVESTORS TO A COUNTRY
The main factors that affect foreign direct investment are:

- Wage rates: A major incentive for a multinational to invest abroad is to outsource labour-intensive production to countries with lower wages.
- Labour skills: Some industries require higher skilled labor, for example pharmaceuticals and electronics. Therefore, multinationals will invest in those countries with a combination of low wages, but high labor productivity and skills.
- Tax rates: Large multinationals, such as Apple, Google and Microsoft have sought to invest in countries with lower corporation tax rates.
- Transport and infrastructure: Key factors in the desirability of investment are the transport costs and levels of infrastructure.
- Size of economy / potential for growth: Foreign direct investment is often targeted to selling goods directly to the country involved in attracting the investment. Therefore, the size of the population and scope for economic growth will be important for attracting investment.
- Political stability / property rights: Foreign direct investment has an element of risk. Countries with an uncertain political situation will be a major disincentive. Also, economic crisis can discourage investment.
- Commodities: One reason for foreign investment is the existence of commodities.
- Access to free trade areas: A significant factor for firms investing in Europe is access to EU Single Market, which is a free trade area but also has very low non-tariff barriers because of harmonization of rules, regulations and free movement of people.
- Exchange rate: A weak exchange rate in the host country can attract more FDI because it will be cheaper for the multinational to purchase assets. However, exchange rate volatility could discourage investment.

THE RECENT INITIATIVES TAKEN BY THE GOVERNMENT TO INCREASE THE INFLOW OF FOREIGN INVESTMENT IN THE COUNTRY

- Measures taken by the Government on the fronts of FDI policy reforms, investment facilitation and ease of doing business have resulted in increased FDI inflows into the country. The measures include:
- The Central Government amended FDI Policy 2017, to permit 100% FDI under automatic route in coal mining activities in 2019.
- The government clarified that investments in Indian entities engaged in contract manufacturing is also permitted under the 100% automatic route provided it is undertaken through a legitimate contract.
- Further, the government permitted 26% FDI in digital sectors. The sector has particularly high return capabilities in India as favourable demographics,

substantial mobile and internet penetration, massive consumption along with technology uptake provides great market opportunity for a foreign investor.

- Foreign Investment Facilitation Portal (FIFP) is the online single point interface of the Government of India with investors to facilitate FDI. It is administered by the Department for Promotion of Industry and Internal Trade, Ministry of Commerce and Industry.
- Contract manufacturing Production of goods by one firm, under the label or brand of another firm is another initiative taken by government for the same.

Conclusion

Foreign Direct Investment (FDI) is a major driver of economic growth and an important source of non-debt finance for the economic development of India. It has been the endeavour of the Government to put in place an enabling and investor friendly FDI policy. The intent all this while has been to make the FDI policy more investor friendly and remove the policy bottlenecks that have been hindering the investment inflows into the country. The steps taken in this direction during the last six years have borne fruit as is evident from the ever-increasing volumes of FDI inflows being received into the country. Continuing on the path of FDI liberalization and simplification, Government has carried out FDI reforms across various sectors.

31. The possibility of a 'two-front' war with Pakistan and China is the most significant security threat for India. Do you agree? Critically comment.

Approach:

Students are expected to write the both sides, is the two-front war possible or not. In the second part, they should write how big a threat is it for India to manage. And then they should write about the challenges India would face both militarily and diplomatically to tackle the war. The question needs both the sides to provide a balanced view-point.

Introduction

During the recent clash with China on LAC, as the Chinese military appeared to be escalating their aggressiveness beyond Galwan to Pangong Tso, there were apprehensions that continued escalation could reach a state of general war on two fronts. That while India is being pressed by China, Pakistan would seize the opportunity to attack Kashmir. There are, however, a huge number of reasons why this escalating two front scenario is logically untenable.

Body:

Significant threat to security of India
- The incidents at Galwan Valley and other hotspots in Ladakh triggered the experts to urgently consider the two-front war as a possibility. The way the

military build-up continued, the rising stridency in competing claims, the contracting politico-military and diplomatic space for any kind of compromise, it appeared that the two countries are inexorably stumbling, bumbling and blustering towards a conflict. It was thought that the next clash could involve shots being fired in anger, and from there it is anyone's guess how much things would have escalated. However the localised conflict burned itself out as quickly as it started. But it is just as likely that it moves up the escalation ladder into a limited conflict which then snowballs into something bigger involving politico-economy across or even all the sectors along the LAC.

- The one thing India must factor in any calculation about a possible conflict in the Eastern front is the eminent possibility of the Western front also becoming active. Given the strategic collusion between China and Pakistan, it is a virtual no-brainer that if a shooting match starts between India and China even post disengagement, the Chinese will direct the Pakistanis to jump into the fray.

- For their part, the Pakistanis who are already seething over the constitutional changes made in the erstwhile state of Jammu and Kashmir, this will be seen as a golden opportunity to even the scores with India. The Pakistanis know that on their own there is no way they can launch a successful military operation to snatch Kashmir. Diplomatically and politically, their raving and ranting has got little traction. Their best hope is to catch India in a pincer – China on one side, they on the other – make some territorial gains in Kashmir. This means that India must be prepared for fighting on two fronts and not just one if things go downhill with the Chinese.

- Since the 1980s, China's policy on Kashmir had evolved from a strong pro-Pakistani stance to a more balanced one between Pakistan and India. Beijing's diplomatic support for internationalizing the Kashmir issue in the United Nations had also diminished over time, including during the 1999 Kargil War between India and Pakistan. But by upsetting the status quo and embracing confrontational rhetoric in August 2019, Modi's government compelled China to take a more forceful official posture on territorial disputes. As a result, India's nightmare scenario — a two-front conflict with China and Pakistan simultaneously — has become a reality. What's more, it is in fact facing a two-and-a-half front challenge against China in the north, Pakistan in the west, and an insurgency in Kashmir.

- Pakistanis won't be so foolish as to jump into this war. But the fact is that the Pakistanis have always been foolish enough to underestimate India, time and time again. Therefore to imagine they will not once again give into to their foolishness, and will resist the temptation to damage India is really expecting the moon. Even the fact that the Pakistan economy is broke and has foreign exchange reserves of only $10 billion (all of it borrowed money) will not dissuade it. But if the situation on the LAC deteriorates, then India should brace for at least scaled up forays from the Pakistani side.

Two-front war is untenable

- In the Indian military's thinking, while China was the more powerful, the chance of a conventional conflict breaking out was low.

- Yes, a two-front war is a definite possibility in the Indian context nevertheless, the war envisaged, would be very difficult to coordinate and execute by the opponents. The worst-case scenario for India is, both, the western as well as eastern fronts being attacked simultaneously, thus forcing her to divide the war efforts. Any more coordinated effort by the enemies would require centralised command and control structures, aka WW II, which is envisaged not to be a possibility in the present situation.
- India-US alliance could be a threat to China's oil imports, presumably in the Indian Ocean. So it would seem that if the opinion of the CMC is reflected in Chinese public debate, both countries are wary of an escalation to a two front war.
- Lastly, the likelihood of Pakistan attacking India – even an India engaged in the Northern border – is very remote. In war games with Pakistan with Pakistani participants, Islamabad has seemed more concerned with the nuclear threshold in a defensive war with India, and the quandary of dealing with India's superior Navy and Air Force.

Challenges and Preparedness.

- Bereft of centralised command, the efficacy of a two-front attack and maintenance of the aim is diluted, giving India the edge. For India, it would now mean breaking down the war into three distinct major geographical theatres viz. the west theatre, encompassing the borders and sea we share with Pakistan, the north theatre, encompassing the border regions of Ladakh down south to the north western edge of Nepal and the north-eastern theatre, encompassing border regions from the south-east of Nepal to all the way up to Arunachal and further down towards the south. Airpower which paves the way for all modern campaigns, need to match up to the challenges on all three fronts.
- Interestingly, in the context of traditional air warfare, Pakistan stands at a better position to threaten India, than China would. Adequacy of airbases all along the border and a tight network of air defence system provide Pakistan just the required platform for an ideal offensive and subsequent defence. China whereas, all along its area of interest, lacks adequate airbases, the few they have are at very high altitudes, penalising the take-off requirements and all up weight performance.
- China has an arsenal of 2500 +, the surface to surface missiles of varying ranges and CEP (circular error of probability), with conventional warheads, which it would most certainly use against India in the opening wave.
- Reports by India's constitutionally mandated auditor have highlighted that stocks of 55 percent types of ammunition were below the "minimum acceptable risk level" meant to last 20 days of warfighting. More alarmingly, stocks of 40 percent types of ammunition were not sufficient for even 10 days of intense warfighting.

Conclusion:

Indian military officials have for long maintained that the armed forces are prepared for a two-front contingency. That moment of truth might be just around the corner. Even if the immediate crisis with China gets resolved, it should now be very clear that both India and China are now closer to a hot war than they have been in nearly half a century. Whenever that war happens – most probably within the next couple of years – India will almost certainly be fighting on two fronts. To prepare for such an eventuality, apart from beefing up its offensive capabilities, India needs to change its war doctrines, including its nuclear doctrine, to deter the enemies.

32. What are the executive powers of the President? Discuss. What are the limitations on exercising the executive powers? Explain.

Approach

We have to mentions important executive powers of the President. Further, we need put arguments for relevance of conferring such powers to President and also mention its limitations.

Introduction

Articles 52 to 78 in Part V of the Indian Constitution deal with the Union executive; from this Article 53 states that all the executive powers of the Union will be vested in the President of India and shall be exercised by him either directly or through officers sub-ordinate to him in accordance with this constitution.

Body

Executive powers of the President:

- Head of the Union: All executive actions of the Government of India are formally taken in his name. (Article 77)
- Make rules specifying the manner in which the orders and other instruments made and executed in President's name shall be authenticated.
- Make rules for more convenient transaction of business of the Union government, and for allocation of the said business among the ministers.
- Appointment of the prime minister and the other ministers. They hold office during his pleasure.
- Appointments: Appoint the attorney general of India and determines his remuneration. The attorney general holds office during the pleasure of the President.
- Appoint the comptroller and auditor general of India (CAG), the chief election commissioner (CEC) and other election commissioners, the chairman and members of the Union Public Service Commission (UPSC), the governors of states, the chairman and members of finance commission, and so on.
- Seek any information relating to the administration of affairs of the Union, and proposals for legislation from the prime minister.

- Require the Prime Minister to submit, for consideration of the council of ministers.
- Appoint a commission to investigate into the conditions of SCs, STs and other backward classes.
- Appoint an inter-state council to promote Centre–state and interstate cooperation.
- Administer the union territories through administrators appointed by him.
- Declare any area as scheduled area and has powers with respect to the administration of scheduled areas and tribal areas.
- Supreme Commander: As head of State, the President is the supreme commander of armed forces of India and is entitled to declare war or conclude a treaty.

These executive powers enable the President to:
- Preserve, protect and defend the constitution and the law of India.
- Provide continuum to India's administration and governance.
- Cause smooth and democratic transition of power.

Limitations on exercising the executive powers:

- Absence of real powers: Under parliamentary system President is only a symbol of the executive authority who acts on the aid and advice of the Council of Ministers headed by the Prime Minister. 42nd and 44th amendment acts made ministerial advice binding on the President.
- Lack of accountability: President cannot be sued for any executive action of the State. Article 361 states that judicial proceeding may be brought against the Government of India but not against the President.
- Discretionary powers: The Constitution does not contain any specific procedure for the selection and appointment of the Prime Minister. The President can act on his discretion while appointing the Prime Minister when no party has a clear majority in the Lok Sabha or when the Prime Minister in office dies suddenly and there is no obvious successor. This power may be used with political bias favouring certain political party or coalition.
- President has no say in appointment of AG, CAG, CEC, etc. as it is done on advice of council of ministers or committees. Hence, such appointments lack transparency in most of the cases.
- President has no removal powers to remove CAG and CEC.
- Recommendations of the commission appointed to investigate into the conditions of SCs, STs and other backward classes are advisory in nature.
- Inter-state council is not a permanent institution. It is a platform for deliberation with advisory recommendations and no enforceable mandate.

Conclusion

The President is the head of the Indian State and is the first citizen of India. His executive powers combined with legislative, judicial, financial, emergency powers enable him to act as the symbol of unity, integrity and solidarity of the nation.

33. Discuss the role and composition of the Cabinet Committee on Security (CCS).

Approach

It's a very straight forward question. Candidates are expected to write about cabinet committees and then discuss the role and composition of the cabinet committee on security.

Introduction

The executive in India works under the Government of India Transaction of Business Rules, 1961. This rules sets the establishment of cabinet committees. The Cabinet Committee are institutional arrangements to reduce the workload of the Cabinet and for smooth and convenient functioning of the government. They are based on the principles of division of labour and effective delegation.

Body

Cabinet Committee on Security:
- Cabinet committee on security undertakes major decisions with respect to the significant appointments in the security apparatus, issues of national security, defence expenditure of India etc.

Composition of Cabinet Committee on Security:
- Prime Minister, Minister of Defence, Minister of Home Affairs, Minister of Finance & Corporate Affairs and Minister of External Affairs. It is chaired by the Prime minister.
- The Prime Minister constitutes Standing Committees of the Cabinet and sets out the specific functions assigned to them. He can add or reduce the number of committees.
- Many time public servant and member from defence staff, a non cabinet member are also called upon by the committee to discuss and deliberate on important issues.

Role of Cabinet Committee of Security:
- It also facilitate in-depth examination of internal and external security policy issues and effective coordination.
- Committees facilitates efficient utilisation of time and Human Resource's with defence staffs and personnel by assigning the tasks and duty on broad contours of security of India.
- Discussing the issues concerning international deals that impact India's security. The political issues revolving around the nation's security. Evaluating the need for the national security apparatus and bringing in desired changes to enhance national security.
- They help in safeguarding principle of collective responsibility on Security matters. It also helps in facilitation of utilisation of ministerial expertise. For

example MEA S. Jaishankar having expertise on external issues helps in assessing impact of changing geopolitical status on Indian security.

- The Committee deals with issues relating to law and order, internal security and policy matters concerning foreign affairs with internal or external security implications.
- It considers issues related to the Department of Defence Production and the Department of Defence Research and Development, Services Capital Acquisition plans and schemes for procurement of security-related equipment. And considers all cases involving capital expenditure of more than Rs. 1000 crores.
- It also considers all matters relating to atomic energy and nuclear weapons related matters.
- It will review the manpower requirements relating to national security and setting up new structures to deal with security-related issues.
- For example recently, the Cabinet Committee on Security has approved the setting up of a new National Security Directive on the telecommunication sector. It aims to classify telecom products and their sources under the 'trusted' and 'non-trusted' categories.
- The Cabinet Committee on Security approved the creation of a chief of defence staff (CDS), who will be the single-point military adviser to the government.

Conclusion

The cabinet committees wield real power of decision on important general policy matters. It device enables ministers to bargain and compromise with each other and this reduces pressure of work upon the cabinet. Consequently, the cabinet is left free to devote itself to more important matters. The committee system safeguards the principle of collective responsibility, which is an essential feature of the cabinet system.

34. Explain various writ jurisdictions. What role do writs play in protecting the Interests of citizens.

Approach- Question is straight forward. Candidate can start with the definition of the writ jurisdictions and then with the help of examples elaborate on the role they play in protecting rights of the citizens.

Introduction

Writs are a written order from the Supreme Court or High Court that commands constitutional remedies for Indian Citizens against the violation of their fundamental rights. Article 32 in the Indian Constitution deals with constitutional remedies that an Indian citizen can seek from the Supreme Court and High Court against the violation of his/her fundamental rights. The same article gives the Supreme Court power to

issue writs for the enforcement of rights whereas the High Court has the same power under Article 226.

Body

Types of writs in India
- The Supreme Court of India is the defender of the fundamental rights of the citizens. For that, it has original and wide powers. It issues five kinds of writs for enforcing the fundamental rights of the citizens. The five types of writs are:
1. Habeas Corpus
2. Mandamus
3. Prohibition
4. Certiorari
5. Quo-Warranto

Habeas corpus
- The Latin meaning of the word 'Habeas Corpus' is 'To have the body of.' This writ is used to enforce the fundamental right of individual liberty against unlawful detention. Through Habeas Corpus, Supreme Court/High Court orders one person who has arrested another person to bring the body of the latter before the court.
- The Supreme Court or High Court can issue this writ against both private and public authorities.
- Habeas Corpus cannot be issued in the following cases: When detention is lawful, When the proceeding is for contempt of a legislature or a court, Detention is by a competent court, Detention is outside the jurisdiction of the court.

Mandamus
- The literal meaning of this writ is 'We command.' This writ is used by the court to order the public official who has failed to perform his duty or refused to do his duty, to resume his work. Besides public officials, Mandamus can be issued against any public body, a corporation, an inferior court, a tribunal, or government for the same purpose.
- Unlike Habeas Corpus, Mandamus cannot be issued against a private individual.
- Mandamus can not be issued in the following cases: To enforce departmental instruction that does not possess statutory force, To order someone to work when the kind of work is discretionary and not mandatory, To enforce a contractual obligation

Prohibition
- The literal meaning of 'Prohibition' is 'To forbid.' A court that is higher in position issues a Prohibition writ against a court that is lower in position to prevent the latter from exceeding its jurisdiction or usurping a jurisdiction that it does not possess. It directs inactivity.

- Writ of Prohibition can only be issued against judicial and quasi-judicial authorities. It can't be issued against administrative authorities, legislative bodies and private individuals or bodies.

Certiorari
- The literal meaning of the writ of 'Certiorari' is 'To be certified' or 'To be informed.' This writ is issued by a court higher in authority to a lower court or tribunal ordering them either to transfer a case pending with them to itself or quash their order in a case. It is issued on the grounds of an excess of jurisdiction or lack of jurisdiction or error of law. It not only prevents but also cures for the mistakes in the judiciary.
- Pre-1991: The writ of Certiorari used to be issued only against judicial and quasi-judicial authorities and not against administrative authorities
- Post-1991: The Supreme Court ruled that the certiorari can be issued even against administrative authorities affecting the rights of individuals. It cannot be issued against legislative bodies and private individuals or bodies.

Quo-Warranto
- The literal meaning of the writ of 'Quo-Warranto' is 'By what authority or warrant.' Supreme Court or High Court issues this writ to prevent illegal usurpation of a public office by a person. Through this writ, the court enquires into the legality of a claim of a person to a public office.
- Quo-Warranto can be issued only when the substantive public office of a permanent character created by a statute or by the Constitution is involved. It can't be issued against private or ministerial office.

Role of various writs
- In civil or criminal matters, the first remedy available to an aggrieved person is that of trial courts, followed by an appeal in the High Court and then the Supreme Court.
- When it comes to violation of fundamental rights, an individual can approach the High Court under Article 226 or the Supreme Court directly under Article 32.
- The Supreme Court is empowered to issue writs, including habeas corpus, mandamus, prohibition, quo-warranto and certiorari for the enforcement of the fundamental rights of an aggrieved citizen.
- In this regard, the Supreme Court has original jurisdiction in the sense that an aggrieved citizen can go directly to the Supreme Court, not necessarily by way of appeal.
- However, the writ jurisdiction of the Supreme Court is not exclusive. The High Courts are also empowered to issue writs for the enforcement of the Fundamental Rights.
- Writ jurisdictions play a vital role in ensuring justice for the aggrieved citizen. To ensure fundamental rights writ are necessary instrument which empower citizens.

Conclusion

Writs are essential to enforce not only fundamental rights but also useful for other purposes i.e. enforcement of an ordinary legal rights. They empower citizens to directly approach highest court in case of violation of FR's. Right to constitutional remedies is ensured by various writs

35. Discuss the evolution of the tool of public interest litigation (PLI) in India.

Approach

Since the question is asking you to discuss, it requires you to use your skill at reasoning, backed up by deliberately selected evidence to make a case for and against an argument, or point out the advantages and disadvantages of a given context.

Introduction

PIL is generally instituted for the enforcement of the Constitutional and Legal Rights of the poor and Excluded groups as well as ensuring accountability of concerned government and public authorities towards issues of public importance. Persistent efforts by the NGOs and social action groups through PIL has, in many occasions, prompted the High Court Division to issue directives and orders that in turn addressed the socio-economic concerns of the poor and the marginalized groups.

Body

THE EVOLUTION OF THE TOOL OF PUBLIC INTEREST LITIGATION (PLI) IN INDIA

- To understand how PIL began in India, it is necessary to recognize the propitious conditions under which it arose. During the 1970s, a majority of Indians suffered from a severe lack of access to justice. Legal fees were prohibitively expensive to the extent that only the few could afford representation.
- The main reason why PIL has flourished in India is that the Constitution of India through its Fundamental Rights under Part III and the Directive Principles of State Policy under Part IV provides a framework to regulate the relation between the state and the citizens and also between citizens.
- The seeds of the concept of public interest litigation were sowed for the first time by Justice Krishna Iyer in Mumbai Kamgar Sabha v Abdul Thai. It was the case about the payment of bonus to the workmen of an industry. It was held that "public interest is promoted by spacious construction of locus standi in our socio-economic circumstances and conceptual latitudinarianism permits taking liberties in the individualization of the right to invoke the higher courts where the remedy is shared by a considerable number, particularly when they are weaker."

- Hussainara Khatoon v State of Bihar9 was one of the earliest cases on Public Interest Litigation which focused on the inhuman conditions of the prisons and under trial prisoners. The Supreme Court held that right to speedy justice is a Fundamental Right in matters which are in the larger interest of the public, and it comes within the scope of 'life' and 'personal liberty' guaranteed under Article 21.

- Subsequently, in S P Gupta v Union of India, a writ petition was filed under Article 226 of the Constitution by lawyers raising certain pertinent questions concerning High Court judges. The petition was maintainable because the lawyers practicing in the High Courts have an interest in the independence of the High Courts and speedy disposal of cases. Where the independence of the judiciary is threatened by illegal state action, the lawyers would be interested in challenging the constitutionality or legality of such action. This case paved the way for a new era of public interest litigation in India and it became a potent tool to enforce public duty which has otherwise been executed illegally resulting in injury to the public. This case was a precursor of public interest litigation in India.

- Justice Bhagwati emphasized the need for PIL in India and held that "if public duties are to be enforced and social collective "diffused" rights and interests are to be protected, we have to utilize the initiative and zeal of public-minded persons and organizations by allowing them to move the Court and act for a general or group interest, even though they may not be directly injured in their own rights".

- Moreover, where a petitioner moves the Court in his private interest to seek redressal for his personal grievances, the Court in furtherance of public interest may enquire into the subject matter of the litigation in the interest of justice. Thus, public interest litigation relates to the nature of the proceedings and no one particular forum is competent to deal with such litigation.

Conclusion

Public Interest Litigation which is also known as Social Action Litigation or Class Litigation has departed from the traditional system of litigation and brought about a legal system which involves initiating a legal action to enforce the interest of the public at large. Over the years it has become a potent tool for the poor, illiterate and underprivileged to have access to the Courts and seek judicial redress by filing an application under Article 226 to the High Court and Article 32 to the Supreme Court. Therefore, public interest litigation has democratized access to justice by relaxing the rule of locus standi. Thus, any public-spirited person or social activist or group can now approach the Court on behalf of a certain group or class of persons, especially the oppressed and marginalized.

36. The post of the governor is essentially an apolitical one. However in the recent times, the role Governors has come under a lot of scrutiny and criticism. Why? Discuss

Approach

We need to mention instance where governor has worked under political influence and also mention reasons for such politically influenced act of governor.

Introduction

Articles 153 of the Indian Constitution mention that there shall be Governor for each State. The Governor acts as the chief executive head of the state but during the last few years, the governors of Karnataka, Madhya Pradesh, Kerala, Maharashtra and West Bengal have played their roles in such a way as to make them highly controversial and politically motivated.

Body

The role of Governors has come under a lot of scrutiny and criticism due to following reasons -

- Selecting the chief minister: Misuse of situational discretion by governor in calling state representatives of political party ruling in Centre to form government. E.g.: Maharashtra governor appointing Chief Minister in early hours of morning.
- Determining the timing for proving legislative majority.
- Time in giving assent to bills or reserving bills for the President.
- Commenting adversely on specific policies of the state government.
- Exercising powers of the governor as the chancellor of state universities: As an outsider to the state, governor is mostly not conversant with local dynamics to handle the affairs of state universities. This has led to governor working on advice of local members of the party ruling at the centre. E.g.: Tussle between the Governor and Chief Minister of Maharashtra over cancellation of University examinations.
- Demanding information about day-to-day administration in a way to block state initiates is claimed to be politically motivated. E.g.: Lt Governor in Delhi, Governor of West Bengal.

Supreme Court in its judgment in the BP Singhal case in 2010, issued a clarification, that "Governor is the constitutional head of the state. He is not an employee or an agent of neither the Union government nor a part of any political team. Despite the criticism, governors continued to behave as political appointees who must obey the master's voice.

Recommendations made by various committees and commissions to make office of governor apolitical and more efficient -

- Fixed tenure in office for governor

- Chief Ministers of concerned states should be consulted before appointing a governor.
- In 1980s the BJP along with the left front government of West Bengal, suggested that the governor appointment should be made from a panel prepared by the state legislature and actual appointing authority should be the Inter-state Council.

Conclusion

Hence, rather than using the governor's office as an instrument for controlling state politics by exploiting his tenure insecurity or party loyalty, it is better for the country in the long run to respect such institution and to let the governor act on his sagacity and sound judgment.

37. Comment upon the clemency powers of the President. What are the restrictions on this power? Examine.

Approach

Candidates are expected to write about clemency powers of the president and comment on it. And then examine the restrictions on clemency powers of the president.

Introduction

A clemency is an act of mercy, forgiveness, pardon. The concept of clemency is an artefact of older times, of an age where an omnipotent monarch possessed the power to punish or remit any punishment. It became a symbolic attribute of a god-like king having control over his subject's life and death.

Body

Clemency powers of the president of India –

- Clemency is a broad executive power, and is discretionary which means the President is not answerable for his pardons, and does not have to provide a reason for issuing one with certain limitations.
- Under Article 72 of the Constitution, the President of India shall have the power to grant pardons, reprieves, respites or remissions of punishment or to suspend, remit or commute the sentence of any person convicted of any offence where the sentence is a sentence of death.
- Article 72 is about a very old but creatively renewed principle of a sovereign's prerogative to adjudge capital crime against the backdrop of its circumstances, not legalistically but civilisationally.
- Executive clemency exists to afford relief from undue severity or plain mistake in the operation or enforcement of the criminal law. The administration of justice by the Courts is not necessarily always wise or certainly understanding

of circumstances, which may properly alleviate guilt. It is a check entrusted to the Executive for special cases.

- Kehar Singh v. Union of India, the Court highlighted existence of a 'Pardon', by acknowledging the fallibility of human judgment being undeniable even in a supremely legally trained mind and therefore, any such errors can be remedied by entrusting power to a higher authority, which shall "scrutinise the validity of the threatened denial of life or the continued denial of personal liberty".

- The pardoning power of the president is not absolute. It is governed by the advice of the Council of Ministers. This has not been discussed by the constitution but is the practical truth. Further, the constitution does not provide for any mechanism to question the legality of decisions of President or governors exercising mercy jurisdiction.

Restrictions on the clemency power of president –

- Unlike the USA President, whose powers to grant pardons are almost unrestrained, the President of India has to act on the advice of the Cabinet. It is clear from the constitution that like other powers of the president, the power to pardon is also to be exercised on the advice of union cabinet which means the president yet again acts out as a rubber stamp fulfilling a prerogative as under the constitution.

- Epuru Sudhakar & Anr vs. Govt. Of A.P, it was held by the Supreme Court that it is a well-set principle that a limited judicial review of exercise of clemency powers is available to the Supreme Court and High Courts. Granting of clemency by the President can be challenged on certain grounds such as order is mala fide and order suffers from arbitrariness etc.

- As per Supreme Court it is a matter of performance of official duty. The power of executive clemency is not only for the benefit of the convict, but while exercising such a power the President or the Governor as the case may be, has to keep in mind the effect of his decision on the family of the victims, the society as a whole and the precedent it sets for the future.

- An undue exercise of this power is to be deplored. Considerations of religion, caste or political loyalty are fraught with discrimination.

- The court has earlier held that court has retained the power of judicial review even on a matter which has been vested by the Constitution solely in the Executive.

Conclusion

In the democracy the ultimate sovereignty lies with the people and through them vests with their representatives. Hence exercise of such power by the political executive by advising head of the state to grant pardon is legitimate. In India the processes have enough checks and balances but never the less more caution is needed to avoid political considerations and exigencies colouring the exercise of the powers of pardon as evident from the past experiences and cases

38. The office of the Comptroller and Auditor General (CAG) is one of the most vital Instruments of government accountability. Elucidate.

Approach

Candidate can give constitutional provisions of the office of CAG, and then elucidate on the role institution plays for the effective governance and accountability of the government.

Introduction

The Constitution of India (Article 148) provides for an independent office of the Comptroller and Auditor General of India (CAG). She/he is the head of the Indian Audit and Accounts Department. CAG is guardian of the public purse and controls the entire financial system of the country at both the levels–the Centre and the state.

Body

Constitutionally, Comptroller and Auditor General's Office has been mandated to enhance accountability of the Executive to the Parliament and State legislatures by carrying out audits in the public sector and providing out accounting services in the States in accordance with the Constitution of India and laws as well as best international practices.

Role of CAG as anti-corruption instrument –

- Article 148 of the Constitution provides for a CAG with the legal status of a Supreme Court judge.
- The CAG is sworn in under Article 148(3) to uphold the integrity of the nation.
- In order to preserve his independence, the CAG's expenses are charged (without vote) to the Consolidated Fund of India. He can be removed from office only under Article 124(4).
- It is the duty of the CAG to audit all receipts which are payable into the Consolidated Fund of India. The rules and procedures are designed to ensure an effective check on the assessment, collection and proper allocation of revenue.
- His duty is to uphold the Constitution of India and laws of Parliament in the field of financial administration.
- The accountability of the executive (i.e., the council of ministers) to the Parliament in the sphere of financial administration is secured through audit reports of the CAG.
- The CAG is an agent of the Parliament and conducts an audit of expenditure on behalf of the Parliament. Therefore, he is responsible only to the Parliament.

Accountability and role of CAG –

- CAG audit reports are handed over to the PACs i.e. Public Accounts Committee at the centre and at the state.
- Three CAG reports i.e. audit report on appropriation accounts, audit report on finance accounts and audit report on public sector undertakings are examined by PAC.
- At the central/state level, these reports are submitted by CAG to president/governor, who makes them to be laid in parliament/legislature. Here CAG stands different from other measures of accountability as the CAG reports are submitted to the executive.
- CAG also assists the committee in its deliberations by preparing a list of the most urgent matters which deserve the attention of the PAC.
- CAG also helps in making the actions of the committee clear to the witnesses and in making the action of the government clear to the committee.
- CAG position is sometimes one of interpreter and translator, explaining the officials' views to the politicians and vice-versa which in turn ensure accountability of the government.
- The responsibility of the CAG does not end here. He has to watch whether the corrective action suggested has been taken or not. In cases whether it has not been taken, CAG reports the matter to the PAC which will take up the matter.
- Hence, CAG stands as a keystone in the arch of constitutional measure of accountability where CAG not only represents the structure of accountability but also holds together the structure of accountability.

Challenges faced by CAG –

- The CAG mostly find his reports hitting the junk pile of government records in the absence of any provision
- There is neither deadline for the production of documents or replies nor any contempt proceedings for their denial.
- The CAG doesn't have the right to release these reports in the public domain if they are not presented in the legislature within a month of their submission.
- Nor can CAG enforce any of its findings by decree, akin to Parliament's Public Accounts Committee.
- Criticism of the CAG is rooted in uneducated opinion and deliberate suppression and/or obfuscation of facts. To that can be added the deep-rooted bureaucratic and political antipathy to accountability.

Conclusion

The CAG has already to some extent achieved what he set out to do, especially when it comes to redefining the role of the office and the public perception of auditors. Despite the severest limitations, the CAG still creditably survives in the defence of accountability, a knight in shining armour amidst the overwhelming rot. The office is a unique combination of knowledge, integrity, commitment and fearlessness.

39. What are the key issues related to electoral funding? What reforms would you Suggest to improve transparency in electoral funding? Discuss.

Approach

Since the question is asking you to discuss so you have to use your skill at reasoning, backed up by deliberately selected evidence to make a case for and against an argument, or point out the advantages and disadvantages of a given context.

Introduction

An electoral bond is like a promissory note that can be bought by any Indian citizen or company incorporated in India from select branches of State Bank of India. The citizen or corporate can then donate the same to any eligible political party of his/her choice. These bonds were introduced to ensure that all the donations made to a party would be accounted for in the balance sheets without exposing the donor details to the public.

Body

THE KEY ISSUES RELATED TO ELECTORAL FUNDING –

It is very surprising that electoral bonds are issued to ensure transparency in the political funding but the reality is totally different. The key issues include the following-

- Ever since the first issue of electoral bonds in March 2018, opposition against the move has gained momentum with some even accusing the union government of promoting a scheme which 'legalizes political corruption'.
- The objective of transparency in the political funding through electoral bonds remains a question as we do not know who is giving what to whom and what they are getting in return.
- Also, the other transparency issue is that only the government, through ministries, has access to this information.
- Removal of a cap on corporate donations that existed earlier—7.5% of three-year average net profit—enables businesses to make unlimited political donations without having to disclose the recipient's name.
- Since the identity of the donor has been kept anonymous, it could lead to an influx of black money. Thus, as far as utilising black money for electoral funding is concerned, that too will increase in this system.
- It is alleged allege that the scheme was designed to help big corporate houses donate money without their identity being revealed.
- According to civil rights societies, the concept of donor "anonymity" threatens the very spirit of democracy.

REFORMS TO IMPROVE TRANSPARENCY IN ELECTORAL FUNDING –

- The solution to this is setting up a national election fund where corporate houses and individual donors can contribute with 100% tax-free fund. The EC could be given the task of overseeing it. The money can then be divided among political parties mostly in kind and a part in cash
- There can be a system in which political parties are to be given money from the election fund in proportion to the number of votes that they have pulled in the previous election, then they would not be allowed to take money from anywhere else.
- There has to be a grand bargain that if you want to put public funding on the table, you're going to have to insist on much stricter norms and adherence to those norms by parties and candidates so that there should be a requirement that any funds raised be processed digitally.
- There has to be an independent third-party scrutiny of political party accounts.
- The EC has to be given greater power and authority to go after wrongdoers.

Conclusion

Political funding has been an expensive and opaque affair. Electoral bond is the NDA's attempt to curtail cash donations and political funding through banking channels. The fact that a donor has purchased bonds worth a specified amount and that parties have received specified amounts in aggregate, will become a record. Electoral bonds offer some element of transparency, though not full transparency. With the suggested reforms and with full disclosure and transparency, electoral bond can be a great way of political funding.

40. What are the constitutional bodies established to address issues arising out of India's federal structure? Explain.

Approach

Question is very straight forward in its approach, students are expected to mention the issues arising out of India's federal structure and how constitutional bodies in place address those issues, names of the constitutional bodies is important as explicitly mentioned in the question.

Introduction

Federalism is a system of government in which powers have been divided between the centre and its constituent parts such as states or provinces. It is an institutional mechanism to accommodate two sets of politics, one at the centre or national level and second at the regional or provincial level. In a federation system, there are two seats of power that are autonomous in their own spheres. Indian model of federalism is called quasi-federal system as it contains major features of both a federation and union. It can be better phrased as 'federation sui generis' or federation of its own kind. It is sometimes considered a quasi-federal system as it has features of both a federal

and a unitary system. Article 1 of the Indian Constitution states, 'India, that is Bharat, shall be a union of states'. The word federation is not mentioned in the constitution. Elements of federalism were introduced into modern India by the Government of India Act of 1919 which separated powers between the centre and the provincial legislatures.

Body

Issues arising out of India's federalism –

- Regionalism - It is considered one of the significant issues arising out of federalism in India. The pluralist character of India gives rise to many factors including regionalism. People from far northeast sometimes feel themselves at a formidable distance from New Delhi and people in southern part of the country with bigger states feel neglected having been within larger states. The agitations for Gorkhaland, Bodoland, and KarbiAnglong have been revived. This is apart from the new demands for a separate Vidarbha State in Maharashtra, and Harit Pradesh and Poorvanchal in Uttar Pradesh. The more the number of states the more the centre will be held hostage to state parties on matters of national importance.

- Division of Powers- The general principle underlying the division of powers is that all matters of national importance, e.g. defence, foreign affairs, railways, currency are allotted to the Central government while matters that are primarily of local or regional importance e.g., education, public health, police, local administration are assigned to regional governments. Some matters which require the involvement of both the centre and states like criminal law, forest, economic and social planning are assigned in the Concurrent List. However, in the case of conflict over the legislation on any of the subjects mentioned in the Concurrent List, the Centre supersedes the States.

- Unequal Representation of Units- With a view to preventing the evil of predominant influence of larger units over smaller units in a federation, most federations in the world have resorted to some constitutional mechanism like an equal representation of units or states in the Second Chamber and ratification of all amendments to the Constitution by states. In India, there is no such provision of an equal representation of states in the RajyaSabha, the Second Chamber and nor the states have any substantial say over the amendments done to the Constitution from time to time.

- Language Conflicts- Diversity in languages in India sometimes causes a blow the federal spirit of the Constitution. There are 22 languages constitutionally approved in India. Besides, hundreds of dialects are spoken across the country. Trouble arises when the strongest unit of the federation attempts to force a particular language on others. The tussle for official language in India is still a burning issue. The southern states' opposition to Hindi as the official language of India has led to deep-seated language crisis in India.

- Economic Incompatibilies of the units- Differences economic standards and relative economic and fiscal incompatibilities among the constituent states

also pose a threat to a federation. The forces of imbalances in the field are demands for economic planning and development and for regional economic equality and financial autonomy of states. Demand for a financial equality of a region creates problems in a federation.

Constitutional bodies and their role to address these issues –

- Article 263 of the Constitution provides for the establishment of the Inter-State Council. The Constitutional body is entrusted with the mandate, inter alia, to inquire into and advise on the issue of inter-state disputes and to coordinate on the matter of common interest to some or all states. It is an advisory and consensus-seeking forum. Being a body that guarantees full representation to each state, the Council has the potential to assure meaningful participation of the states.
- Article 280 of the constitution provides for the formation of finance commission to redress the vertical imbalances between the taxation powers and expenditure responsibilities of centre and the states respectively and equalisation of all public services across the states thus creation a level playing field for all the states in terms of their financial capacities thus ensuring a homogenous development of India as a whole.
- Article 279A Goods and services tax council a constitutional body for making recommendations to the union and stste governments on issues related to Goods and service tax thereby evolving a process of wider consultation and achieving uniformity and remove compartmentalisation in indirect taxation thus realising the future potential of India in which states will be the key stake holders in policy decisions.
- Article 262 also states that the parliament may provide for the adjudication of any dispute or complaint with respect to the use, distribution or control of waters thus creating an appropriate authority for the adjudication of river water disputes between states. In spite of being very slow in the adjudication of disputes it is still a finest mechanism to deal with such issues.
- Article 350B of the constitution provides for the the appointment of special officer for linguistic minorities to investigate all matters relating to the safeguards provided for linguistic minorities under the constitution thus creating an environment for multilingual society where every language is given a guaranteed protection.

Conclusion

The very birth of India as an independent nation-state signifies the fact that the Union of India was a necessary corollary and it was not a creation of agreement among its constituents. The framers intended to provide a sturdy centre keeping the sovereignty and unity and integrity in mind considering wide diversity and pluralism in India. Their intention has found meaning. But for a constitutionally strong Union, India would have already been fragmented into pieces since long back. The Parliament of India enjoys sole power for formation, reformation, alteration of boundaries of states in India.

Time and again divisive forces raise their ugly heads to secede from the Union. The Constitution, however, provides states with limited sovereignty for establishing a quasi-federal structure for the country. It did not intend to make India a unitary country with states functioning as municipalities and their survival dependent on the whims and fancies of the Union Government. The functioning of the Indian Constitution over the past 66 years doesn't establish a de facto unitary state. It is a fact that federalism has been going deep in India in tandem with global trends.

41. Examine the criticality of the private sector for achieving high growth for the economy.

Approach:

Students should write the importance of the private sector in the overall economic growth of the country. They should provide a brief historical account of how private sector has fared in the past, especially since LPG reforms. Multi-dimensional sectoral assessment and role of private players in each sector would bring a balance to the answer.

Introduction

The private sector's role in encouraging a country's growth and economic development cannot be overstated. Private enterprises are the chief agents in creating employment, providing funds, building competitiveness and driving innovation - all essential instruments for growth. The private sector, in particular, takes entrepreneurial risks, which is central to how it translates investments into wealth creation and income generation. This role takes on further significance in the current context, as rising uncertainties in a rapidly changing global landscape cause economic growth concerns, particularly for emerging nations like India.

Body

Criticality of Private Sector

- In the past, India has shown strong resilience in the face of global volatility and has continued to grow steadily, placing it among the world's fastest-growing economies. The Indian economy grew at a rate of 7 % in 2019-20 and was severely hit by the pandemic contracting it 7.7 %. The private sector has played a huge role in India's development and is largely responsible for the phenomenal growth registered by the country since the economy was opened up in 1991. Amidst the pandemic too, the role of private sector in India is paramount to revive and push the Indian growth trajectory to reach to the desirable level it always deserved.
- India has entered the 37-year period of its demographic dividend, which means the expansion of its working-age population will last until 2055. With a rapidly

changing employment landscape, including 11-12 million youth entering the labour force every year, jobs need to be created and effective skills initiatives put in place. The private sector plays a pivotal role in meeting this challenge.

• The private sector has strong links to higher investments in education and vocational training to bridge skill gaps in the economy, facilitating skills and training programs, creating partnerships with educational institutes and experts and, most importantly, creating a future-ready and talented workforce. India has more than 900 universities and 39,000 colleges of which 78% are privately managed. In addition, most large, private enterprises have created in-house training and skills programs to help build the capacities of young workers in line with industry needs

• Private investments by the corporate sector are critical to higher growth rates and economic development. More investment creates a multiplier effect in the economy by generating both direct and indirect employment, boosting consumption and fostering further development.

• The total gross capital formation in India as a proportion of GDP during 201718 stood at around 31%. The private sector, including small enterprises in the household sector, accounted for about two-thirds of this. Effective partnerships between the government and private sector in critical areas of infrastructure and long-term investments would expedite development.

• The private sector has the power to harness and use technology to unleash greater prosperity for the nation, but it is also responsible for ensuring that the benefits of technology reach all sections of society. A focus on affordable technology to allow equal access is imperative for inclusive development. Corporates are integral to fostering innovation and entrepreneurship and ensuring the future progress of an economy. Private sector investments provide necessary infrastructure that is sustainable, reliable, and can use modern technology to create new products and services. In most countries, the private sector plays the lead role in research and development spending, working with universities and institutions to translate new research into markets and crafting innovative business models and strategies.

• India has emerged as a significant player when it comes to converging technology and entrepreneurship. It is the second-largest start-up nation in the world, with more than 14,000 start-ups recognized under the Startup India scheme.

• Scarcity of natural resources and environmental degradation pose major threats to sustainable growth. Engaging the private sector has become critical to ensuring environmental efficiency through its greater adoption of cleaner, greener technologies and the adoption and sharing of best practices. The private sector's use of new technologies in sustainable production, while coming at some cost, will promote sustainability, efficiency and better use of inputs and raw materials.

Conclusion:

- Considering the valuations of the PSU and the private sector companies, only three PSUs-ONGC, PGCI and SBI are valued over 1 lakh crore. In comparison, HDFC, ICICI, Kotak Mahindra Bank, Reliance, Adani Green valuations are 5-6 times over these PSUs. The Sensex too values the performance over the relative role of the PSUs in the Indian Economy. With government contemplating to disinvest further, privatisation assumes even a higher role for the economic development of the country. India's push to improve on Ease of Doing Business Index, consolidation of Labour Codes, GST and framing of Insolvency and Bankruptcy are steps in the right direction, wherein the government feels to take in the minimum space in the major economic sectors and focuses on being the facilitator to Make for India and Make in India for a Atmanirbar Bharat.

42. What are the challenges and issues regarding the functioning of NGOs in India? Analyse.

Approach

Candidates are expected to write about the NGOs in India and then expected to write about the challenges and issues regarding the functioning of the NGOs in the India.

Introduction

As defined by the World Bank NGOs refers to not-for-profit organisations that pursue activities to relieve suffering, promote the interests of the poor, protect the environment, provide basic social services, or undertake community development.

Body

NGOs in India –

- The term NGO in India denotes wide spectrum of organisations which may be non-governmental, quasi or semi-governmental, voluntary or non-voluntary etc.
- These organisations are not a part of the government, have a legal status and are registered under the specific Act (Societies Registration Act, 1860 in India) of the government.
- Recently, the parliament has proposed some amendments to the Foreign Currency Regulation Act (FCRA), 2010. According to the government, these amendments aim to bring about transparency in the working of Non-Governmental Organisations (NGOs).

However, these new regulations put onerous conditions on NGOs, educational and research institutions that have partnerships, including of a financial nature, with

foreign entities. Let us analyse the Challenges regarding the functioning of the NGOs in India –

- The new FCRA provisions, especially the one that constrains NGOs from sub granting, threaten the spirit of collaboration in the country's development sector. This would undermine the flow of foreign funding and development aid.
- Apart from this, the proposed changes are not in sync with the ideals of environmentalism, human rights and civil liberties as these sectors receive most of the foreign contributions. Due to these issues, the International Commission of Jurists has said the new law was incompatible with international obligations and India's own constitutional provisions on rights.
- With recent Government of India crackdown on Greenpeace and several other NGOs coming under the scanner of Indian government, it is important for NGOs to achieve and maintain a high degree of transparency in not just their work but also their financials. NGOs need to keep their income and expenditure open to public scrutiny.

Issues regarding the NGOs functioning in India –

- Lack of Credibility: During the last few years, numerous organisations have mushroomed which claim to work for the cause of helping the poor.
- Under the garb of being an NGO, these NGOs often mint money from donors and are also involved in money laundering activities.
- Without serious intent: There is nearly one NGO for every 400 people in India. However, not every NGO out there is engaged in serious social welfare work. Many are fraudulent and many are there without much serious intent.
- Undermining Development Activities: A report by India's Intelligence Bureau accused NGOs such as Greenpeace, Cordaid, Amnesty, and Action Aid for reducing India's GDP by 2-3% per year.
- Lack of Transparency: India's disproportionate number of NGOs and the sector's lack of transparency and accountability is clearly an issue that needs reforms. Further the allegations of corruption against NGOs be ignored. In the past many NGOs were blacklisted after being found to have indulged in misappropriation of funds.
- Misappropriation of funds: Many NGOs don't have sophisticated finance and legal teams, nor do they have the funds to conduct audits.
- Unaccountable and undemocratic functioning: CBI records filed in the Supreme Court show that only 10% of the total registered NGOs under the Societies Registration Act file annual financial statements.

Way forward –

- A regulatory mechanism to keep a watch on the financial activities of NGOs and voluntary organizations is the need of the hour.

- A National Accreditation Council consisting of academicians, activist, retired bureaucrats should be made to ensure compliance by NGOs.
- The disruption caused by the COVID-19 crisis, is bound to have a deep impact on NGO funding. Therefore government should frame guidelines in the manner in which these organisations can revive there legitimate funding base.

Conclusion

The recent Centre for Policy Research survey found most of IAS officers surveyed considered NGOs and civil society as critical partners in the pandemic response. Thus NGO acts as social mediator within different levels of society by various agents to change social and behavioural attitudes within the prevailing social environment for achieving desired results of change in society.

43. In the development process, how critical is the role of non-government actors? Illustrate.

Approach

Candidate can define the non-government actors and then with the help of some examples and data, role in the development process can be stated.

Introduction

Non-state actors include organizations and individuals that are not affiliated with, directed by, or funded through the government. These include corporations, private financial institutions, and NGOs, as well as paramilitary and armed resistance groups.

Body

Importance of non-government actors –

- Globalization has increased the influence of the private sector with mixed results for the enjoyment of economic, social and cultural rights. The economic production of many of the world's largest corporations exceeds the GDP of many countries.
- Transnational corporations, with operations in various countries, wield enormous power (even over countries' domestic economic policies) that challenges traditional state-based mechanisms of accountability.
- Development does not only mean economic development but also includes promoting social equality, gender equality, improving quality of life etc., It is not possible for government alone to effectively undertaking such complex development activities.

- There is essentiality of other groups or organizations to support the government on various fronts. This essentiality paved way for the emergence of civil society. Non-Government organizations (NGOs) being a major arm of civil society thus have a crucial role in the country's development process.
- Social service is associated with India since ancient times. It is said that even Mahatma Gandhi after attaining independence wanted Indian National congress to be transformed into a Public service organization. Although such proposal was rejected, later many of staunch Gandhi followers did setup large number of voluntary orgs across various parts of the country to carry of the constructive works on Gandhian principles.

Development process and non-government actors -

- The GOI during the sixth Five year plan with its famous" GARIBI HATAO" slogan did recognize the importance of NGOs in the development process of India. In the seventh FYP, it gave a task of developing "self-reliance communities" to NGOs for promoting rural development. Later in the eighth FYP, government sought to promote nationwide network of NGOs.
- In its ninth FYP, it envisaged the primary role of in promoting PPPS in the country. The tenth FYP envisaged the need and importance of NGOS in developing agricultural sector by promoting awareness among the farmers about various modern farm techniques and government initiatives for their benefit. Moreover, government has also been promoting the development of NGOs through financial aid and assistance programmes.
- NGOs with the support given by the government has been accelerating its development activities by taking up specific issues like Poverty alleviation, child rights, caste stigma and discriminations, women rights, child labour, rural development, water and sanitation, environmental issues etc.
- In the last two decades the role of NGOs have become proactive in the social sector development-education, health etc. NGOs have played a crucial role in sending the school dropouts back to the school especially in rural areas thus upholding the Right to education.
- In health sector we can witness several institutes performing outstanding feat by providing last mile delivery of health services to the most backward regions in India, like SEARCH in gadchiroli district of Maharashtra. They were able to reduce child and maternal mortality by devising new techniques, which was later adopted all over India.
- The most highlighted success of NGOs could be seen in their achievement in influencing government to bring out various development-oriented policies and laws. Few of such laws and policies include: Right to Information, Integrated child development scheme(ICDS), Integrated child protection scheme(ICPS), MNREGA, Juvenile justice, Nirmal gram initiative, Rastriya swathya bhima yojna (RSBY)
- However, many NGOs in India have come under the red scanner and their functioning have to be seen with suspicion. This is majorly because of loss in credibility and lack of accountability with NGOs in India.

- The recent report of Intelligence bureau (IB) stated that-the working of few NGOs in the name of protests against the government activities have become detrimental to the nation development. It also mentioned that the protests of 'foreign funding NGOs' led to loss of 2-3% of country's GDP. The report has brought the discussions and debates about NGOs accountability into fore.
- It is true that NGOs must raise voice to protect the rights of people and protest but it is also equally important for them to provide the alternatives for the government to ensure development. Instead of blocking the foreign funds it is necessary for government to ensure further transparency in categorizing the NGOs based on their funds sources.

Conclusion

Non-government actors are essential part of development process as they ensure transparency and effective implementation of government policies. They can provide a viable and people friendly alternatives as they work on bottom up approach and represent voices of marginalised. As an effective form of pressure group NGO's are vital for democratic functioning of a nation but at the same time vigilance on non-state actors is important to protect national security and not get pressurised by external forces

44. What role do Panchayats play in the socio-economic development of rural India? How can their participation be made more effective and result oriented? Suggest.

Approach

Explain the role and suggest how their participation be made more effective and result oriented.

Introduction

The Panchayats are expected to play an important role in rural development in India, particularly after independence. Plan documents of both the central and state governments and various committees have emphasized the importance of these bodies in the polity.

Body

ROLE OF PANCHAYATS IN THE SOCIO-ECONOMIC DEVELOPMENT OF RURAL INDIA –

- The implementation of rural development programs through the Panchayat Raj institutions has a drastic change in the socio economic conditions of the rural people in the selected areas.
- The implementation of rural development programs has affected even the social and political affairs of the people of the selected area.

- In the economic front of the rural development programs have created an improvement in economic position of the selected area, as a result of implementation of rural development programs most of the people gain additional income.
- From the created assets which has resulted into deprivation in selected areas. After the implementation of rural developments programs, efforts have been made to strengthen village and cottage industries, as a result most of the people have become employed in various agriculture and allied activities like animal husbandry, sheep/goat rearing, handicrafts, small business and other activities. This has brought vigorous change in socio economic setup of the selected Gram Panchayat.
- The implemented rural programs like SJGSY, housing schemes and power schemes have created various gainful activities for poor in selected area to be placed above the poverty line.
- Furthermore in the newly built houses and provided power connection for houses, it indicates that there is a cumulative process for infrastructure development of rural area.
- As an exceptionally results some beneficiaries undergone losses of assets even by adopting rural development programs, but it is insignificant on other hand poor people who have not cover under the schemes are leading a measurable life.

SUGGESTIONS TO MAKE THEIR PARTICIPATION MORE EFFECTIVE AND RESULT ORIENTED –

- For India's Panchayati Raj system to be more effective, we need a new approach to training its three million elected representatives.
- A well-designed capacity building and training programme, done in a time-bound manner, with clearly defined outcomes, could be the key to filling that gap in effectiveness of panchayati raj.
- There should be a concrete state policy for capacity building and training of Gram Panchayat members in several states.
- There is a shortage in the number of qualified trainers, due to which not all GP members get to attend the required number of training sessions, or receive training on all required areas.
- Further, there are infrastructural gaps at training centres, such as absence of computers and satellite communication facilities, or poor amenities for residential training. Providing adequate resources to overcome these issues will make the participation of panchayat more effective.

Conclusion

The role of panchayat Raj institutions as instruments of rural reconstruction and development needs no emphasis. They have been reorganized with wider powers and financial resources not merely as institutions of political participation but institutions of social and economic development. Panchayat Raj has come to be associated with

two broad images. First, it is a government by itself and second it is an agency of the state government. In the integrated exercise of planning for social and economic development, co-ordinate roles, the present set up is a three-tier representative structure of government where the administrators, elected leaders and local population participate in the developmental effort.

45. Sri Lanka has immense strategic importance for India. Do you agree? Comment in the light of the evolving geopolitics in the Indian Ocean region.

Approach

Students are expected to write about the strategic importance of Srilanka for India in context of evolving geopolitics in the Indian ocean region, also it is important to mention about the challenges in the relationship between India and Srilanka and India's historical and cultural connect also needs to be briefly mentioned.

Introduction

Sri Lanka, an island nation in the Indian Ocean, is separated from India by the Palk Strait – a bare 22 miles of water. It is of prime importance for India's security and the security of the Indian Ocean. This island nation lies astride the major sea lanes of communication from Europe to East Asia and the oil tanker routes from the oil producing countries of the Gulf to China, Japan and other Pacific countries. In the military sense it is important to the United States as these same sea routes are used for transference of naval power from the Pacific Ocean to the Indian Ocean and the Gulf. India too has a vital strategic stake in Sri Lanka for her own security interests. An unfriendly Sri Lanka or a Sri Lanka under influence of a power unfriendly to India would strategically discomfit India. Sri Lanka is also strategically important to India in terms of her Indian Ocean strategy and in terms of networking of partners for her aims of establishing an Indian Ocean Rim Community.

Body:

Strategic importance of Srilanka for India –

- The relationship between India and Sri Lanka is more than 2,500 years old. Both countries have a legacy of intellectual, cultural, religious and linguistic interaction. In recent years, the relationship has been marked by close contacts at all levels. Trade and investment have grown and there is cooperation in the fields of development, education, culture and defence. Both countries share a broad understanding on major issues of international interest. In recent years, significant progress in implementation of developmental assistance projects for Internally Displaced Persons (IDPs) and disadvantaged sections of the population in SriLanka has helped further cement the bonds of friendship between the two countries.

- Sri Lanka has by and large been friendly disposed towards India despite the complications caused by the minority Tamils of Northern Sri Lanka involved in a long insurgency and terrorism demanding an independent state of Elam spearheaded by the LTTE. India too has in the past before the IPKF operations of the 1980s had on a number of occasion's extended military assistance to ward off security challenges to the Government of the day.
- To counter China, good relations with Sri Lanka and other countries in the Indian Ocean region are very essential. Therefore, strengthening multilateral organizations like SAARC, BIMSTEC (Bay of Bengal Initiative for Multi-Sectoral Technical and Economic cooperation) and IOR-ARC (Indian Ocean Rim Association for Regional Cooperation) is a necessity. Sri Lanka, being an important member of these organizations, can never be neglected or side-lined in the foreign policy.
- Sri Lanka has long been a priority destination for direct investment from India. Sri Lanka is one of India's largest trading partners in SAARC. India in turn is Sri Lanka's largest trade partner globally. Trade between the two countries grew particularly rapidly after the entry into force of the India-Sri Lanka Free Trade Agreement in March 2000. According to Sri Lankan Customs, bilateral trade in 2016 amounted to US $ 4.38 billion. Exports from India to Sri Lanka in 2016 were US$ 3.83 billion, while exports from Sri Lanka to India were US$ 551 million.
- Srilanka lies in the immediate vicinity of India and is strategically placed in the Indian ocean region which accounts for the most of the ocean trade thus its importance for India is a priority, Also in order to counter the the Chinese spread and string of pearls manoeuvre cooperation with Srilanka gains more prominence.
- As the US is becoming more involved in South Asia, the question of its impact on India-Sri Lanka relations is one worth considering. Maldives and the US recently signed a Defence Agreement "to deepen engagement and cooperation in support of maintaining peace and security in the Indian Ocean."
- Though the US has continued to bring attention to humanitarian issues and "urge progress on reconciliation" in its conversations with members of Sri Lanka's new government, the emphasis of its equation with Sri Lanka has shifted to the Indo-Pacific, crucially 'a free and open Indo-Pacific.' In this respect they see Sri Lanka as a valuable partner, one that "will contribute to regional stability and prosperity as a hub of the Indo-Pacific region." This is reflective of the changed reality of a current and post-pandemic world.

Challenges on this front –

- Grumbling Chinese assistance to neighbourhood is because the Chinese combine investments with politics. Therefore, more important is to find alternative approaches that could combat both Chinese approaches. It is because China will not stop monetary and political interventions to dominate the global and regional order. In recent years, China has extended billions of

dollars of loans to the Sri Lankan government for new infrastructure projects, which is not good for India's strategic depth in Indian Ocean Region.

- Fishermen issue-Given the proximity of the territorial waters of both countries, especially in the Palk Straits and the Gulf of Mannar, incidents of straying of fishermen are common. Indian boats have been fishing in the troubled waters for centuries and had a free run of the Bay of Bengal, Palk Bay and the Gulf of Mannar until 1974 and 1976 when treaties were signed between the two countries to demarcate International Maritime Boundary Line (IMBL). However, the treaties failed to factor in the hardship of thousands of traditional fishermen who were forced to restrict themselves to a meagre area in their fishing forays.
- India and Sri Lanka have agreed to set up a Joint Working Group (JWG) on Fisheries between the Ministry of Agriculture and Farmers Welfare of India and Ministry of Fisheries and Aquatic Resources Development of Sri Lanka as the mechanism to help find a permanent solution to the fishermen issue.

Conclusion

India-Sri Lanka relations will no doubt be shaped by the dynamic nature of international relations and great power rivalry. Some of the anti-China rhetoric coming from the US will die down post US elections in November 2020, though current tensions are not all cyclical. Certain structural challenges are likely to persist regardless of the US election results and these will have a long-term impact on US-China bilateral relations but importantly on the political dynamics in the Indian Ocean region. In the meantime, India should take cautious comfort in Srilanka's acknowledgment that Indian Ocean is of strategic importance and must remain a zone of peace.

46. Examine the role of democracy in economic development.

Approach

A simple and straightforward question where in the candidate needs to examine the role of democracy in economic development through multiple arguments and substantiation of the same.

Introduction

Democracy is a form of political system which provides agency to every stakeholder and is often held to be the ideal political system, conferring growth and prosperity on nations' citizens; however, this paradigm of thought has come under increasing debate. While many consider a positive correlation between democracy and economic growth, others have opined neutral or even negative impacts.

Body

Among the various systems of government, popular perception and contemporary trends hold 'democracy' to be the 'ideal'. In 1960, 39% of nations were considered to be a democracy; by 2010 that proportion had risen to 61%. However, the somewhat simplistic yet prevailing belief that democracy improves people's lives, and in particular their material wealth, has come under increasing scrutiny –

- Many studies have linked democracy with neutral or poor economic outlook owing to poor election practices, political gridlock, delays due to the checks and balances, politicians focused on their own re-election, and wealth redistribution through taxation, which they argue lowers the efficiency of wealth creation.
- However, regardless of the nature of the correlation between growth and democracy, the link between democracy and growth may in fact be tangential, and that it is the efficacy and stability of governing processes (i.e., policy making) rather than democracy itself that matters for economic progress.
- China enjoys its economic growth in the absence of liberalization reforms, and continues to play a major role in global economic development. Yet at the moment, China's economic growth is not conditioned by democratization.
- To make the leap to sustained economic growth, a developing country's government must be able to resist the pressures of special-interest groups, which are widely encountered in a democracy. Here, an authoritarian government is better placed to do this than a democratic one. E.g. – Rise of Singapore and other East Asian countries in the last few decades.
- Many studies have shown that the various measures of democracy do not have a statistically significant impact on economic growth. Instead, measures of the quality of institutions, political stability, openness, distance from the equator, and macro-economic policy exert a statistically significant effect on growth.

But at the same time, estimates suggest that a country that switches from non-democracy to democracy achieves about 20 percent higher GDP per capita over the past three decades. Here, democracy's intricate and inevitable links to economic development can be seen from the following points –

- There are many positive impacts in terms of the growth effects of democracy. Democracy allows people to replace governments that hinder economic output, provides predictability and stability, and promotes income redistribution, which in turn increases political stability and reduces extreme poverty.
- Countries that have democratized within the last 60 years have generally done so not at random moments, but at times of economic distress. That sheds light on the growth trajectories of democracies: They start off slowly while trying to rebound from economic misery.
- Also, if a country stays on a democratic path over an extended period of time, it develops economically, which helps further consolidate democracy, leading in turn to additional economic growth.

- Not only do democracies do better than authoritarian regimes, but their growth is also less volatile. Studies have found that volatility in economic growth was lower for democratic countries than for authoritarian countries.

Further, democracy helps in economic development of the following factors –

- Development that leads to significant and continuing improvement in the quality of life for the poor and the near-poor (that is, the majority of the population in most developing societies),
- development that serves to broaden the distribution of economic assets and incomes,
- development that leads to improvement in conditions of health and safety in the workplace,
- Development that leads to improvement in "quality of life" issues for all: improved access to health care, clean water, education development that leads to sustainable environmental change and resource use, and development that leads to improvement in gender equity over time.

Conclusion

Jagdish Bhagwati had opined, 'there is no "cruel dilemma" of nations being forced to choose between democracy and economic progress', which throws light on the all-inclusive nature of democracy but this is not to suggest that democracy is infallible and that it cannot be improved and made more effective. Ensuring that political democracy is practised robustly and contributes to capacity building and economic freedom is a continuous and on-going national endeavour. But democratic polity does offer a better framework, compared to autocracy, for economic progress.

46. A bureaucracy that is amenable to novel ideas and can adapt to new developments are essential for good governance. Comment.

Approach

Since the question is asking you to comment you have to express an opinion or reaction. It is important to pick out the main points/core and give one's opinion based on the information or the arguments originated from the reading. One should take a neutral ground and write facts and viewpoints.

Introduction

Since time immemorial bureaucracy has been the lifeline of any nation. It is responsible for translating the policies and programs formulated by the political authority. The quality of the citizen's life depends on the attitude and performance of bureaucracy. Moreover, in all walks of life of a person, bureaucracy plays a very significant role. There is no denying that an effective, efficient, flexible and responsive bureaucracy is a requisite to good governance. The competence of bureaucracy at all

levels determines the performance and efficacy of an administrative system. They should be bold, honest and assertive in the discharge of their responsibilities. They should not hesitate to give right advice to the political authority no matter whether they accept it or not. They are the "catalytic agents of change by virtue of their education and exposures".

Body

A BUREAUCRACY THAT IS AMENABLE TO NOVEL IDEAS AND CAN ADAPT TO NEW DEVELOPMENTS ARE ESSENTIAL FOR GOOD GOVERNANCE

- No civil service structure can be static in its character. It has to be dynamic and has to change with the times. As models of governance or politico-economic environments change, it has to adapt and re-engineer itself.
- Building in "redundancy," or excess capacity and back-up systems, can help protect core functions of government in times of crisis.
- Resilient bureaucracy proactively plans for a wide variety of emergencies yet maintain the adaptive organizational capacity to shift course quickly based on evolving needs.
- It can also help governments adapt to different working modalities such as home-based work, and authorize remote access to key information systems.
- The country has to ensure that rapid growth and welfare measures are inclusive for all sections of society. This necessitates an impartial, dynamic and accountable civil service which can ensure that these objectives are actually achieved.
- While coordination structures vary from one country to the next, what matters most for effective good governance is that their bureaucracy is amenable to novel ideas and their effectiveness in allowing government actors to align priorities, implement joint responses, support one another, and foster day-to-day information sharing.
- Flexibility and adaptation can exist even within rigid bureaucratic cultures. Flatter organizational structures, with devolved but clear decision-making authority, can promote resilience and an enabling environment for innovation and strategic action.

Conclusion

Bureaucracy is often considered to be rigid not lending themselves too well to adaptation but public administrations around the world are now under intense pressure to be flexible, as they work to contain the spread of the coronavirus (COVID-19) and mitigate its socioeconomic and health impacts. To quote Goethe, the great German writer "It is not enough to know; One must also apply. It is not enough to wish; one must also act." There is need for the civil service to change with the times, moving away from the mindset of a regulator to one of a facilitator.

47. How does transparency deter corruption? Illustrate.

Approach:

Candidates are expected to write about the transparency in the administration and the government. Also illustrate how the transparency deters the corruption.

Introduction

The term 'transparency' refers to the 'increased flow of timely and reliable information, which is accessible to all the relevant stakeholders'. In other words, transparency is the dissemination of regular and accurate information. It is about making decisions and actions visible and about sharing and disclosing the necessary information to the stakeholders involved.

Body

Transparency in Governance:
- Transparency in governance is the idea that the people have a right to know, what their government is doing, and the government has an obligation to provide that information. It means that the criteria, process and systems of decision-making are openly known to all in a public manner.
- Thus, transparency is about shedding light on rules, plans, processes and actions. It is about knowing why, how, what, and how much. It ensures that public officials, civil servants, managers, board members and businessmen act visibly and understandably, and report on their activities and it means that the general public can hold them to account.
- The declaration of Right To Information Act (2015) set the stage for transparency in the functioning of the government and its various agencies. Under this Act, access to information from a public agency has become a statutory right of every citizen.
- Corruption is a key driver of the growing inequality, persistent poverty and the exclusion of the most vulnerable from the gains of economic growth. Transparency deterring corruption:
- Open government increased disclosure of information and enhanced citizen participation in government decision-making is a powerful way to address the complex governance and corruption we have faced for so long.
- Promoting open government and empowering grassroots' communities to increase transparency and accountability at the local level and improve service delivery. Mitigating integrity risks which are cause of corruption in key sectors for human development such as water, health, education, and the judiciary.
- Citizen Charter is a voluntary and written document that spells out the service provider's efforts taken to focus on their commitment towards fulfilling the needs of the citizens prevents corruption in the organization.
- Transparency allows stakeholders to collect information that may be critical to uncovering abuses and defending their interests. Likewise, transparency

increases the accountability of Government officials both enhance the efforts against the corruption.

- Transparency makes sure that people know exactly what is going on and what is the rationale of the decisions taken by the Government or its functionaries at different levels maintains the propriety in the administration.
- However, sheer knowledge of what entitlements are, and who is responsible for fulfilling them, is also sufficient to ensure that public services are passably and effectively delivered to the 'intended' recipients and curb leakages and corruption.
- Greater transparency may bring about lower rates of political corruption because it can facilitate legal, administrative or electoral mechanisms of punishment. Formal and informal mechanisms of transparency and accountability encourage government officials to act in the public interest. Without public access to records of governance and other information, public resources may be squandered and mismanaged.
- E-Governance initiatives for providing transparency in administration include a framework for efficient handling of public grievances through the Centralised Public Grievance Redress and Monitoring System which is already in place.
- Major Initiatives to Enhance Transparency in India include – Right to Information Act, Public Services Bill, Citizens Charters, e-Governance, e-Bhoomi, e-Choupal, e-procurement.

Conclusion

Transparency is necessary to guarantee good governance. Information is valuable to the electorate for democratic processes to function successfully. Citizens have an interest in knowing about government actions and processes, allocation and redistribution decisions, market barriers and restrictions, tax and subsidy incidences and so on.

48. Should the civil servants be made accountable for the recent surge in COVID cases? Critically comment.

Approach

The candidate needs to comment on the aspect of whether civil servants should be held accountable for the recent surge in COVID cases in India and also critically comment on the aspect with proper substantiation.

Introduction

Almost overnight, the Coronavirus (Covid-19) pandemic has transformed the work and workplaces of the civil servants. Civil servants are playing a leading role in the response to the pandemic. Civil Servants are finding novel ways to design and channel unprecedented economic stimulus spending and manage severe spikes in unemployment.

Body

Recently, India's COVID tally climbed to 1,32,05,926 with a record spike of 1,45,384, according to the Union Health Ministry. There is no clarity on why the numbers are rising so sharply, with a section of people blaming the civil servants for the recent rise. Their arguments can be seen from the following points –

- Civil servants are important actors at the forefront of framing, implementing and evaluating the state's response to the pandemic, and uniquely positioned between the political executive and India's massive frontline state, which necessitates them towards being pro-active in controlling a pandemic.
- There was a lowering of guard and complacency in the approach of executive under civil servants, after the first wave of pandemic subsided. Poor implementation of mask and social distancing norms are a case in point. Allowing of Kumbh Mela in the middle of a pandemic can also point to failure of civil servants as well as executive, where the event risks turning into a super spreader event.
- Civil servants have control over the testing capacity and proactive testing approach would've helped in avoiding this massive surge. Consistently high TPR (Test Positivity Rate) in some states is a clear example of the same.
- Information dissemination by the authorities diminished as compared to last year, when there used to daily/weekly briefings, which helped in creating scientific awareness in media and public. Information regarding vaccines and newer variants, as well as COVID appropriate behavior was not effectively communicated to the larger public.
- Control over vaccine production and distribution is another factor where civil servants played a major role, which saw poor performance. Centralizing tendencies and red tapism led to slow roll out of essential vaccination drive, which would've curtailed the second wave.
- At the same time, it is important to remember that the abrupt and brutal disruption by the COVID-19 pandemic has thrown the public service and civil servants into a frenzy, forcing them to not only deal with fighting its spread but trying to manage its accompanying socioeconomic fallout. Here, the second wave's rapid spread has many other factors, some of which include –
- People not following COVID-19 protocol, including people not continuing with precautions even after being vaccinated, and a sluggish vaccination drive are responsible.
- A new factor is emerging mutants -- both imported and home-grown. Here, the UK strain is considered more virulent and is one of the reason for rapid spread.
- Flaunting of rules and protocols by the political executive, especially in election rallies and religious congregation, which involve huge crowds as well as capacity to spread virus far and wide.

- Population which escaped the first wave of pandemic is one of the reason for present rapid growth as earlier unaffected population provides a fertile ground for the virus and the spread in second wave shows similar pattern.
- During the Covid-19 pandemic, the civil service's role in India's governance and administration increased further. With most people including politicians staying home for their safety, the health, economic and social crises were handled by collectors/magistrates at the district level, chief secretaries at the states and union territories' level, and empowered groups of secretaries at the national level.
- Further, the Indian state and bureaucracy rose to the occasion and responded well in time of crisis, demonstrating capabilities to mobilize, motivate, innovate and communicate that are unfortunately missing in action in its routine functioning.
- The civil servants felt the autonomy given to them due to lack of political interference in administrative actions, and the consequent ability to deploy all resources to a single cause, enhanced their performance.
- Associations representing officers of central civil services, including the Indian Administrative Service (IAS) and the Indian Police Service (IPS), have formed an initiative called 'Caruna' to support and supplement the government's efforts in fighting coronavirus.

Conclusion

In the ongoing COVID-19 pandemic, civil servants are working under life-threatening circumstances where they are both expected to deliver services despite the pandemic while at the same time suffering its impact, either by being directly infected or having family members who are. Recognizing this fact becomes important as also the fact that civil servants are also the frontline warriors or COVID warriors and people to collaborate and co-ordinate to fight this virus menace to emerge victorious.

49. What are the key objectives of good governance? Also, discuss the principles of good governance.

Approach:

Candidates are expected to write about the good governance and its objective first and then discuss the principle of the good governance.

Introduction

According to a document released by the World Bank in 1992 titled, 'Governance and Development', good governance is an essential complement to sound economic policies and is central to creating and sustaining an environment which fosters strong and equitable development.

Body

Good governance:
The World Bank defines governance as 'how power is exercised in the management of a country's economic and social resources for development.'
Objectives of good governance:
To provide the foundation for a high-performing organisation the achievement of goals and sustainable success requires input and support from all levels of an organization.
To ensure the organisation is well placed to respond to a changing external environment business today operates in an environment of constant change.
To encompasses the processes by which organisations are directed, controlled and held to account. It includes the authority, accountability, leadership, direction and control exercised in an organisation.

Principles of the good governance:
- Consensus oriented: Consensus oriented decision-making ensures that even if everyone does not achieve what they want to the fullest, a common minimum can be achieved by everyone which will not be detrimental to anyone. For this, a proper understanding of the society's historical, cultural and social contexts is needed; along with sustainable human development.
- Participation: A vital cornerstone of good governance is participation by all sections of society. This includes men and women, vulnerable sections of society, backward classes, minorities, etc. Representative democracy does not necessarily translate into the representation of all people. This is where good governance comes into play.
- Transparency: This means easy access to information to all concerned and especially to those being affected by the decisions made. This also implies information is available to the media. Another important facet is that all decisions are taken and enforced in such a manner that all rules and regulations are followed.
- Rule of Law: Rule of law warrants that fair legal frameworks are implemented impartially. It also means protection of human rights. This also requires an adequate and impartial judiciary and police force.
- Responsiveness: This implies that processes and institutions should serve all stakeholders within a reasonable time frame.
- Equity and inclusiveness: Good governance assures an equitable society. In such a society, no one or no section feels left out and marginalized. Opportunities should be given to all irrespective of their backgrounds, and no one should be discriminated.
- Effectiveness and efficiency: Good governance implies that institutions and processes create results that meet the wants of society while making optimal use of resources at their disposal. This also encompasses the sustainable use of natural resources and the conservation of the environment.
- Accountability: This is a key trait of good governance. Accountability is not possible without the rule of law and transparency. Accountability should be

there not just for the government, but also for citizens, the private sector, industry, NGOs, and all stakeholders.

Challenges in India for pursuing the good governance:
- Criminalization of Politics: According to the Association of Democratic Reforms, 43% of Members of Parliaments of Lok Sabha 2019 are facing criminal charges. It is a 26% increase as compared to 2014.
- Centralization of Administrative System: Governments at lower levels can only function efficiently if they are empowered to do so. This is particularly relevant for the Panchayati Raj Institutions (PRIs), which currently suffer from inadequate devolution of funds as well as functionaries to carry out the functions constitutionally assigned to them.
- Corruption: According to the Corruption Perception Index - 2019 (released by Transparency International, India's ranking has slipped from 78 to 80.

Conclusion

There is a need to reformulate our national strategy to accord primacy to the Gandhian principle of 'Antyodaya" to restore good governance in the country. India should also focus on developing probity in governance, which will make the governance more ethical

50. Why good governance at the local level is imperative for the realization of national aspirations? Examine.

Approach-
 Candidate can define good governance and then outline the importance of grassroot level institutes in the process of realization of national aspirations.

Introduction

According to World Bank, good governance is defined as "the manner in which power is exercised in the management of a country's economic and social resources for development". It is participatory, consensus-oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law.

Body

What constitutes good governance?
- Consensus Oriented – Mediates differing interests to meet the broad consensus on the best interests of a community. Example: GST council- Centre and states together.

- Participation – People should be able to voice their own opinions through legitimate immediate organizations or representatives. Example: MP's, Pressure Groups.
- Equity and Inclusiveness – People should have opportunities to improve or maintain their well-being. Example: affirmative policies for women, children and backward classes.
- Accountability – Governmental institutions, private sectors, and civil society organizations should be held accountable to the public and institutional stakeholders. Example: elections.
- Transparency – Information should be accessible to the public and should be understandable and monitored. Example: RTI, Draft bills made public to get feedback.
- Responsiveness – Institutions and processes should serve all stakeholders, respond to their grievances. Example: GST council rationalizing tax structure and slew of measures keeping in mind MSME sector, PRAGATI Platform.

Importance of good governance at grass root level
- Panchayati raj institute was introduced after undergoing structural adjustment programme. India was under compulsion to introduce good governance.
- Good governance required transparency and accountability, which cannot be achieved without citizen centric governance.
- But there has been a massive failure of this experiment and the empowerment remains temporary without much financial powers to local levels.

Why local good governance imperative for realization of national aspiration?
- Grassroots involvement is important for social accountability. It helps in civic engagement to promote conservation and sustainable development.
- Deeper outreach of grassroots organizations and SHGs helps information dissemination easier. Moreover, most of them are women centric which provides opportunity to bring behavioral change.
- Grass roots governance would allow proper distribution of funds and resources of any scheme and would help in better implementation of laws and rules.
- Thus grass root governance can ensure effective strategies for conservation and development efforts. 'Citizen-centric governance' (2nd ARC) is important for inclusive development and people's participation would ensure democratic way of tackling problems.
- Faster decision making- Every small decision to be taken on ground level will take lots of time if directions have to arrive from the top most level. By decentralisation of power, smaller decision can be implemented easily without waiting for directions unnecessarily.
- Precision- The decentralisation allows the authorities to focus on the group of beneficiaries more precisely. This precision can ensure that welfare measures of the government reaches every citizen without any discrimination.

Conclusion

Local level governance forms backbone of our development process. If they are not empowered enough and not made financially independent, we might loose on a big asset. For realization of true potential, we have to decentralize more powers and more funds to local institutes of governance and make them agents of development, through good governance.

51. How does failure of governance create challenges for the health sector? Illustrate.

Approach:

Since the question is asking you to illustrate it mean you have to 'explain' whereby you are asked to show the workings of something, making use of definite examples and statistics if appropriate to add weight to your explanation.

Introduction

The healthcare industry is facing many changes that pose new challenges to medical organizations big and small. The COVID-19 pandemic has produced mass market and governance failure in global private health, particularly in tertiary care. In particular, the fast-evolving government regulations, technological innovations, and patient expectations create a new environment in which running a medical practice isn't just about treating patients anymore.

Body

HOW DOES FAILURE OF GOVERNANCE CREATE CHALLENGES FOR THE HEALTH SECTOR

- The COVID-19 pandemic very quickly witnessed numerous and catastrophic instances of governance failure in health. Be it failing supply of personal protective equipment (PPE), medical masks, gloves and surgical gowns, as well as medical oxygen or the lack of vaccine production capacity.
- Indian states have moved through their own trajectories of responses to the service and pricing crisis, with even pro-market ruling BJP administrations becoming increasingly aggressive toward private providers.
- Despite multiple states capping prices for treatment of patients, and despite sequestration of beds and capacities by legal means and emergency powers, the situation has been anarchic, with tensions and real divisions emerging between state governments and private providers.
- Firms are still routinely breaching price caps and gouging, turning away COVID patients and hoarding beds, with reports of unseemly black markets for beds emerging.

- States have reacted with the sequestration of hospitals, enforced openings, prosecution, and other measures, but circumvention of law and emergency measures have continued through nonetheless.
- The startling chaos in India reveals that governments have not factored in reliance of profit-seeking and market-driven providers into national pandemic preparedness, and the mismatch between private sector reliance in LMICs' national health systems and pandemic emergency needs.

Conclusion

The pandemic has sharply reminded us once again how health policies and increasing privately-focused health systems fail to meet both national needs and those of the most marginalized and vulnerable.

Amid widespread national governance failures—either crisis bound or historic—with regards to poorly resourced public health services and burgeoning private health—governments have responded with increasing legal and financial interventions into national health markets. In contrast, multilateral governance has been path dependent with regard to on-going commitments to privately provided health.

52. What are the issues pertaining to the autonomy of institutes of higher education in India? Discuss.

Approach

A simple and straightforward question where in the candidate needs to discuss the issues with respect to the autonomy of institutes of higher education in India.

Introduction

UNESCO defines institutional autonomy as, "a degree of self-governance, necessary for effective decision making by institutes of higher education regarding their academic work standards, management, and related activities". Here, Academic autonomy is a generic concept, implying self-governance of a university and not limited to a narrow sense of designing the academic curriculum.

Body

- Higher education in India is highly centralised and institutions have very limited autonomy, regardless of their public or private status. This is especially true with colleges.
- The Gajendragadkar Committee Report (UGC, 1971) states "The concept of University autonomy is often misunderstood. The concept of university autonomy means that it would be appropriate on the part of democratic legislatures not to interfere with the administration of university life, both academic and non-academic."

- Presently, Higher education in India is highly centralised and institutions have very limited autonomy, regardless of their public or private status. This is especially true with colleges. Universities have some substantive autonomy in theory while private institutions have more leeway in terms of procedural autonomy.
- In India, there is a skewed allocation of limited funds to central universities while state universities face a paucity of funds. Moreover, the existing system of governance and regulation needs to be re-examined.
- Under the affiliation system, most parent universities are responsible for regulating admission, setting curricula, and conducting examinations for the affiliated colleges under the general oversight of the UGC.
- The system of command and control does not promote accountability. The institutions are constantly subjected to governmental pressures and decisions are often made based on non-academic considerations. This intervention starts at the highest level with the appointment of the Vice Chancellor.
- Academic curricula of professional courses are subject to oversight by their professional councils. Both public and private universities can modify curriculum and propose new programmes with UGC approval but have no or limited autonomy over areas like fees.
- Private universities also have their fees determined by state committees headed by prominent public figures who ensure that these institutions are not profiteering. Neither public nor private universities can determine faculty or staffing salaries.
- The current systems of regulation-based autonomy have ignored the recent demographic and compositional shifts in education. Currently, the number of private institutions is almost twice that of government institutions. Yet, the model of governance has been relatively slow to change.
- Finally, most of the existing regulations are based on the affiliating model which does not seek to address the aspirational value of Indian institutions in quality and diversity. In short, institutions of higher education (IHEs) in India need to be looked through a different lens to conceive the reality of autonomy.

National Education Policy 2020, a blueprint for the development of education over the next 10 years, proposes a departure from the current top-down system to allow considerable autonomy to institutions. Its measures can be seen from the following points –

- Under graded autonomy, academic, administrative and financial autonomy will be given to colleges on the basis of their accreditation status under the three categories, with top research universities having the highest levels of autonomy.
- A National Research Foundation or NRF will be set up as a top body for promoting a strong research culture and building research capacity across higher education.

- The NRF will identify research-focused universities and help to develop their state-of-the-art research facilities to enable researchers to undertake highly advanced, innovative and pioneering research.
- Universities and colleges restructured in the other two categories will focus more on teaching and granting degrees, with the affiliation of colleges to degree-granting universities phased out in 15 years and a stage-by-stage mechanism established for granting graded autonomy.
- Rather than the overarching University Grants Commission, the current regulatory body which will be scrapped under the NEP 2020 proposals, boards of governors would supervise the day-to-day operations of individual universities.

Conclusion

The post-Covid-19 time is ripe to act and seize the opportunity to set things right in the higher educational sector where a data-driven approach can help in providing a new measure of institutional autonomy and academic freedom in India where introducing an Indian Index of Institutional Autonomy (i3A) can be a good start.

53. What measures have been taken to improve the employability of graduates in India? Why haven't we achieved much success on this front? Examine.

Approach

The candidate needs to highlight the measures taken in India to improve the employability of graduates in the first part of the answer while the second part should examine the reasons for limited success on this front of employability of graduates.

Introduction

Employability and education have been two of the top issues for the citizens of the country. Here, employability skills are defined as a range of competencies or abilities that are necessary for graduates to gain success in the labour market at all employment levels which benefits themselves, the community and the economy.

Body

How Government is Increasing Employability of Engineers in India –

- AICTE in association with various organisations carries out an employability Skill Test of pre-final and final year graduate students of AICTE approved institutions annually.
- To increase the employability of graduates in the country, Ministry of Human Resource Development is working along with Sector Skill Councils (SSCs) under

National Skill Development Corporation (NSDC) to undertake Apprenticeship/Internship embedded degree programmes with the core focus on the development of knowledge, skills, aptitude and on-job training.

- Furthermore, the government has also recommended that courses on nine emerging technologies like AI, data science, IoT, cyber security, robotics, design, quantum computing, AR/VR, Block chain and 3D printing and should be introduced in UG engineering courses.
- In order to revamp the engineering curriculum and to impart the requisite skill set to the students to enhance the employability of engineering students, AICTE has approved an action plan with the following objectives: Induction Training, Revision of Curriculum, Mandatory Internships, Industry Readiness and Mandatory Accreditation.
- Further, AICTE is implementing schemes namely National Employment Enhancement Mission (NEEM) and Employability Enhancement Training Program (EETP) to enhance the employability of the students.
- In addition, AICTE has also partnered with Ministry of Micro, Small and Medium Enterprises (MSME), Govt of India, Internshala, NETiit and LinkedIn to provide internship opportunities and industry exposure to students for aligning their technical knowhow with industry requirements.
- Apart from that, the All India Council for Technical Education (AICTE) is taking the following measures to increase the employability of graduates in the country, particularly engineering graduates:

  o Preparation of outcome-based model curriculum for Diploma, Undergraduate (UG) and Post Graduate (PG) courses in Engineering and PGDM/MBA Courses.
  o Exam reforms and formulation of comprehensive teacher's training. 8 modules are proposed for the incumbent as well as in-service teachers.
  o Mandatory internship, Revision of model curriculum, and Industry readiness accreditation.

The employability of the fresh graduates has risen as a result of different measures taken by Government. As per the data maintained by All India Council for Technical Education (AICTE), the overall employability has increased from 34% to more than 45% in the last five years. This showcases the success of governmental initiatives, but these have been limited in nature. The reasons for the same include –

- Uncertainty among graduates: Lack of focus and definite career path among graduates. As per a latest report, around 40% of the engineering graduates is preparing for various competitive exams in government sector which his not even relate to engineering.
- Sanction of new institutes: The ease of securing approval from the All India Council for Technical Education (AICTE) to set up engineering colleges and other higher education regulators has led to the mushrooming of institutes. These are understaffed and lack in qualified, competent and suitable faculty

members. E.g. the number of approved institutes in Maharashtra alone is around 650.

- Teaching methods: Most of the institutions still follow traditional way of teaching without realizing that the information is available over the internet and the need of the hour is the application-level teaching for practical purposes.
- There is no policy framework for participation of foreign universities in higher education. Also, there is no overarching funding body to promote and encourage research and innovation. Public funding in the sector remains inadequate.

Conclusion

In today's era, staying updated with technological advancements and rapid changes in surrounding are of prime importance for both success and growth of Individual and employability where to effectively skill, up-skill and re-skill India's workforce, all stakeholders must coordinate upon improving the larger economic prospects as well as new end employment prospects.

54. Do a critical assessment of India's performance on the sustainable development goals (SDGs).

Approach

Candidates are expected first to write about the sustainable development goals and then do critical assessment of India performance to achieve the SDG.

Introduction

Development which meets the needs of the present without compromising the ability of future generations to meet their own needs'. This most widely accepted definition of Sustainable Development was given by the Brundtland Commission in its report Our Common Future (1987). Sustainable development (SD) calls for concerted efforts towards building an inclusive, sustainable and resilient future for people and planet.

Body

India got committed to the 17 Sustainable Development Goals India played a significant role in making the declaration and its progress in achieving these goals are crucial such as:

- There is notable progress on SDGs 6, 7, 9 and 11. While, a decline in the Maternal Mortality Ratio has contributed to our improved performance in the area of 'Good Health and Well-Being', ramping up toilet coverage under Swachh Bharat Abhiyaan has raised the country's score on 'Clean Water and Sanitation'.

- The commendable performance on Goal 7 is due to expanded access to clean cooking fuel and the government's massive electrification drive. Similarly, on Goal 9, the progress can be attributed largely to a significant improvement in rural road connectivity and increased mobile phone penetration.
- Our performance on Goal 11 has been boosted by better access to housing through the Pradhan Mantri Aawas Yojana as well as more widespread adoption of door-to-door waste collection and processing.
- NITI Aayog has undertaken a mapping of schemes as they relate to the SDGs and their targets, and has identified lead and supporting ministries for each target. They have adopted a government-wide approach to sustainable development, emphasising the interconnected nature of the SDGs across economic, social and environmental pillars.
- The reforms have included fiscal consolidation, inflation targeting, improved governance all around, accelerated infrastructure development (SDG 9), curbing of corruption (SDG 16), Aadhaar Act for providing unique identity.
- The MGNREGA provides a legal guarantee of a minimum of 100 days of wage employment programme generated over 2 billion person-days of employment (SDG 8) during the last year. Women and disadvantaged groups have been the largest beneficiaries (SDG 5 and SDG 10) of the programme accounting for 56% and 39% of person-days of work generated during last year.
- There is now compelling evidence that rapid growth India has achieved following the economic reforms initiated in 1991 has led to significant reduction in poverty. The evidence shows that poverty fell across all economic, social and religious groups nationally and in all states in the post-reform era.
- Kerala's top rank is attributed to its superior performance in providing good health, reducing hunger, achieving gender equality and providing quality education. Himachal Pradesh ranks high in providing clean water and sanitation, in reducing inequalities and preserving mountain ecosystem.

Still there is need to strengthen institutional arrangements by identifying support departments and defining roles and responsibilities let us assess conditions:

- As per Sustainable Development Report 2020 India has been ranked 117th in the index with overall score of 61.92. The score can be depicted as the percentage of SDG achievement.
- While this progress is heartening, there are certain indicators where focussed attention is required. For instance, India's tuberculosis notification rate is still high, thus limiting our overall progress on Goal 3.
- The CAG found deficiencies regarding the adaption of the 2030 Agenda and stressed upon the need to develop a roadmap to be aligned with defined milestones to be achieved in year 2020, 2025 and 2030, which it found has not been attempted yet. The auditor was concerned that the vision document was still under preparation and states did not complete the exercise to prepare policy documents.
- The agency squarely blamed the Union Ministry of Statistics and Program Implementation for its failure to finalise the National Indictor Framework (NIF). The delay in approval of NIF held up finalisation of monitoring and reporting framework on implementation of SDG.

- The audit highlighted that three crucial ministries of AYUSH, tribal affairs and home affairs were not involved in the national consultation on transitioning from Millennium Development Goals to SDGs.
- In states, the health spending as a percentage of total expenditure, ranged from 3.29 to 5.32 per cent, which shows that there is a need for considerable augmentation.
- COVID-19 pandemic hit at a time when the SDGs were gaining traction and a significant number of steps have been taken and were making good progress. The COVID-19 pandemic has caused disruptions to plans and timelines.

Conclusion

India will continue to pursue the implementation of the SDG agenda through close collaboration between the national and sub-national governments as well as active participation of all other relevant stakeholders. Localisation of SDGs is crucial to any strategy; essentially we need better adapting, planning, implementing and monitoring the SDGs from national to local levels by relevant institutions to achieve goals.

55. What are the components of social security? Discuss. How is India performing on the key indicators of social security? Examine.

Approach- Question is straight forward; candidate can define social security and give account of India's performance with the help of suitable government schemes.

Introduction

According to International Labour Organisation," Social security is the protection that a society provides to individuals and households to ensure access to health care and to guarantee income security, particularly in cases of old age, unemployment, sickness, invalidity, work injury, maternity or loss of a breadwinner".

Body

What constitutes social security?
- The principle of Universality of social security is enshrined in various goals related to the 2030 Agenda for Sustainable Development.
- Right to a Standard of Living- adequate for the health and well-being, including food, clothing, housing and medical care and necessary social services.
- Right to Income Security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond any person's control.
- In the ILO conventions and UN instruments, it is considered to be a basic human right. The Universal Declaration of Human Rights (UDHR) recognises the right to social security for all. It helps the recipients to ensure their rights

to family protection and assistance, an adequate standard of living and adequate access to healthcare.

- Social security acts as an umbrella for people during adverse situations. Social welfare is not possible without social security. It acts as a buffer against all odds in the time of need. It helps in lifting millions of people out of poverty and thus, raises people's standard of living.

Types of social security in India
- Gratuity, Old-age pension
- Health and medical insurance
- Maternity benefits
- Disability benefits, Minimum Wages Act

Need of social security in India
- Majority of Work Force is in Unorganised Sector: The organised sector workers constitute less than 10% of all workers in India.
- The lockdown necessitated by the Covid-19 pandemic has caused misery to almost all sections of society, but the vulnerable section viz. people below the poverty line, migrant workers have been affected the most.
- Too Expensive Private Healthcare Expense: Out-of-pocket health expenses, which create barriers to seeking healthcare and can push marginal households into poverty, form as much as nearly 90% of private expenditure on health.
- Also, in a dynamic market-economy, workers will lose jobs at a faster pace with technological changes. Thus, workers need to keep learning to stay productively employed.
- Covid-19 has highlighted the urgency for providing universal free health care. It has demonstrated that private health care can be afforded only by the wealthy.

Performance of India in social security
- India has a broad aim of social protection programs, but the overall public expenditure on social protection (excluding public healthcare) is only approx. 1.5% of the GDP, lower than many middle-income countries across the world.
- However, in spite of great attention given to skills development in the last 15 years, the results are not very encouraging.

What can be done?
- Skill Development via 'Learning while Earning' Model-The principle of "learning while earning" should be more vigorously applied to improve India's skill development systems.
- MGNREGA has proved its utility by providing employment to millions of workers who have reverse migrated. Thus, there is a case for extending this programme to urban areas with municipal bodies
- Providing Universal Health Coverage-There is a need to establish the Ayushman Bharat-National Health Agency at all levels of governance for management of the Pradhan Mantri Jan Aarogya Yojana (PM-JAY).

- Atal pension yojana- The APY will be focussed on all natives in the unorganized sector, who join the National Pension System (NPS) managed by the Pension Fund Regulatory and Development Authority (PFRDA)
- Pradhan Mantri Suraksha Bima Yojana (PMSBY) and Pradhan Mantri Jeevan Jyoti Bima Yojana (PMJJBY) would give protection cover in the terrible occasion of death by any reason/demise or inability because of a mishap.
- The target of raising the share of expenditure on health care to 2.5% of the GDP, as envisaged by the National health policy 2017, in the next two years would be a good beginning.

Conclusion

Covid-19 pandemic exposed our vulnerabilities of social securities. The poor healthcare and social infrastructure needs immediate revamping to provide BASIC right to life to the marginalised and vulnerable.

56. How does e-governance lead to better performance and efficiency in administration? Explain with the help of suitable examples.

Approach- Question is straight forward. Candidate can define e-governance and state the benefits with the help of appropriate examples.

Introduction

Electronic governance or e-governance can be defined as the usage of Information and Communication Technology (ICT) by the government to provide and facilitate government services, exchange of information, communication transactions and integration of various stand-alone systems and services. In other words, it is the use of technology to perform government activities and achieve the objectives of governance. Through e-governance, government services are made available to citizens and businesses in a convenient, efficient and transparent manner.

Body

E governance and better performance in administration
- e-Governance is basically a move towards SMART governance implying: simple, moral, accountable, responsive and transparent governance.
- Simple — implies simplification of rules and regulations of the government and avoiding complex processes with the application of ICTs and therefore, providing a user-friendly government.
- Moral — meaning the emergence of a new system in the administrative and political machinery with technology interventions to improve the efficiency of various government agencies.

- Accountable — develop effective information management systems and other performance measurement mechanisms to ensure the accountability of public service functionaries.
- Responsive — Speed up processes by streamlining them, hence making the system more responsive.
- Transparent — providing information in the public domain like websites or various portals hence making functions and processes of the government transparent.

Interactions in e-Governance, There are 4 kinds of interactions in e-governance
- G2C (Government to Citizens) — Interaction between the government and the citizens. This enables citizens to benefit from the efficient delivery of a large range of public services. Expands the accessibility and availability of government services and also improves the quality of services. The primary aim is to make the government citizen-friendly.
- G2B (Government to Business): It enables the business community to interact with the government by using e-governance tools. The objective is to cut red-tapism which will save time and reduce operational costs. This will also create a more transparent business environment when dealing with the government. The G2B initiatives help in services such as licensing, procurement, permits and revenue collection.
- G2G (Government to Government)- Enables seamless interaction between various government entities. This kind of interaction can be between various departments and agencies within government or between two governments like the union and state governments or between state governments. The primary aim is to increase efficiency, performance and output.
- G2E (Government to Employees)- This kind of interaction is between the government and its employees. ICT tools help in making these interactions fast and efficient and thus increases the satisfaction levels of employees.

Benefits/ Outcomes of E-Governance
- Enhanced Transparency and Accountability.
- Expanded reach of Governance.
- Improved Public Administration.
- Enables Environment for Promoting Economic development.
- Improved service delivery in the form of better access to information and quality services to citizens.

Initiatives under e-governance
- A National Task Force on Information Technology and Software Development was set-up in 1998.
- The Ministry of Information Technology was created at the Centre in 1999. A 12-point agenda was listed for e-Governance for implementation in all the central ministries and departments.
- The National e-Governance Plan (NeGP), provides a holistic view of e-Governance initiatives across the country.

- Bhoomi Project (Karnataka): Online Delivery of Land Records- Bhoomi is a self-sustainable e-Governance project for the computerized delivery of 20 million rural land records to 6.7 million farmers of Karnataka.
- e-Seva (Andhra Pradesh)- Designed to provide 'Government to Citizen' and 'e-Business to Citizen' services. All the services are delivered online to consumers /citizens by connecting them to the respective government departments and providing online information at the point of service delivery.
- e-Courts- Launched by the Department of Justice, Ministry of Law and Justice. The Mission Mode Project (MMP) aims at utilizing technology for improved provisioning of judicial services to citizens.

Conclusion

With the penetration of technology in the hands of a layman, e-governance aims to empower citizens with service delivery without time delay and in effective manner. India is emerging as the country with highest monthly internet usage. The more steps need to be taken to increase the penetration of services in effective and efficient manner.

57. What are the limitations of digital governance in India? Examine.

Approach

Since the question is asking you to examine, you have to probe deeper into the topic and understand the topic in detail. Here you are expected to investigate and establish the key facts and issues related to the question.

Introduction

Digital Governance can be defined as the application of communication and information technology for providing government services, exchange of information, transactions, integration of previously existing services and information portals. Governments all over the world are initiating steps to involve IT in all governmental processes due to the rapid rise of the internet and digitization.

Body

THE LIMITATIONS OF DIGITAL GOVERNANCE IN INDIA

E-governance uses IT technology to provide basic facilities to deliver government services. Its limitations are:

- Universal public Internet access and dynamic IT applications-oriented literacy is a far-fetched theory.

- Literacy in India is a key for social-economic progress, and the literacy rate is currently 74.04%.This literacy rate is the reason that acts as a challenging task for the government to implement e-governance in the country.
- Reliability of the digitally published information when rules, regulations, and requirements get changed on daily basis remains questionable.
- Inequality of Income plays an important role in proving as a challenge of digital governance. this imbalance of income will act as a major challenge for the government because there is still a very large part of the whole population that cannot even afford to spend money on satisfying their hunger; " then how can we expect them to go digital.
- The absence of interpersonal communication with and by the governmental agencies can leave many stakeholders unattended and disappointed.
- The Indian population is a bunch of diversified cultures and emotions that do not always goes in the same direction. This may play a part as a hindrance while implementing e-governance.
- It has no concrete solution to deal with a complex relationship between personal privacy and big data which could have implications for both higher surveillance and monitoring and the breach of the right to privacy.
- Complex issues are difficult to address and resolve through e-governance.
- Before Internet literacy, Internet infrastructure to interconnect computers and users on the Internet is an essential requirement. This infrastructure includes physical hardware, transmission media, and software; without this, e-governance is a remote service.
- A personal internet infrastructure is needed to avoid giving personal data to a third party.
- Implementing, maintaining, and optimizing e-governance incurs regular costs; perhaps, this necessitates an e-governance budget.
- Its inaccessibility to the underprivileged is a serious concern.
- A prerequisite for e-governance is the full integration of e-services across administrative boundaries, which has more political implications.
- The lack of ICT skills is one of the major challenges to e-governance service delivery.

Conclusion

The e-governance applications allow citizens, trades and government entities to access available government information round the clock including every second and make the delivery of government services more effective and reachable across various government domains. The potential which e-governance has makes public administration responsive and effective, and can truly involve citizens in the process of governance by broadening their scope of interacting with policymakers throughout the policy cycle for the social and economic growth of the nation

58. What are the recent steps announced by the government for improving digital Literacy? Discuss.

Approach:

The question demands to explain the current measures of transparency in the policy making in the country. The answer should mention about the CBI, CVC, Lokpal and RTI as main parts and also include social audit and CAG as other accountability and transparency measures.

Introduction:

Digital India is a campaign launched by the Government of India in order to ensure the Government's services are made available to citizens electronically by improved online infrastructure and by increasing Internet connectivity or making the country digitally empowered in the field of technology. The initiative includes plans to connect rural areas with high-speed internet networks. It consists of three core components: the development of secure and stable digital infrastructure, delivering government services digitally, and universal digital literacy.

Body:

Digital India was launched by the Prime Minister of India Narendra Modi on 1 July 2015, with an objective of connecting rural areas with high-speed Internet networks and improving digital literacy. The vision of Digital India programme is inclusive growth in areas of electronic services, products, manufacturing and job opportunities. It is centred on three key areas – digital infrastructure as a utility to every citizen, governance and services on demand, and digital empowerment of citizens.

- Aadhaar identity platform is one of the key pillars of 'Digital India', wherein every resident of the country is provided with a unique identity or Aadhaar number. The largest biometrics based identification system in the world, Aadhaar is a strategic policy tool for social and financial inclusion, public sector delivery reforms, managing fiscal budgets, increase convenience and promote hassle-free people-centric governance.

- Bharat Broadband Network Limited is a special purpose vehicle set-up under Companies Act by the Government of India with an authorized capital of Rs. 1000 cr. It has been mandated to create the National Optical Fiber Network (NOFN) in India. A total of around 2,50,000 Gram Panchayats spread over 6,600 Blocks and 641 Districts are to be covered by laying incremental fiber.

- The Digital Saksharta Abhiyan or National Digital Literacy Mission (NDLM) Scheme has been formulated to impart IT training to 52.5 lakh persons, including Anganwadi, ASHA workers and authorised ration dealers in all the States/UTs across the country. The initiative aims at training non-IT literate citizens to become IT literate to enable their active and effective participation in the democratic, developmental process, and enhance their livelihood too.

- DBT was initiated with the aim to reform government delivery system by re-engineering the existing process in welfare schemes for simpler and faster flow of information/funds and to ensure accurate targeting of the beneficiaries, de-duplication and reduction of fraud. DBT will bring efficiency, effectiveness, transparency and accountability in the Government system and infuse confidence of citizen in the governance. Use of modern technology and IT tools will realize the dream of MAXIMUM GOVERNANCE MINIMUM GOVERNMENT.

- Crime and Criminal Tracking Network & Systems (CCTNS) is a plan scheme conceived in the light of experience of a non-plan scheme namely - Common Integrated Police Application (CIPA). CCTNS aims at creating a comprehensive and integrated system for enhancing the efficiency and effectiveness of policing through adopting of principle of e-Governance and creation of a nationwide networking infrastructure for evolution of IT-enabled-state-of-the-art tracking system around 'Investigation of crime and detection of criminals'.

- e-Granthalaya is an Integrated Library Management Software developed by National Informatics Centre, (NIC), and Department of Electronics & Information Technology. The application is useful for automation of in-house activities of libraries and to provide various online member services.

- eBiz is being implemented by Infosys Technologies Limited (Infosys) under the guidance and aegis of Department of Industrial Policy and Promotion (DIPP), Ministry of Commerce & Industry, Government of India. The focus of eBiz is to improve the business environment in the country by enabling fast and efficient access to Government-to-Business (G2B) services through an online portal.

- National Agriculture Market (NAM) is a pan-India electronic trading portal which networks the existing APMC (Agriculture Produce Marketing Committee) mandis to create a unified national market for agricultural commodities. The NAM Portal provides a single window service for all APMC related information and services. This includes commodity arrivals and prices, buy and sell trade offers and provision to respond to trade offers, among other services.

Conclusion:

Several academic scholars have critiqued ICTs in development. Some take issue with technological determinism, the notion that ICTs are a sure-fire antidote to the world's problems. Instead, governments must adjust solutions to the specific political and social context of their nation. Others note that technology amplifies underlying institutional forces, so technology must be accompanied by significant changes in policy and institutions in order to have meaningful impact.

59. How can e-governance initiatives help in increasing farmers' income? Illustrate.

Approach

A simple and straightforward question where in the candidate needs to illustrate how e-governance initiatives can help in increasing farmers' incomes with suitable examples and substantiation.

Introduction

Agriculture's importance in India is difficult to overemphasize where it accounts for about 13 percent of the country's GDP and employs about 45 percent of its workforce. Digital applications can play a critical role in improving yields — as well as reducing costs and increasing the market value of crops — by making it easier for farmers to obtain finance, optimize agricultural inputs, and increase direct access to markets.

Body

- A Centrally Sponsored Scheme namely National e-Governance Plan in Agriculture (NeGPA) was initially launched in 2010-11, which aims to achieve rapid development in India through use of Information & Communication Technology (ICT) for timely access to agriculture related information. In 2014-15, the scheme was further extended for all the remaining States and 2 UTs.
- Realizing the significance of new digital & emerging technologies, the Committee on Doubling Farmers' Income (DFI) has recommended further expanding and augmenting of the digital agriculture initiatives of Government of India.
- The report focused on modern management of agriculture viz. Remote Sensing; Geographical Information System; Data Analytics and Cloud Computing; Artificial Intelligence & Machine Learning; Internet of Things; Robotics, Drones & Sensors and Block-chain.

E-governance initiatives helping in increasing farmers' income can be seen from the following points –

- Enabling digital financing and insurance pay-outs by facilitating consolidated information, credit scoring models, and yield forecasting models using satellite and weather data. For example, Digital applications are making crop insurance system faster and more accurate.
- The timely availability of right information: The timely information and practical solutions of the agricultural problems allows the farmers to adopt good agricultural practices, make better choices of inputs and to plan the cultivation properly. Its proper utilisation is indispensable for agriculture. Ex: Kisan Call Centres, M-Kisan etc.
- Introducing precision agriculture using data analytics, with an integrated agricultural data platform across all existing and new data sources. This

initiative could raise farm productivity by 15 to 20 percent. For example, Real-time agricultural data can help to increase yields and decrease costs.

- Implementing online agricultural marketplaces linked to a unified, nationwide market with a set of institutional market facilitators and common assaying and grading standards. Such e-marketplaces could cover 40 to 60 percent of agricultural produce sold in India, leading to 15 percent farmers' price gains, as demonstrated by pilots. For example, Technology is bringing transparency to India's agricultural markets.
- The e-Choupal model has been specifically designed to tackle the challenges posed by the unique features of Indian agriculture. 'e-Choupal' also unshackles the potential of Indian farmer who has been trapped in a vicious cycle of low risk-taking ability > low investment > low productivity > weak market orientation > low value addition > low margin > low risk-taking ability.

Government Initiatives –

- Kisan Suvidha, a Digital India initiative, is a mobile app providing information to farmers. Farmers can be informed on the weather alerts, market prices, availability of seeds and fertilisers, agro advisories etc.
- Pusa Krishi is an app designed for farmers to use in the fields. It provides information on the weather so that farmers can take measures to save crops.
- MKISAN is a mobile based advisory service linked to call centres connected to research centres. Knowledge is disseminated to farmers that is timely, specific, and holistic and needs based.
- Soil Health Card promotes integrated nutrient management through the use of chemical fertilisers and organic manures. Provides soil test based recommendations and ensures quality control of fertilisers.
- National Agriculture Market (eNAM) is a pan-India electronic trading portal creating a national market for agricultural commodities through a government platform. It includes commodity arrivals and prices.
- AgMarknet provides agricultural market information and price trends through a government platform.

Conclusion

It is essential to mobilise States and UTs to own and target stipulated goals with the help of concerted and well-coordinated efforts in terms of e-governance initiatives and their implementation for the Country to achieve the goal of doubling farmers' income by the year 2022.

60. Do a critical assessment of the Digital India initiative.

Approach:

Candidates are expected to write about digital India initiative, and then do critical assessment of the digital India initiative.

Introduction

The Digital India initiative has been launched with an aim of transforming the country into a digitally empowered society and knowledge economy. The Digital India would ensure that Government services are available to citizens electronically. It would also bring in public accountability through mandated delivery of government's services electronically.

Body

There are major nine pillars of Digital India that are mentioned below:
- Broadband Highways
- Universal Access to Mobile Connectivity
- Public Internet Access Programme
- e-Governance
- e-Kranti
- Information for All
- Electronics Manufacturing
- IT for Jobs
- Early Harvest Programmes

Progress and Impact of Digital India Programme:
- Overall 12000 rural post office branches have been linked electronically.
- Increased in electronic transactions related to e-governance as it is estimated that there are more than 100 cr mobile phones in India.
- 2, 74,246 km of optical fiber network has connected over 1.15lakh Gram Panchayats under the Bharat Net programme.

Critical assessment of Digital India initiative:
- Less co-ordination among various departments: As we know it is very large project that consist of many departments. So, timely and strong support of departments is very important for properly and timely completion of the projects.
- Implementation Cost is very high: As shown above still very high amount is required to implement the Digital India plan.
- Infrastructure: Robust and large data centre (used to store large data of entire country) are other supportive infrastructure require for National Optic Fibre Network (NOFN) project. It is planned to build for high speed broadband highway. The biggest challenge faced by 'Digital India' is the slow and delayed infrastructure development. Spectrum availability in Indian metros is about a tenth of the same in cities in developed countries.

- Excess time: Project like NOFN has been delayed several times and taken almost 2 year so, it has also delayed other related projects. The project will be successful when it completed on time.

- Contribution of Private Players: Many regulations as well as very long and delayed projects are inhibiting the entry of private organization in Digital India programme. Private organization will play a necessary role in its success.
- Rural area problem: Many people in rural areas have no Internet connection, and also the content in regional languages is not sufficient to keep the readers engaged. Only 15% of the households can access the Internet, and few people can access mobile broadband. This scenario is despite the increasing affordability of ICT environment in the country.
- Digital illiteracy: According to World Economic Forum (WEF) 2016 report, nearly 33% of Indian population is functionally illiterate, one-third of youth do not attend secondary education. There are vast differences in urban centres such as metropolitan cities and remote rural areas, where an even basic service for example electricity is unavailable to run the Digital India program.
- Cyber security: India's growing economy and digital push have caught the attention of hackers and an increasing wave of cyber-attacks could soon badly impact the country.

Conclusion

The Digital India initiative is the beginning of a digital revolution, once properly implemented; it will create numerous new opportunities for the citizens. However, the Digital India program success will associate with the regulatory framework. The Government completely ensures that these regulations create such an environment in which private organizations come in, work together and create efficient ecosystems. The Government role should be line with administration that is Maximum role of Governance and Minimum role of Government, with these efforts India will be digitally ready within three years.

61. What are the key tools of accountability in public administration? Discuss. How effective these tools have been? Critically examine.

Approach- Question is straight forward. Candidate can define accountability and discuss the tools with the help of suitable examples while examining their effectiveness.

Introduction

Accountability is a form of liability that refers to who and for what and what is accountable, which is understood as the obligation of the holder of the trust to provide accountability, presenting and reporting all activities that are his responsibility to the party who provides the trust has the authority to hold such accountability.

Body

Key tools of accountability

- **Right to information act, 2005**- The path-breaking Right to Information Act which has come into effect in 2005 has been heralded as the most significant reform in public administration in India in the last 72 years. RTI Act has lent voice to the aspirations of ordinary citizens in issues of governance. It gave the common people a defining power to shape the government schemes and policies. RTI is the most effective instrument to check corruption where the citizen has the right to take the initiative to seek information from the state.

- **The Right of Citizens for Time Bound Delivery of Goods and Services and Redressal of their Grievances Bill, 2011 (Citizens Charter)**- seeks to create a mechanism to ensure timely delivery of goods and services to citizens. It requires every public authority to publish a CC within six months of the commencement of the Act and levies a penalty of up to Rs 50,000 for failure to render services.

- **Social audit**- A social audit is a way of measuring, understanding, reporting and ultimately improving an organization's social and ethical performance. A social audit helps to narrow gaps between vision/goal and reality, between efficiency and effectiveness. Social audit fixes accountability of public servants, increases efficacy and effectiveness of local development programmes.

- **Lokpal**- The Lokpal and Lokayukta Act, 2013 provided for the establishment of Lokpal for the Union and Lokayukta for States. These institutions are statutory bodies without any constitutional status. They perform the function of an "ombudsman" and inquire into allegations of corruption against certain public functionaries and for related matters. Jurisdiction of the Lokpal included the Prime Minister except on allegations of corruption relating to international relations, security, the public order, atomic energy and space.

To what extent tools of accountability have been successful?

- RTI- The act did brought some accountability but it lacks structural and functional robustness The Information Commissions were envisioned as the watchdogs in the implementation of the RTI act. CIC currently has more than 30,000 pending cases. Delay in appointments of Information Commissioners has resulted in huge vacancies.

- The Amendments under the 2019 bill will lead to the dismantling RTI as they empower the Central government to unilaterally decide tenure, salary, allowances and other terms of service of Information Commissioners. The Commission which is vested by law with status, independence and authority, will now function as a department of the Central government.

- Shortcomings of Citizens charter- Devoid of participative mechanisms - in a majority of cases, not formulated through a consultative process with cutting edge staff who will finally implement it. Lack of public awareness: only a small percentage of end-users are aware of the commitments made in the CC since effective efforts of communicating and educating the public about the standards of delivery promise have not been undertaken.

- Social audit- The scope of social audits is highly localised and covers only certain selected aspects. Social audits are often sporadic and ad hoc.

Monitoring is informal and unprocessed. The findings of social audit cannot be generalised over the entire population.

- Lokpal- The institution of lokpal has tried to bring a much needed change in the battle against corruption in the administrative structure of India but at the same time, there are loopholes and lacunae which need to be corrected. Five years have passed since the Lokpal and Lokayuktas Act 2013 was passed by parliament, but not a single Lokpal has been appointed till date indicating the lack of political will. The 2013 act did not provide concrete immunity to the whistle blowers. The provision for initiation of inquiry against the complainant if the accused is found innocent will only discourage people from complaining.

Conclusion

The Indian democracy remains procedural democracy. The well charted tools of accountability seems effective in their structure but lack tooth when it comes to the actual implementation of the acts. Lack of political will and lack of awareness among people are the reasons for the ineffectiveness. The superstructure of procedures in the acts will fail to bring the expected results unless they are provided with the necessary infrastructure and the spirit to work in a free environment.

62. How does transparency strengthen local governance? Explain.

Approach

Since the question is asking you to explain, it expects you to basically clarify a topic.

Introduction

Transparency, in a business or governance context, is honesty and openness. Increasing transparency at the local level has come to be recognised as an important element in tackling some of the challenges to sustainable development. Transparency improves governance because it enhances citizen participation, fosters greater accountability and helps combat corruption.

Body

WAYS IN WHICH TRANSPARENCY CAN STRENGTHEN LOCAL GOVERNANCE INCLUDE:

- Poor transparency at the local level increases the exclusion of poor and marginalised citizens and limits their access to resources and opportunities. Conversely, access to information can empower them.
- With transparency, access to relevant, up-to-date information can create a basis for natural exchange, allowing both official and the public to better access decisions taken and policies implemented.

- Transparency can help build trust between civil society and local government and improve the responsiveness of urban authorities. This will support greater engagement by citizens and the private sector.
- Greater transparency can also bring benefits to government themselves, directly or indirectly. Therefore, transparency is also considered to be a key component of public policy and efficiency.
- By promoting better access to information, transparency improves the accountability of all actors to development goals and each other.
- Free and guaranteed access to information enables citizens, the media and law enforcement agencies to use official records as a means to uncover cases of corruption and maladministration.
- Increasing transparency increases the risk of detection of corrupt practices and this can act as a deterrent to future corruption.
- Corruption can be tackled by activities to enhance transparency and accountability at the local level. These can be developed within 'local integrity systems' that involve all stakeholders.
- Transparency offers a strategic entry point for promoting good urban governance and encouraging public participation.
- The more a local government can provide in the way of transparency, the more it increases trust, honesty, and integrity in the government leaders.

Conclusion

Transparency is also inextricably linked to governance, one definition of which is "a way of implementing policies through cooperation whereby representatives of the government, market and civil society participate in mixed public and private networks". Transparency is an important principle of good governance since a degree of clarity and openness about how decisions are taken can help to build the capacity of the poor and/or marginalised to play a role in policy formulation and implementation; to influence these decisions that affect their lives; and to encourage decision- and policy-makers to exercise their power for the greater good

63. What are the current institutional measures for ensuring transparency in policy making? Discuss.

Approach:

The question demands to explain the current measures of transparency in the policy making in the country. The answer should mention about the CBI, CVC, Lokpal and RTI as main parts and also include social audit and CAG as other accountability and transparency measures.

Introduction:

Transparency and accountability in administration are sine qua non of participatory democracy. Government secrecy fosters disbelief of government on the part of the citizenry and transparency eliminates the wall of secrecy built against the common people by those holding power. Accountability goes beyond the mere responsibility of delivery of a task or service. It also means answerability if a service is not delivered in a timely and efficient manner such that it becomes a burden.

Body:

UNDP describes governance as "a system of values, policies and institutions by which a society manages its economic, political and social affairs through interactions within and among the state, civil society and the private sector."

- Transparency is broadly accepted as a major principle of good governance. Transparency allows stakeholders to collect information that may be critical to uncovering abuses and defending their interests. Likewise, transparency increases accountability of the Government officials.
- Transparency means that the criteria, process and systems of decision-making are openly known to all in a public manner. Citizen's charter becomes an important measure for transparency in institutional setup.
- The declaration of Right To Information Act (2015) set the stage for transparency in the functioning of the government and its various agencies. Under this Act, access to information from a public agency has become a statutory right of every citizen.
- Major Initiatives to Enhance Transparency in India include – Right to Information Act, Public Services Bill, Citizens Charters, e-Governance, e-Bhoomi, e-Choupal, e-procurement.
- Transparency is required to make the system of public service delivery effective. However, sheer knowledge of what entitlements are, and who is responsible for fulfilling them, is not sufficient to ensure that public services are passably and effectively delivered to the 'intended' recipients
- The RTI has been seen as a landmark evolvement to empower public on information relating to public authority [under section 2[h]). Its recent expansion by including CJI under its ambit shows its relevance.
- Citizen charters have ensured a way for transparent and citizen centric administration. For instance, on measures of grievance redressal, etc.
- The e – governance have ensured it by- Transparency through online public procurement.
- Delivery of welfare schemes through JDY and thus avoiding leakages and corruption.
- Models like PRAGATI for good and efficient public service and governance system.

Conclusion:

There is imperative need to strengthen and widen the national public information infrastructure through developing information networks for wider access of digital

information through wider use of information technologies. Changing the mindset of the government employees is important. This will be addressed to organizing programmes for orientation, training and capacity building. States may be advised to establish an independent public grievance redressal authority to deal with complaints of delay, harassment and corruption.

Accountability is the complementary function of Transparency. Further, if the system of governance is transparent enough it would promote accountability, transparency and accountability are linked vis-a-vis its mission of an organization where the main objective of achieving public welfare needs to be prioritised.

64. What are citizen charters? Are they effective? Critically examine.

Approach

A simple and straightforward question where in the candidates need to explain what are citizen charters in the first part of the answer while in the second part, they need to critically examine the aspect of their effectiveness with proper substantiation.

Introduction

The concept of a citizen's charter was initiated by former British Prime Minister John Major in the year 1991 intended to improve quality of public service. In India, the concept of citizen's charter was first adopted at a 'Conference of Chief Ministers of various States and Union Territories' held in May 1997 in the national capital.

Body

- Citizen charter is the written voluntary declaration by service providers highlighting the standards, timeline, grievance redressal mechanism and other service-related information.
- An ideal citizen's charter must contain: Vision and mission statement of the organization, information about the nature and quality of service delivery, the time frame within which the service must be delivered, expectations from the client and grievance redressal infrastructure in case of noncompliance.

Effectiveness of Citizen's Charter –

- Quality of service: It promotes good governance. It increases organizational effectiveness and performance by making a public commitment to adhere to measurable service delivery standards. E.g. Bangalore police responding to distress calls within 10 minutes.
- Accountability: It enhances accountability by providing citizens with a clear understanding of service delivery standards, including timetables, user fees for services, and options for grievance redress. E.g. Timely delivery of Pizza failing which it will be free.

- Service Monitoring: It creates a way for both internal and external actors to objectively monitor service delivery performance. It ensures better service quality and grievance redressal. E.g. Details of services provided under municipality.
- Reduce corruption: It increases government revenues by ensuring that the money citizens pay for services goes into the government's coffers (and not into employees' pockets). E.g. online payments, refunds as a promise under charter.
- Citizen Charter increases participation of common man in efficient working of an organisation by making the citizens aware of the aims and goals of the organization. It sets standards of service, allowing high expectations from an organisation, pushing them to work diligently.
- Grievance redress mechanism: makes the organization communicate with the public and improve itself based on complaints and feedback. This creates an organizational culture of learning from mistakes as well as promotes participative governance.

Citizen charter, not an effective instrument –

- Lack of public awareness: While a large number of public service providers have implemented citizen's charter only a small percentage of end-users are aware of the commitments made in citizen charter.
- Charters was rarely updated: charters reviewed rarely showed signs of being updated even though some documents dating back from the inception of the citizen charter programme nearly a decade ago.
- Inadequate groundwork: Government agencies often formulate citizen's charter without undertaking adequate groundwork in terms of assessing & reforming its processes to deliver the promises made in the charter.
- Just a formality: The general perception of organisations which formulated Citizens' Charters was that the exercise was to be carried out because there was a direction from the top. They are nothing but pious statements of intention which do not contain any objective goals.
- Unrealistic Charter: In some cases, the standards/time norms of services mentioned in Citizens' Charter were either too lax or too tight and were, therefore, unrealistic and created an unfavourable impression on the clients of the Charter.
- Resistance to change: The new practices demand significant changes in the behaviour & attitude of the agency & its staff towards the citizen.
- No legal backing: The Citizen's Charter is not legally enforceable and, therefore, is non-justifiable. This had made them toothless tool to the citizens.

But citizen charter being a complete failure is an exaggeration. It has produced and is a reason for many reforms and successes like –

- Sevottam model as suggested by 2nd ARC and 6th pay commission has been adopted by many ministries and departments. Citizen charter of Indian post is one of the success stories.
- As a next step to citizen charter, states like Madhya Pradesh, Kerala etc., have passed right to service.
- Citizen report card, Jan Bhagidaari in cities like Bangalore, Delhi etc., is offshoots of citizen charter.

Way Forward –

- Include Civil Society in the process: to assist in improvement in the contents of the Charter, its adherence as well as educating the citizens about the importance of this vital mechanism.
- Hold officers accountable for results: fix specific responsibility in cases where there is a default in adhering to the CC.

Conclusion

Therefore, with effective implementation strategy, simplified meticulous design and deployment of enthusiastic staff and with adequate awareness campaigns, possible external audits, we can go a long way in making Citizen Charter a tool for better governance.

65. What role do civil servants play in India's electoral democracy? Illustrate.

Approach:

Candidates are expected to write about civil servants in democracy in India and illustrate on the role of the civil servants in the electoral democracy of India.

Introduction

In a democracy, the civil services play an extremely important role in the administration, policy formulation and implementation, and in taking the country forward towards progress and development.

Body

Polling personnel:
- The majority of polling personnel are temporary staff recruited from virtually every branch of government. They comprise teachers, engineers, clerks, accountants, administrative and support staff from across departments including government laboratories and hospitals, security and police

personnel, bus drivers, railway staff, anganwadi workers responsible for early childhood care as well as primary healthcare workers.

- Nearly five million polling personnel and police forces, according to the Election Commission of India's 2016 annual report. In the 2014 general election, the staff deployed in polling booths alone numbered 37,31,897, not counting the vast numbers of security and other personnel.

Role of civil servant in electoral democracy:

- Government staffs are deployed because they would be subject to the control and discipline of the government at all times as per former Chief Election Commissioner SY Quraishi. Employees from the private sector were deliberately kept out of election duties as no administrative control could be exercised over them once the elections were over.
- The Election Commission of India consists of the chief election commissioner and two election commissioners all senior bureaucrats. They are supported by a secretariat that is composed in part of officials transferred from other departments and those recruited directly into the Commission.
- This apex body decides the schedule, the election process and its monitoring, the codes of conduct and their enforcement, how the electorate is registered and identified and how grievances are addressed.
- It deputes general observers, expenditure observers and police observers to the states as well as expenditure monitoring committees and poll code monitoring staff to all 543 constituencies.
- Despite the tight control over all staff and agencies involved, the conduct of a general election is a remarkably decentralised affair. Government officials at the state and district levels play important roles.
- At the state level, the Election Commission is represented by a chief electoral officer again a senior bureaucrat. They are assisted by several special and deputy chief electoral officers. Together, with nodal officers on deputation, they oversee voter registration and education, deal with political parties active in the state, approve campaign material and activities, monitor the media, enforce the code of conduct and address grievances.
- In a general election, the Parliamentary constituency sees maximum action. Here, the returning officer is in charge. The district administration handles the details – hiring cars, organising wheelchairs, randomising the selection of polling staff and electronic voting machines, enforcing the model code and investigating its violations, receiving and scrutinising nomination papers, securing the machines and finally, organising counting.
- The Presiding Officer is responsible for setting up the Polling Station and conduct a mock poll before the polling commences. He/she has to ensure that voting compartments are properly arranged and cables connecting balloting units and VVPATs to their respective Control Units are clearly visible.
- The Presiding Officer is also responsible for ensuring the polling begins and ends at the fixed time and that there is no delay. He/she should also keep an eye on voters, making sure no one goes away without voting. He/she also has to periodically check that ballot units and VVPATs have not been tampered

with. The officer also seals the EVMs and election records and hands them over to the Returning Officer at the reception centre.

- It is a special job profile created under the EC guidelines where the micro observer reports deviations in the polling process in the polling station to the General Observer of the constituency. They are appointed in sensitive polling areas. Mostly retired civil servants are appointed.
- The returning officer of a parliamentary or assembly constituency is responsible for the conduct of elections in the parliamentary or assembly constituency concerned as per the Representation of the People Act, 1951. Returning officer is the statutory authority to conduct the polling, counting process and to decide validity of ballot paper and election commission has no power to overrule him or her.

Conclusion

The permanent Executive who forms the civil servants is the backbone of the administration in a country. It is with this branch of executive that the common man mostly comes into contact with and it is through this branch that the national government establishes its contacts with the rank and file of citizens.

66. How does e-governance lead to better performance and efficiency in administration? Explain with the help of suitable examples.

Approach- Question is straight forward. Candidate can define e-governance and state the benefits with the help of appropriate examples.

Introduction

Electronic governance or e-governance can be defined as the usage of Information and Communication Technology (ICT) by the government to provide and facilitate government services, exchange of information, communication transactions and integration of various stand-alone systems and services. In other words, it is the use of technology to perform government activities and achieve the objectives of governance. Through e-governance, government services are made available to citizens and businesses in a convenient, efficient and transparent manner.

Body

E governance and better performance in administration
- E-Governance is basically a move towards SMART governance implying: simple, moral, accountable, responsive and transparent governance.

- Simple — implies simplification of rules and regulations of the government and avoiding complex processes with the application of ICTs and therefore, providing a user-friendly government.
- Moral — meaning the emergence of a new system in the administrative and political machinery with technology interventions to improve the efficiency of various government agencies.
- Accountable — develop effective information management systems and other performance measurement mechanisms to ensure the accountability of public service functionaries.
- Responsive — Speed up processes by streamlining them, hence making the system more responsive.
- Transparent — providing information in the public domain like websites or various portals hence making functions and processes of the government transparent.

Interactions in e-Governance, There are 4 kinds of interactions in e-governance
- G2C (Government to Citizens) — Interaction between the government and the citizens. This enables citizens to benefit from the efficient delivery of a large range of public services. Expands the accessibility and availability of government services and also improves the quality of services. The primary aim is to make the government citizen-friendly.
- G2B (Government to Business): It enables the business community to interact with the government by using e-governance tools. The objective is to cut red-tapism which will save time and reduce operational costs. This will also create a more transparent business environment when dealing with the government. The G2B initiatives help in services such as licensing, procurement, permits and revenue collection.
- G2G (Government to Government)- Enables seamless interaction between various government entities. This kind of interaction can be between various departments and agencies within government or between two governments like the union and state governments or between state governments. The primary aim is to increase efficiency, performance and output.
- G2E (Government to Employees)- This kind of interaction is between the government and its employees. ICT tools help in making these interactions fast and efficient and thus increases the satisfaction levels of employees.

Benefits/ Outcomes of E-Governance
- Enhanced Transparency and Accountability.
- Expanded reach of Governance.
- Improved Public Administration.
- Enables Environment for Promoting Economic development.
- Improved service delivery in the form of better access to information and quality services to citizens.

Initiatives under e-governance

- A National Task Force on Information Technology and Software Development was set-up in 1998.
- The Ministry of Information Technology was created at the Centre in 1999. A 12-point agenda was listed for e-Governance for implementation in all the central ministries and departments.
- The National e-Governance Plan (NeGP), provides a holistic view of e-Governance initiatives across the country.
- Bhoomi Project (Karnataka): Online Delivery of Land Records- Bhoomi is a self-sustainable e-Governance project for the computerized delivery of 20 million rural land records to 6.7 million farmers of Karnataka.
- E-Seva (Andhra Pradesh)- Designed to provide 'Government to Citizen' and 'e-Business to Citizen' services. All the services are delivered online to consumers /citizens by connecting them to the respective government departments and providing online information at the point of service delivery.
- e-Courts- Launched by the Department of Justice, Ministry of Law and Justice. The Mission Mode Project (MMP) aims at utilizing technology for improved provisioning of judicial services to citizens.

Conclusion

With the penetration of technology in the hands of a layman, e-governance aims to empower citizens with service delivery without time delay and in effective manner. India is emerging as the country with highest monthly internet usage. The more steps need to be taken to increase the penetration of services in effective and efficient manner.

67. What are the limitations of digital governance in India? Examine.

Approach

Since the question is asking you to examine, you have to probe deeper into the topic and understand the topic in detail. Here you are expected to investigate and establish the key facts and issues related to the question.

Introduction

Digital Governance can be defined as the application of communication and information technology for providing government services, exchange of information, transactions, integration of previously existing services and information portals. Governments all over the world are initiating steps to involve IT in all governmental processes due to the rapid rise of the internet and digitization.

Body

THE LIMITATIONS OF DIGITAL GOVERNANCE IN INDIA

E-governance uses IT technology to provide basic facilities to deliver government services. Its limitations are:

- Universal public Internet access and dynamic IT applications-oriented literacy is a far-fetched theory.
- Literacy in India is a key for social-economic progress, and the literacy rate is currently 74.04%.This literacy rate is the reason that acts as a challenging task for the government to implement e-governance in the country.
- Reliability of the digitally published information when rules, regulations, and requirements get changed on daily basis remains questionable.
- Inequality of Income plays an important role in proving as a challenge of digital governance. this imbalance of income will act as a major challenge for the government because there is still a very large part of the whole population that cannot even afford to spend money on satisfying their hunger; " then how can we expect them to go digital.
- The absence of interpersonal communication with and by the governmental agencies can leave many stakeholders unattended and disappointed.
- The Indian population is a bunch of diversified cultures and emotions that do not always goes in the same direction. This may play a part as a hindrance while implementing e-governance.
- It has no concrete solution to deal with a complex relationship between personal privacy and big data which could have implications for both higher surveillance and monitoring and the breach of the right to privacy.
- Complex issues are difficult to address and resolve through e-governance.
- Before Internet literacy, Internet infrastructure to interconnect computers and users on the Internet is an essential requirement. This infrastructure includes physical hardware, transmission media, and software; without this, e-governance is a remote service.
- A personal internet infrastructure is needed to avoid giving personal data to a third party.
- Implementing, maintaining, and optimizing e-governance incurs regular costs, perhaps, this necessitates an e-governance budget.
- Its inaccessibility to the underprivileged is a serious concern.
- A prerequisite for e-governance is the full integration of e-services across administrative boundaries, which has more political implications.
- The lack of ICT skills is one of the major challenges to e-governance service delivery.

Conclusion

The e-governance applications allow citizens, trades and government entities to access available government information round the clock including every second and make the delivery of government services more effective and reachable across various government domains. The potential which e-governance has makes public administration responsive and effective, and can truly involve citizens in the process of governance by broadening their scope of interacting with policymakers throughout the policy cycle for the social and economic growth of the nation

68. What are the recent steps announced by the government for improving digital literacy? Discuss.

Approach:

The question demands to explain the current measures of transparency in the policy making in the country. The answer should mention about the CBI, CVC, Lokpal and RTI as main parts and also include social audit and CAG as other accountability and transparency measures.

Introduction:

Digital India is a campaign launched by the Government of India in order to ensure the Government's services are made available to citizens electronically by improved online infrastructure and by increasing Internet connectivity or making the country digitally empowered in the field of technology. The initiative includes plans to connect rural areas with high-speed internet networks. It consists of three core components: the development of secure and stable digital infrastructure, delivering government services digitally, and universal digital literacy.

Body:

Digital India was launched by the Prime Minister of India Narendra Modi on 1 July 2015, with an objective of connecting rural areas with high-speed Internet networks and improving digital literacy. The vision of Digital India programme is inclusive growth in areas of electronic services, products, manufacturing and job opportunities. It is centred on three key areas – digital infrastructure as a utility to every citizen, governance and services on demand, and digital empowerment of citizens.

- Aadhaar identity platform is one of the key pillars of 'Digital India', wherein every resident of the country is provided with a unique identity or Aadhaar number. The largest biometrics based identification system in the world, Aadhaar is a strategic policy tool for social and financial inclusion, public sector delivery reforms, managing fiscal budgets, increase convenience and promote hassle-free people-centric governance.

- Bharat Broadband Network Limited is a special purpose vehicle set-up under Companies Act by the Government of India with an authorized capital of Rs. 1000 cr. It has been mandated to create the National Optical Fiber Network (NOFN) in India. A total of around 2,50,000 Gram Panchayat spread over 6,600 Blocks and 641 Districts are to be covered by laying incremental fibre.

- The Digital Saksharta Abhiyan or National Digital Literacy Mission (NDLM) Scheme has been formulated to impart IT training to 52.5 lakh persons, including

Anganwadi, ASHA workers and authorised ration dealers in all the States/UTs across the country. The initiative aims at training non-IT literate citizens to become IT literate to enable their active and effective participation in the democratic, developmental process, and enhance their livelihood too.

- DBT was initiated with the aim to reform government delivery system by re-engineering the existing process in welfare schemes for simpler and faster flow of information/funds and to ensure accurate targeting of the beneficiaries, de-duplication and reduction of fraud. DBT will bring efficiency, effectiveness, transparency and accountability in the Government system and infuse confidence of citizen in the governance. Use of modern technology and IT tools will realize the dream of MAXIMUM GOVERNANCE MINIMUM GOVERNMENT.

- Crime and Criminal Tracking Network & Systems (CCTNS) is a plan scheme conceived in the light of experience of a non-plan scheme namely - Common Integrated Police Application (CIPA). CCTNS aims at creating a comprehensive and integrated system for enhancing the efficiency and effectiveness of policing through adopting of principle of e-Governance and creation of a nationwide networking infrastructure for evolution of IT-enabled-state-of-the-art tracking system around 'Investigation of crime and detection of criminals'.

- E-Granthalaya is an Integrated Library Management Software developed by National Informatics Centre, (NIC), and Department of Electronics & Information Technology. The application is useful for automation of in-house activities of libraries and to provide various online member services.

- E-Biz is being implemented by Infosys Technologies Limited (Infosys) under the guidance and aegis of Department of Industrial Policy and Promotion (DIPP), Ministry of Commerce & Industry, Government of India. The focus of eBiz is to improve the business environment in the country by enabling fast and efficient access to Government-to-Business (G2B) services through an online portal.

- National Agriculture Market (NAM) is a pan-India electronic trading portal which networks the existing APMC (Agriculture Produce Marketing Committee) mandis to create a unified national market for agricultural commodities. The NAM Portal provides a single window service for all APMC related information and services. This includes commodity arrivals and prices, buy and sell trade offers and provision to respond to trade offers, among other services.

Conclusion:

Several academic scholars have critiqued ICTs in development. Some take issue with technological determinism, the notion that ICTs are a sure-fire antidote to the world's problems. Instead, governments must adjust solutions to the specific political and social context of their nation. Others note that technology amplifies underlying

institutional forces, so technology must be accompanied by significant changes in policy and institutions in order to have meaningful impact.

69. How can e-governance initiatives help in increasing farmers' income? Illustrate.

Approach

A simple and straightforward question where in the candidate needs to illustrate how e-governance initiatives can help in increasing farmers' incomes with suitable examples and substantiation.

Introduction

Agriculture's importance in India is difficult to overemphasize where it accounts for about 13 percent of the country's GDP and employs about 45 percent of its workforce. Digital applications can play a critical role in improving yields — as well as reducing costs and increasing the market value of crops — by making it easier for farmers to obtain finance, optimize agricultural inputs, and increase direct access to markets.

Body

- A Centrally Sponsored Scheme namely National e-Governance Plan in Agriculture (NeGPA) was initially launched in 2010-11, which aims to achieve rapid development in India through use of Information & Communication Technology (ICT) for timely access to agriculture related information. In 2014-15, the scheme was further extended for all the remaining States and 2 UTs.
- Realizing the significance of new digital & emerging technologies, the Committee on Doubling Farmers' Income (DFI) has recommended further expanding and augmenting of the digital agriculture initiatives of Government of India.
- The report focused on modern management of agriculture viz. Remote Sensing; Geographical Information System; Data Analytics and Cloud Computing; Artificial Intelligence & Machine Learning; Internet of Things; Robotics, Drones & Sensors and Block-chain.

E-governance initiatives helping in increasing farmers' income can be seen from the following points –

- Enabling digital financing and insurance pay-outs by facilitating consolidated information, credit scoring models, and yield forecasting models using satellite and weather data. For example, Digital applications are making crop insurance system faster and more accurate.
- The timely availability of right information: The timely information and practical solutions of the agricultural problems allows the farmers to adopt good agricultural practices, make better choices of inputs and to plan the

cultivation properly. Its proper utilisation is indispensable for agriculture. Ex: Kisan Call Centres, M-Kisan etc.

- Introducing precision agriculture using data analytics, with an integrated agricultural data platform across all existing and new data sources. This initiative could raise farm productivity by 15 to 20 percent. For example, Real-time agricultural data can help to increase yields and decrease costs.

- Implementing online agricultural marketplaces linked to a unified, nationwide market with a set of institutional market facilitators and common assaying and grading standards. Such e-marketplaces could cover 40 to 60 percent of agricultural produce sold in India, leading to 15 percent farmers' price gains, as demonstrated by pilots. For example, Technology is bringing transparency to India's agricultural markets.

- The e-Choupal model has been specifically designed to tackle the challenges posed by the unique features of Indian agriculture. 'e-Choupal' also unshackles the potential of Indian farmer who has been trapped in a vicious cycle of low risk-taking ability > low investment > low productivity > weak market orientation > low value addition > low margin > low risk-taking ability.

Government Initiatives –

- Kisan Suvidha, a Digital India initiative, is a mobile app providing information to farmers. Farmers can be informed on the weather alerts, market prices, availability of seeds and fertilisers, agro advisories etc.

- Pusa Krishi is an app designed for farmers to use in the fields. It provides information on the weather so that farmers can take measures to save crops.

- M-KISAN is a mobile based advisory service linked to call centres connected to research centres. Knowledge is disseminated to farmers that is timely, specific, and holistic and needs based.

- Soil Health Card promotes integrated nutrient management through the use of chemical fertilisers and organic manures. Provides soil test based recommendations and ensures quality control of fertilisers.

- National Agriculture Market (eNAM) is a pan-India electronic trading portal creating a national market for agricultural commodities through a government platform. It includes commodity arrivals and prices.

- AgMarknet provides agricultural market information and price trends through a government platform.

Conclusion

It is essential to mobilise States and UTs to own and target stipulated goals with the help of concerted and well-coordinated efforts in terms of e-governance initiatives and their implementation for the Country to achieve the goal of doubling farmers' income by the year 2022.

70. Do a critical assessment of the Digital India initiative.

Approach:

Candidates are expected to write about digital India initiative, and then do critical assessment of the digital India initiative.

Introduction

The Digital India initiative has been launched with an aim of transforming the country into a digitally empowered society and knowledge economy. The Digital India would ensure that Government services are available to citizens electronically. It would also bring in public accountability through mandated delivery of government's services electronically.

Body

There are major nine pillars of Digital India that are mentioned below:
- Broadband Highways
- Universal Access to Mobile Connectivity
- Public Internet Access Programme
- e-Governance
- e-Kranti
- Information for All
- Electronics Manufacturing
- IT for Jobs
- Early Harvest Programmes

Progress and Impact of Digital India Programme:
- Overall 12000 rural post office branches have been linked electronically.
- Increased in electronic transactions related to e-governance as it is estimated that there are more than 100 cr mobile phones in India.
- 2, 74,246 km of optical fiber network has connected over 1.15lakh Gram Panchayat under the Bharat Net programme.

Critical assessment of Digital India initiative:
- Less co-ordination among various departments: As we know it is very large project that consist of many departments. So, timely and strong support of departments is very important for properly and timely completion of the projects.
- Implementation Cost is very high: As shown above still very high amount is required to implement the Digital India plan.
- Infrastructure: Robust and large data centre (used to store large data of entire country) are other supportive infrastructure require for National Optic Fibre Network (NOFN) project. It is planned to build for high speed broadband highway. The biggest challenge faced by 'Digital India' is the slow and delayed infrastructure development. Spectrum availability in Indian metros is about a tenth of the same in cities in developed countries.

- Excess time: Project like NOFN has been delayed several times and taken almost 2 year so, it has also delayed other related projects. The project will be successful when it completed on time.
- Contribution of Private Players: Many regulations as well as very long and delayed projects are inhibiting the entry of private organization in Digital India programme. Private organization will play a necessary role in its success.
- Rural area problem: Many people in rural areas have no Internet connection, and also the content in regional languages is not sufficient to keep the readers engaged. Only 15% of the households can access the Internet, and few people can access mobile broadband. This scenario is despite the increasing affordability of ICT environment in the country.
- Digital illiteracy: According to World Economic Forum (WEF) 2016 report, nearly 33% of Indian population is functionally illiterate, one-third of youth do not attend secondary education. There are vast differences in urban centres such as metropolitan cities and remote rural areas, where an even basic service for example electricity is unavailable to run the Digital India program.
- Cyber security: India's growing economy and digital push have caught the attention of hackers and an increasing wave of cyber-attacks could soon badly impact the country.

Conclusion

The Digital India initiative is the beginning of a digital revolution, once properly implemented; it will create numerous new opportunities for the citizens. However, the Digital India program success will associate with the regulatory framework. The Government completely ensures that these regulations create such an environment in which private organizations come in, work together and create efficient ecosystems. The Government role should be line with administration that is Maximum role of Governance and Minimum role of Government, with these efforts India will be digitally ready within three years.

71. What are the key tools of accountability in public administration? Discuss. How effective these tools have been? Critically examine.

Approach- Question is straight forward. Candidate can define accountability and discuss the tools with the help of suitable examples while examining their effectiveness.

Introduction

Accountability is a form of liability that refers to who and for what and what is accountable, which is understood as the obligation of the holder of the trust to provide accountability, presenting and reporting all activities that are his responsibility to the party who provides the trust has the authority to hold such accountability.

Body

Key tools of accountability

- **Right to information act, 2005**- The path-breaking Right to Information Act which has come into effect in 2005 has been heralded as the most significant reform in public administration in India in the last 72 years. RTI Act has lent voice to the aspirations of ordinary citizens in issues of governance. It gave the common people a defining power to shape the government schemes and policies. RTI is the most effective instrument to check corruption where the citizen has the right to take the initiative to seek information from the state.

- **The Right of Citizens for Time Bound Delivery of Goods and Services and Redressal of their Grievances Bill, 2011 (Citizens Charter)**- seeks to create a mechanism to ensure timely delivery of goods and services to citizens. It requires every public authority to publish a CC within six months of the commencement of the Act and levies a penalty of up to Rs 50,000 for failure to render services.

- **Social audit**- A social audit is a way of measuring, understanding, reporting and ultimately improving an organization's social and ethical performance. A social audit helps to narrow gaps between vision/goal and reality, between efficiency and effectiveness. Social audit fixes accountability of public servants, increases efficacy and effectiveness of local development programmes.

- **Lokpal**- the Lokpal and Lokayukta Act, 2013 provided for the establishment of Lokpal for the Union and Lokayukta for States. These institutions are statutory bodies without any constitutional status. They perform the function of an "ombudsman" and inquire into allegations of corruption against certain public functionaries and for related matters. Jurisdiction of the Lokpal included the Prime Minister except on allegations of corruption relating to international relations, security, the public order, atomic energy and space.

To what extent tools of accountability have been successful?

- RTI- The act did bring some accountability but it lacks structural and functional robustness The Information Commissions were envisioned as the watchdogs in the implementation of the RTI act. CIC currently has more than 30,000 pending cases. Delay in appointments of Information Commissioners has resulted in huge vacancies.

- The Amendments under the 2019 bill will lead to the dismantling RTI as they empower the Central government to unilaterally decide tenure, salary, allowances and other terms of service of Information Commissioners. The Commission which is vested by law with status, independence and authority, will now function as a department of the Central government.

- Shortcomings of Citizens charter- Devoid of participative mechanisms - in a majority of cases, not formulated through a consultative process with cutting edge staff who will finally implement it. Lack of public awareness: only a small

percentage of end-users are aware of the commitments made in the CC since effective efforts of communicating and educating the public about the standards of delivery promise have not been undertaken.

- Social audit- The scope of social audits is highly localised and covers only certain selected aspects. Social audits are often sporadic and ad hoc. Monitoring is informal and unprocessed. The findings of social audit cannot be generalised over the entire population.
- Lokpal- The institution of lokpal has tried to bring a much-needed change in the battle against corruption in the administrative structure of India but at the same time, there are loopholes and lacunae which need to be corrected. Five years have passed since the Lokpal and Lokayuktas Act 2013 was passed by parliament, but not a single Lokpal has been appointed till date indicating the lack of political will. The 2013 act did not provide concrete immunity to the whistle blowers. The provision for initiation of inquiry against the complainant if the accused is found innocent will only discourage people from complaining.

Conclusion

The Indian democracy remains procedural democracy. The well charted tools of accountability seem effective in their structure but lack tooth when it comes to the actual implementation of the acts. Lack of political will and lack of awareness among people are the reasons for the ineffectiveness. The superstructure of procedures in the acts will fail to bring the expected results unless they are provided with the necessary infrastructure and the spirit to work in a free environment.

72. How does transparency strengthen local governance? Explain.

Approach

Since the question is asking you to explain, it expects you to basically clarify a topic.

Introduction

Transparency, in a business or governance context, is honesty and openness. Increasing transparency at the local level has come to be recognised as an important element in tackling some of the challenges to sustainable development. Transparency improves governance because it enhances citizen participation, fosters greater accountability and helps combat corruption.

Body

WAYS IN WHICH TRANSPARENCY CAN STRENGTHEN LOCAL GOVERNANCE INCLUDE:

- Poor transparency at the local level increases the exclusion of poor and marginalised citizens and limits their access to resources and opportunities. Conversely, access to information can empower them.
- With transparency, access to relevant, up-to-date information can create a basis for natural exchange, allowing both official and the public to better access decisions taken and policies implemented.
- Transparency can help build trust between civil society and local government and improve the responsiveness of urban authorities. This will support greater engagement by citizens and the private sector.
- Greater transparency can also bring benefits to government themselves, directly or indirectly. Therefore, transparency is also considered to be a key component of public policy and efficiency.
- By promoting better access to information, transparency improves the accountability of all actors to development goals and each other.
- Free and guaranteed access to information enables citizens, the media and law enforcement agencies to use official records as a means to uncover cases of corruption and maladministration.
- Increasing transparency increases the risk of detection of corrupt practices and this can act as a deterrent to future corruption.
- Corruption can be tackled by activities to enhance transparency and accountability at the local level. These can be developed within 'local integrity systems' that involve all stakeholders.
- Transparency offers a strategic entry point for promoting good urban governance and encouraging public participation.
- The more a local government can provide in the way of transparency, the more it increases trust, honesty, and integrity in the government leaders.

Conclusion

Transparency is also inextricably linked to governance, one definition of which is "a way of implementing policies through cooperation whereby representatives of the government, market and civil society participate in mixed public and private networks". Transparency is an important principle of good governance since a degree of clarity and openness about how decisions are taken can help to build the capacity of the poor and/or marginalised to play a role in policy formulation and implementation; to influence these decisions that affect their lives; and to encourage decision- and policy-makers to exercise their power for the greater good.

73. What are the current institutional measures for ensuring transparency in policy making? Discuss.

Approach:

The question demands to explain the current measures of transparency in the policy making in the country. The answer should mention about the CBI, CVC, Lokpal and RTI as main parts and also include social audit and CAG as other accountability and transparency measures.

Introduction:

Transparency and accountability in administration are sine qua non of participatory democracy. Government secrecy fosters disbelief of government on the part of the citizenry and transparency eliminates the wall of secrecy built against the common people by those holding power. Accountability goes beyond the mere responsibility of delivery of a task or service. It also means answerability if a service is not delivered in a timely and efficient manner such that it becomes a burden.

Body:

UNDP describes governance as "a system of values, policies and institutions by which a society manages its economic, political and social affairs through interactions within and among the state, civil society and the private sector."

- Transparency is broadly accepted as a major principle of good governance. Transparency allows stakeholders to collect information that may be critical to uncovering abuses and defending their interests. Likewise, transparency increases accountability of the Government officials.
- Transparency means that the criteria, process and systems of decision-making are openly known to all in a public manner. Citizen's charter becomes an important measure for transparency in institutional setup.
- The declaration of Right To Information Act (2015) set the stage for transparency in the functioning of the government and its various agencies. Under this Act, access to information from a public agency has become a statutory right of every citizen.
- Major Initiatives to Enhance Transparency in India include – Right to Information Act, Public Services Bill, Citizens Charters, e-Governance, e-Bhoomi, e-Choupal, e-procurement.
- Transparency is required to make the system of public service delivery effective. However, sheer knowledge of what entitlements are, and who is responsible for fulfilling them, is not sufficient to ensure that public services are passably and effectively delivered to the 'intended' recipients
- The RTI has been seen as a landmark evolvement to empower public on information relating to public authority [under section 2[h]). Its recent expansion by including CJI under its ambit shows its relevance.
- Citizen charters have ensured a way for transparent and citizen centric administration. For instance, on measures of grievance redressal, etc.
- The e – governance have ensured it by- Transparency through online public procurement.
- Delivery of welfare schemes through JDY and thus avoiding leakages and corruption.

- Models like PRAGATI for good and efficient public service and governance system.

Conclusion:

There is imperative need to strengthen and widen the national public information infrastructure through developing information networks for wider access of digital information through wider use of information technologies. Changing the mindset of the government employees is important. This will be addressed to organizing programmes for orientation, training and capacity building. States may be advised to establish an independent public grievance redressal authority to deal with complaints of delay, harassment and corruption.

Accountability is the complementary function of Transparency. Further, if the system of governance is transparent enough it would promote accountability, transparency and accountability are linked vis-a-vis its mission of an organization where the main objective of achieving public welfare needs to be prioritised

74. What are citizen charters? Are they effective? Critically examine.

Approach

A simple and straightforward question where in the candidates need to explain what are citizen charters in the first part of the answer while in the second part, they need to critically examine the aspect of their effectiveness with proper substantiation.

Introduction

The concept of a citizen's charter was initiated by former British Prime Minister John Major in the year 1991 intended to improve quality of public service. In India, the concept of citizen's charter was first adopted at a 'Conference of Chief Ministers of various States and Union Territories' held in May 1997 in the national capital.

Body

- Citizen charter is the written voluntary declaration by service providers highlighting the standards, timeline, grievance redressal mechanism and other service-related information.
- An ideal citizen's charter must contain: Vision and mission statement of the organization, information about the nature and quality of service delivery, the time frame within which the service must be delivered, expectations from the client and grievance redressal infrastructure in case of noncompliance.

Effectiveness of Citizen's Charter –

- Quality of service: It promotes good governance. It increases organizational effectiveness and performance by making a public commitment to adhere to

measurable service delivery standards. E.g. Bangalore police responding to distress calls within 10 minutes.

- Accountability: It enhances accountability by providing citizens with a clear understanding of service delivery standards, including timetables, user fees for services, and options for grievance redress. E.g. Timely delivery of Pizza failing which it will be free.
- Service Monitoring: It creates a way for both internal and external actors to objectively monitor service delivery performance. It ensures better service quality and grievance redressal. E.g. Details of services provided under municipality.
- Reduce corruption: It increases government revenues by ensuring that the money citizens pay for services goes into the government's coffers (and not into employees' pockets). E.g. online payments, refunds as a promise under charter.
- Citizen Charter increases participation of common man in efficient working of an organisation by making the citizens aware of the aims and goals of the organization. It sets standards of service, allowing high expectations from an organisation, pushing them to work diligently.
- Grievance redress mechanism: makes the organization communicate with the public and improve itself based on complaints and feedback. This creates an organizational culture of learning from mistakes as well as promotes participative governance.

Citizen charter, not an effective instrument –

- Lack of public awareness: While a large number of public service providers have implemented citizen's charter only a small percentage of end-users are aware of the commitments made in citizen charter.
- Charters was rarely updated: charters reviewed rarely showed signs of being updated even though some documents dating back from the inception of the citizen charter programme nearly a decade ago.
- Inadequate groundwork: Government agencies often formulate citizen's charter without undertaking adequate groundwork in terms of assessing & reforming its processes to deliver the promises made in the charter.
- Just a formality: The general perception of organisations which formulated Citizens' Charters was that the exercise was to be carried out because there was a direction from the top. They are nothing but pious statements of intention which do not contain any objective goals.
- Unrealistic Charter: In some cases, the standards/time norms of services mentioned in Citizens' Charter were either too lax or too tight and were, therefore, unrealistic and created an unfavourable impression on the clients of the Charter.
- Resistance to change: The new practices demand significant changes in the behaviour & attitude of the agency & its staff towards the citizen.
- No legal backing: The Citizen's Charter is not legally enforceable and, therefore, is non-justifiable. This had made them toothless tool to the citizens.

But citizen charter being a complete failure is an exaggeration. It has produced and is a reason for many reforms and successes like –

- Sevottam model as suggested by 2nd ARC and 6th pay commission has been adopted by many ministries and departments. Citizen charter of Indian post is one of the success stories.
- As a next step to citizen charter, states like Madhya pradesh, Kerala etc., have passed right to service.
- Citizen report card, Jan Bhaagidaari in cities like Bangalore, Delhi etc., is offshoots of citizen charter.

Way Forward –

- Include Civil Society in the process: to assist in improvement in the contents of the Charter, its adherence as well as educating the citizens about the importance of this vital mechanism.
- Hold officers accountable for results: fix specific responsibility in cases where there is a default in adhering to the CC.

Conclusion

Therefore, with effective implementation strategy, simplified meticulous design and deployment of enthusiastic staff and with adequate awareness campaigns, possible external audits, we can go a long way in making Citizen Charter a tool for better governance.

75. What role do civil servants play in India's electoral democracy? Illustrate.

Approach:

Candidates are expected to write about civil servants in democracy in India and illustrate on the role of the civil servants in the electoral democracy of India.

Introduction

In a democracy, the civil services play an extremely important role in the administration, policy formulation and implementation, and in taking the country forward towards progress and development.

Body

Polling personnel:
- The majority of polling personnel are temporary staff recruited from virtually every branch of government. They comprise teachers, engineers, clerks, accountants, administrative and support staff from across departments

including government laboratories and hospitals, security and police personnel, bus drivers, railway staff, anganwadi workers responsible for early childhood care as well as primary healthcare workers.

- Nearly five million polling personnel and police forces, according to the Election Commission of India's 2016 annual report. In the 2014 general election, the staff deployed in polling booths alone numbered 37, 31,897, not counting the vast numbers of security and other personnel.

Role of civil servant in electoral democracy:

- Government staff is deployed because they would be subject to the control and discipline of the government at all times as per former Chief Election Commissioner SY Quraishi. Employees from the private sector were deliberately kept out of election duties as no administrative control could be exercised over them once the elections were over.

- The Election Commission of India consists of the chief election commissioner and two election commissioners all senior bureaucrats. They are supported by a secretariat that is composed in part of officials transferred from other departments and those recruited directly into the Commission.

- This apex body decides the schedule, the election process and its monitoring, the codes of conduct and their enforcement, how the electorate is registered and identified and how grievances are addressed.

- It deputes general observers, expenditure observers and police observers to the states as well as expenditure monitoring committees and poll code monitoring staff to all 543 constituencies.

- Despite the tight control over all staff and agencies involved, the conduct of a general election is a remarkably decentralised affair. Government officials at the state and district levels play important roles.

- At the state level, the Election Commission is represented by a chief electoral officer again a senior bureaucrat. They are assisted by several special and deputy chief electoral officers. Together, with nodal officers on deputation, they oversee voter registration and education, deal with political parties active in the state, approve campaign material and activities, monitor the media, enforce the code of conduct and address grievances.

- In a general election, the Parliamentary constituency sees maximum action. Here, the returning officer is in charge. The district administration handles the details – hiring cars, organising wheelchairs, randomising the selection of polling staff and electronic voting machines, enforcing the model code and investigating its violations, receiving and scrutinising nomination papers, securing the machines and finally, organising counting.

- The Presiding Officer is responsible for setting up the Polling Station and conduct a mock poll before the polling commences. He/she has to ensure that voting compartments are properly arranged and cables connecting balloting units and VVPATs to their respective Control Units are clearly visible.

- The Presiding Officer is also responsible for ensuring the polling begins and ends at the fixed time and that there is no delay. He/she should also keep an eye on voters, making sure no one goes away without voting. He/she also has

to periodically check that ballot units and VVPATs have not been tampered with. The officer also seals the EVMs and election records and hands them over to the Returning Officer at the reception centre.

- It is a special job profile created under the EC guidelines where the micro observer reports deviations in the polling process in the polling station to the General Observer of the constituency. They are appointed in sensitive polling areas. Mostly retired civil servants are appointed.

- The returning officer of a parliamentary or assembly constituency is responsible for the conduct of elections in the parliamentary or assembly constituency concerned as per the Representation of the People Act, 1951. Returning officer is the statutory authority to conduct the polling, counting process and to decide validity of ballot paper and election commission has no power to overrule him or her.

Conclusion

The permanent Executive who form the civil servants are the backbone of the administration in a country. It is with this branch of executive that the common man mostly comes into contact with and it is through this branch that the national government establishes its contacts with the rank and file of citizens.

76. How does India's complex geography in the border regions aggravate the internal security challenges? Discuss.

Approach

Candidates are expected to write about internal security challenges and how India's unique and complex geography in border regions aggravate the internal security challenges.

Introduction

Border Management is an integral approach towards borders in which along with security enhancement, infrastructure & human development is undertaken. The challenge of coping with long-standing territorial and boundary disputes with China and Pakistan, combined with porous borders along some of the most difficult terrain in the world, has made effective and efficient border management a national priority.

Body

Complex geography in the border region aggravating the internal security challenges-

- Varied terrain, climatic conditions and hostile neighbours make our borders complex and border management an important aspect of our security.

- Managing such an expansive border is a complex task. Challenges related to border security include unsettled maritime boundaries, lack of fully demarcated land borders, and borders based on artificial boundaries. This porosity of borders facilitates various illegal activities such as smuggling, trafficking of humans, drugs and arms and infiltration.
- On Indo Bangladesh border entire stretch consists of plain, riverine, hilly/jungle and with hardly any natural obstacles. The area is heavily populated, and at many stretches the cultivation is carried out till the last inch of the border.
- Density of population in the border areas at some places is approximately 700-800 persons per square km on the Indian side and about 1,000 persons on the Bangladesh side.
- Instead of following natural barriers, it meanders through villages, agricultural lands, and rivers, rendering the border extremely porous with many disputed pockets. Demarcated stretches, existence of enclaves (chhit-mohols), and adverse possessions had been causing constant friction between the border guarding forces of India and Bangladesh.
- The location of the Indo-Myanmar boundary throws up many challenges for the effective management of the boundary. The rugged terrain makes movement and the overall development of the area difficult. The internal dynamics of the region in terms of the clan loyalties of the tribal people, inter-tribal clashes, insurgency, and Trans border ethnic ties also adversely affect the security of the border areas.
- In a place like Galwan Valley first major factor is acclimatisation since the oxygen supply reduces drastically. Next, the load carrying capacity of individuals reduces drastically. Things move very slowly in the mountains and mobilisation of troops consumes time. Thus, time and place need to be kept on top priority when deciding where the troops have to be stationed and how they have to be mobilised.
- Frost, inhabitable conditions and sub-zero temperature are deadlier than bullets at the world's highest military post-Siachen which is part of a disputed region between India and Pakistan. Several incidents where Indian Army personnel died after an avalanche hit their post, brings to fore the rising number of death at the world's highest battlefield where not a single death has occurred due to a bullet wound since 2003.
- India Pakistan border need patrolling in riverine areas and water-patrol teams have been deployed at the Chenab River, primary reason is the difficult terrain characterised by lofty mountains, several cross-border streams and dense growth of elephant grass.
- The Indian military Border Security Force (BSF) patrols Sir Creek up to midstream using floating border posts, amphibious vehicles, and foot travel by the Creek Crocodile Commandos. The coastal area of Sir Creek is manned by the Indian Coast Guard, and the larger open sea beyond is patrolled by the Indian Navy.

Conclusion

Defence preparedness should be vigorously pursued to insulate us from unpleasant surprises. The vision should be to establish with utmost urgency, stable, viable and peaceful national boundaries, all around, so that India can proceed, unhindered, with the vital tasks of nation-building and socio-economic development.

77. How has organised crime evolved in recent years? How does organised crime manifest itself? Analyse.

Approach

Candidate can define organised crime and with the help of examples and data, outline the recent trends by stating way forward to contain this threat.

Introduction

Organised crime is defined as "those involved, normally working with others, in continuing serious criminal activities for substantial profit, elsewhere". Organised criminals that work together for the duration of a particular criminal activity or activities are what we call an organised crime group.

Body

Organized crime has always existed in India in some form or another. It has, however, assumed its virulent form in modern times due to several socio-economic and political factors and advances in science and technology. Even though rural India is not immune from it, it is essentially an urban phenomenon.

Evolution of organised crime –

- Organized crime networks can be as small as within a locality conducting extortion and could become as large as involving transnational crime syndicates and conducting all kinds of activities ranging to drug trafficking, arms smuggling, terrorism, money laundering, etc.
- The Mumbai underworld, formerly known as the Bombay underworld, refers to the organised crime network in the city of Mumbai (formerly Bombay), in the state of Maharashtra in India. Mumbai is the largest city of India and its financial capital. Over a period of time, the Mumbai underworld has been dominated by several different groups and mobsters.
- Banditry is criminal activity involving robbery by groups of armed bandits. The East India Company established the Thuggee and Dacoity Department in 1830, and the Thuggee and Dacoity Suppression Acts, 1836–1848 were enacted in British India under East India Company rule. Areas with ravines or forests, such as Chambal and Chilapata Forests, were once known for dacoits.

- Several local Indian, Russian, Israeli and Nigerian mafia groups are heavily involved in the organised drug trade in Goa, India's smallest state. Sources reveal that there are also individual players who are British, French, Italian, Portuguese and from other European countries. Some have been visiting the state for over two decades and have their fixed international and local clientele.
- Punjabi mafia refers to the organised criminal gangs in the state of Punjab in India. There has been a spurt in the formation and activities of such criminal gangs in Punjab over the last decade even though some gangs, associated with those based in Uttar Pradesh, have been operational in the state since the end of militancy in Punjab. Post militancy, they took to contract killings. The real estate and industrial sector boom of the early 2000s saw several criminals surfacing with the primary objective of controlling unions.

Recent trends in organised crime –

- India is a major transit point for heroin from the Golden Triangle and Golden Crescent en route to Europe. India is also the world's largest legal grower of opium; experts estimate that 5–10% of the legal opium is converted into illegal heroin, and 8–10% is consumed in high quantities as concentrated liquid.
- The pharmaceutical industry is also responsible for much illegal production of mandrax, much of which is smuggled into South Africa. Diamond smuggling via South Africa is also a major criminal activity, and diamonds are sometimes used to disguise shipments of heroin.
- In the cinema of India, particularly Bollywood, crime films and gangster films inspired by organised crime in India have been produced since 1940. Indian cinema has several genres of such crime films.
- Terrorism is a serious problem which India is facing. Conceptually, terrorism does not fall in the category of organized crime, as the dominant motive behind terrorism is political and/or ideological and not the acquisition of money-power. However, the Indian experience, shows that there is very little difference between criminals and terrorists. There is evidence to suggest that, be it terrorists of J&K, insurgents of the North East or for that matter the Left wing extremists, all are using the methods and tactics of organized crime to raise funds for their organizations.
- The terrorist groups share relations with organized crime at several levels which includes conducting operations for the sole purpose of raising money, seeking assistance from the organized crime networks.
- To summarize, Union of organized crime and terrorism is major menace for international safety and peace. These crimes are growing at rapid rate. It can be concluded from reviewing major facts of these crimes that Organized crime is a rising as international phenomenon and, as it intersects with terrorism, an increasingly dangerous force.

Conclusion

Just as terrorists pool their abilities and resources to achieve synergistic outcomes. Its abolition can be possible only if collaboration is attained at global scale and counter-terrorism programs along with development schemes. To eliminate organised crimes, local level policing needs to be strengthened along with intelligence capacities. Organised crimes are a potential threat to internal security and needs to be dealt with iron fist.

77. Discuss the security challenges posed by insurgent groups. What has been the strategy of the government to tackle them? Examine.

Approach

Since the question is asking you to discuss (you have to use your skill at reasoning, backed up by deliberately selected evidence to make a case for and against an argument) the security challenges posed by insurgent groups. After that you have to examine (strategy of the government to tackle them) strategy of the government to tackle them.

Introduction

The Northeast and the Maoist insurgencies have posed major security threats to the Indian state since the 1950s and late 1960s. As per the reports, the 80% reduction in insurgency-related incidents and rise in the number of insurgents giving up arms by over 1600% from 2019 is improvement and a great achievement for the government and security forces because of which, the Armed Forces (Special Powers) Act, 1958, has been removed completely from Meghalaya and Tripura and its application has been reduced in Arunachal Pradesh.

Body

THE SECURITY CHALLENGES POSED BY INSURGENT GROUPS –

- That the Indian insurgents can cross the international border and hide in the neighbouring country is not new.
- Since the inception of insurgency in the Northeast in the 1950s, the Naga, Mizo, Meitei, and Assamese insurgents have been crossing over into Myanmar to set up bases, especially in the Chin state and Sagaing Region, where they rest, recoup, train, plan and launch future offensives, and take shelter when pursued by the Indian security forces.
- Besides cross border movement of insurgents, rampant gun running and drug trafficking are other significant security challenges emanating across the India-Myanmar border.
- The Indian insurgent groups have been procuring arms from the black markets of Southeast Asia as well as from Myanmar based rebel group such as the United Wa State Army (UWSA).

- These weapons are often brought in as headloads by the insurgents as well as the local villagers because these headloads are seldom checked by the border guarding forces.
- The narcotics are trafficked into India through the states of Mizoram, Manipur, and Nagaland from Bhamo, Lashio and Mandalay. For example: Proximity to Myanmar in the 'Golden Triangle' makes the India-Myanmar border vulnerable to trafficking of heroin and amphetamine-type stimulants (ATS) produced in Myanmar.
- While the bigger insurgent groups are not directly involved in drug trafficking to generate funds, they do so indirectly by demanding protection money from drug mafia for allowing safe passage to the drug consignments through their area.

THE STRATEGY OF THE GOVERNMENT TO TACKLE THEM –

- The Indian government's counterinsurgency campaign in Kashmir is effective largely due to the government's use of a massive military response.
- The military has defeated the insurgents' attempts to transition to guerrilla warfare and has forced the insurgency to use terrorism as its main means to gain support among the Kashmiris and the international world,
- The relentless operations by the security forces and proactive government policies have laid the foundation for tackling insurgency issues.
- Favourable external environment with Myanmar and Bangladesh has struck at the roots of the insurgent organizations in north east as well.

Conclusion

The internal security problems should not be treated as merely law and order problems. They have to be dealt with comprehensively in all their dimensions and at all levels — political, economic and social. They are all interlinked. At times, the required measures will conflict with each other. Going too far in one direction could be counter-productive. The security requirements have to be met, but that does not mean giving the security agencies a free hand. Striking the right balance is the key to success in meeting these challenges effectively. We need a comprehensive security policy that will be implemented effectively at all levels.

78. Discuss the recent efforts undertaken by the government to address the security Challenges in border regions?

Approach

Question is very straight forwarded in its approach students are expected to discuss about the recent efforts taken by the government to address the security challenges

in the border regions also it is important to mention the programs in this direction as well.

Introduction

The border security scenario in India is marked by many threats, with different sectors of the border posing different challenges and complexities. The threats to India are arguably increasing, with principal threats coming from Pakistan, Bangladesh and China, and noteworthy threats from Myanmar, Nepal and Bhutan. The Pakistan border sees cross-border terrorism and movement of armed militants and smuggling of goods and narcotics, while along the Bangladesh border, illegal immigration and smuggling have been the main concern. The China border sees fairly regular armed intrusions, and has recently been in the news due to the Doklam crisis that raised suspicions that China may have some concealed their goals in the border region.

Body

Efforts to address the security challenges in the border regions –

- The pace of border security projects in India has accelerated over the past two years. A prime example of this has been the implementation of a Comprehensive Integrated Border Management System (CIBMS) pilot project along two 5.5 km and 5.3 km stretches of the International Boundary (IB) in Jammu and Kashmir (J&K). Theoretically, CIBMS a robust system that works by integrating human resources, weapons, and high-tech surveillance equipment. Following Pathankot terrorist attack, MHA sanctioned implementation Comprehensive Management System (CIBMS) to establish an integrated security system at borders providing all round security even in adverse climatic conditions.
- Border Security Forces (BSF) obtained hi-tech systems such as Hand Held Thermal Imagery (HHTI) systems, Long Range Reconnaissance Observation Systems (LORROS), and Battle Field Surveillance Radars (BFSR) that greatly enhanced the detection ability of BSF personnel.
- Creating infrastructure: India is also constructing some critical bridges to cut down time for troop movement such as Dhola – Sadiya Bridge.
- India has joined hands with Japan to aggressively develop infrastructure projects in North east to contain China.
- To expedite border road construction, Ministry of Defence has decided to delegate administrative and financial powers to the Border Roads Organisation (BRO).
- A crime-free stretch has been established between the BSF border posts at Gunarmath and Kalyani and the BGB (Border Guards Bangladesh) border posts at Putkhali and Daulatpur.
- Coordinated Border Management Plan (CBMP) – aims to synergize the efforts of both the Border Guarding Forces for checking cross border illegal activities

and crimes as well as for maintenance of peace and tranquillity along the India-Bangladesh border.

- 13 new Integrated Check Posts (ICPs) to encourage India's engagement with SAARC countries along with Thailand and Myanmar. ICP is able to interdict such elements while facilitating legitimate trade and commerce.
- Development of border areas has been a matter of concern for the country. The Border Area Development Programme (BADP) was initiated in western region, which at that point of time was the most volatile border, during the Seventh Five Year Plan period for promotion of wellbeing and a sense of security among the border population. The development of border areas is now viewed as a part of the comprehensive approach to the Border Management, which focuses on socio-economic development of the people and promotion of wellbeing and a security environment in the border areas.
- Our navy has interdicted Chinese maritime research and survey vessels that entered our Exclusive Economic Zone (EEZ) and Continental Shelf (CS) without our prior consent in 2018 and 2019. India has legislation that requires foreign marine scientific vessels to seek licence prior to undertaking activities. This will need coordination between our national security agencies, the navy, and the government departments responsible for the marine environment and disaster management, but also collaboration with like-minded countries who share our concerns. Such cooperation includes, inter alia, deepening of real-time information exchange, co-development and deployment of UDA monitoring devices and joint processing of acoustic signatures, and closer coordination in the patrolling of sea lanes to ensure a free and open Indo-Pacific.

Conclusion

India has a land border of over 15,000 kms, which it shares with seven countries (Pakistan, China, Bangladesh, Nepal, Myanmar, Bhutan, and Afghanistan). In the Indian case, borders are quite complex and almost every type of extreme geography is present at different borders viz. deserts, fertile lands, swampy marshes or tropical evergreen jungles. There is cross border smuggling, the problem of drugs, cattle, humans, artefacts, fake Indian currency note (FICN), etc. The stability of country brings the full utilization of Human resource potential of the country and brings the economic development and peace and prosperity in the country so, border management is a key issue for whole round development of country. In order to ensure that strict vigil and infrastructure development is needed in the border areas.

79. What role do intelligence agencies play in securing the country? Illustrate.

Approach

A simple and straightforward question where in the candidate needs to show role of intelligence agencies in security of the country.

Introduction

Gathering intelligence and information by means of espionage has been a key element to the survival of nations ever since their existence. However, there has been a major change in the way intelligence agencies work ever since the evolution of technology and the unthinkable amount of advances in the way people live their everyday lives.

Body

- The role of intelligence agencies has changed dramatically; Intelligence agencies are not mere data collection and analysis units anymore, they are full-fledged covert armies, called upon to take action when no one else can.
- The Cold War saw the further evolution of intelligence agencies, introduction of "larger foreign policy focus". The U.S.A saw the U.S.S.R as keeping her administration from a more "comprehensive foreign policy".
- Intelligence acts as the escutcheon of a nation. However, the success of intelligence agencies in protecting the nation is never reported in the media for obvious reasons. It is only their defeats, mistakes and controversies that are reported.
- Striking the balance between allowing intelligence agencies to carry out activities to promote their citizens security and the limitations to these activities is vital. Hence, the role of intelligence in modern warfare is still somewhat obscure.

Further, the role of intelligence agencies in securing the country can be seen from following points –
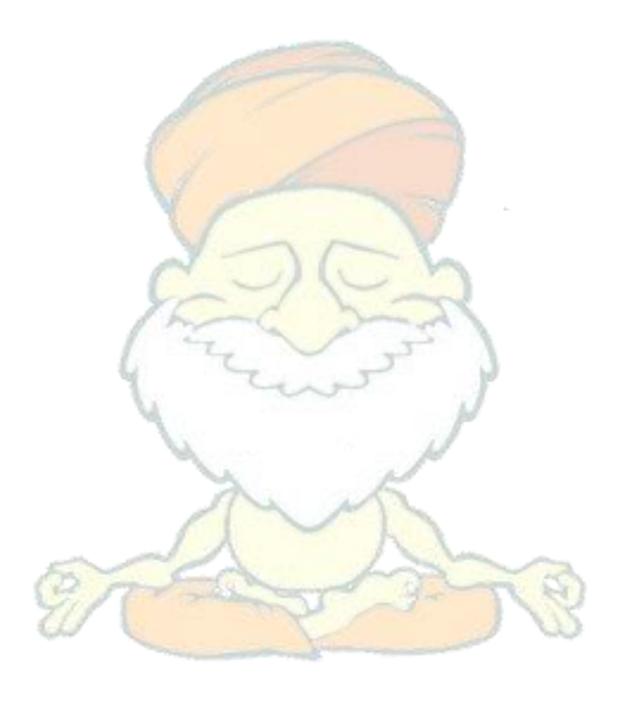
- Collection: as a function of intelligence, appears straightforward, and its necessity is not seriously challenged. Through various means, intelligence agencies collect information about foreign persons, places, events, and activities that is needed by the Government but cannot be obtained through publicly available sources or diplomatic contacts.
- Analysis: The analytical function raises similar practical issues. In theory, intelligence analysts take information provided by perhaps all three collection disciplines, combine it with information from publicly available sources, and produce "all source" analysis for the customer. Because the analysis contains information obtained by intelligence sources, it is typically classified.
- Covert Action: are used to influence political, military, or economic conditions or situations abroad, where it is intended that the role of the Government will not be apparent or acknowledged publicly. These might consist of technical and logistical assistance to other governments to deal with problems within their countries, or actions undertaken to disrupt illicit activities that threaten government's interests, e.g. terrorism or narcotics trafficking.
- Counterintelligence: The counterintelligence function involves protecting the country, as well as intelligence agencies, from the activities of foreign

intelligence services. The RAW is responsible for coordinating India's counterintelligence activities abroad.

- Further, intelligence also involves support to country's Diplomacy, support to Monitoring of Treaties and Other Agreements, support to Military Operations, Economic Intelligence, etc.

Conclusion

The paradigm shift in the nature of the security challenges facing the country lends urgency to the need for strengthening country's intelligence apparatus. There is a need for comprehensive, not ad hoc and piecemeal, changes where the focus should be on removing the deficiencies within the system, improving coordination between intelligence agencies and ensuring better accountability and oversight.