

INDIAN POLITY AND GOVERNANCE

Time Allowed: 3 hrs.

Max. Marks: 250

Q.	Marks	Instructions to Candidate
1.		<ul style="list-style-type: none">• There are 20 questions.• All questions are compulsory• The number of marks carried by a question is indicated against it.• Answer the questions in NOT MORE THAN 200 words each, Contents of the answer is more important than its length.• Answers must be written within the space provided.• Any page or portion of the page left blank in the Question-cum-Answer Booklet must be clearly struck off.
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

1. Invigilator Signature

2. Invigilator Signature

Name MRINAL CHATTERJEE

Roll No. _____

Mobile No. _____

Date 23/08/2017

Signature Mrinal

REMARKS

GS SCORE
GS MAINS TEST SERIES 2017

--	--	--

~~XXXXXXXXXX~~

Roll No. _____

Q1. "A party that comes second, has no right to form the Government." Comment on the statement keeping in mind, the recently concluded elections in Goa. Analyze, if it was a case of abuse of Governor's discretionary powers? (12.5 Marks)

In the Indian legislative setup, a party gaining absolute majority has the first and imminent right to form the government. However, in case no party gains a clear majority, then the majority is achieved through formation of coalitions.

The coalitions work on the principle of total number of seats collectively won by the parties involved in the coalition. As and when it surpasses the required majority, the coalition is legally ~~mandated~~ mandated to form the government.

~~In this~~ Under these circumstances, the fact whether a party has won maximum number of seats, or whether a party has come second does not matter. Ultimately the coalition holding majority forms the government as happened following legislative elections in Goa.

42

Require
majority
Government
power &
discretion

various
committee
second?
of sub
election
series
&
preference

Remarks

However, the Sarkaria Commission had given certain recommendations to form government in case of a hung Assembly. It recommended a step wise approach to be followed by the Governor as:

- 1) First preference for government formation should be given to single largest party.
- 2) Then preference given to pre-poll alliance.
- 3) ~~Next~~ Next in preference would be post-poll alliance.
- 4) Last opportunity should be given to an alliance of parties giving outside support to a main party for govt. formation.

These recommendations are not binding but are necessary to maintain the legislative and constitutional propriety.

Governor is ~~the~~ entitled to his discretion under Article 163 of the Indian Constitution, but such cases, as happened in Goa put the legislative process in India under bad light and ideally should be avoided.

slowly
coalesce
combine
neg. point

Remarks

Q2. Do you think, making National Commission for Backward Classes a constitutional body was necessary? Critically analyze how this move of assigning constitutional status would affect the working of this body? (12.5 Marks)

National Commission for Backward Classes (NCBC) at present is a statutory body formed under the NCBC Act 1993. It was constituted following the pronouncement of the Supreme Court in the Indra Sawhney Case to ~~form~~ setup such a body for the identification and welfare of Backward classes.

Present Status of the Body:

- 1) Its recommendations are often not accepted by the government in power.
- 2) No explanation is required to be given for non-acceptance of recommendations.
- 3) The functioning of the body is often politicised and sometimes seems biased.

Under such circumstances, the granting of a Constitutional Status to the NCBC would empower it ~~fast~~ in a real sense to formulate policies for the amelioration of backward classes after their rightful identification.

32

Remarks

- Refer link for specific points

Consequences/Result of Constitutional Status:

Specific
power
Civil

- 1) More power ~~to~~ for the body being a constitutional one.
- 2) In case its recommendations are not followed the government would be bound to provide an explanation in the Parliament.
- 3) Government ~~will~~ can be held accountable.
- 4) It will formalize the working of the body.

However, the move has caused ripples regarding the concern of attack over federalism. As each State is entitled to declare backward classes in their respective States, there is an apprehension that NEBC's list would prevail over the State's list. This would be an intrusion into legislative domain of the State.

~~These~~ Such apprehensions need to be cleared off before finalising the constitutional status of the NEBC.

Remarks

Q3. The Religion, Caste, and Language has been the major theme of Social Segregation and division. In this reference analyze whether the recent decision of the Supreme Court to put a blanket ban on political parties and candidates to appeal people on basis on religion, caste etc. would amount to strengthening of democracy in country? (12.5 Marks).

In the recent case of Abraham Singh v. C.O. Comarachen, the majority decision (4:3) of the Apex Court put a blanket ban on the use of attributes like religion, caste, language etc. by parties and their candidates.

good intro

The decision has been perceived through different angles in the Indian politics-administrative setup, like:

Positive perception about the decision:

- 1) It has strengthened the Article 123(3) of the Representation of People Act - 1951 (RPA) as any reference to religion, caste etc. would amount to a corrupt practice and invalidate the election of a candidate.
- 2) This would cleanse the politics of in India from religion and caste based appeals.
- 3) This would help in building social cohesion.
- 4) Provide an equal platform to all candidates, thus strengthening Indian democracy.
- 5) Would reduce communalism, hate speech and spread of hatred.

5

Remarks

look on word

Negative Perception

- 1) The decision in the view of Justice Chandra-
chud ~~is~~ deliver a heavy blow to the legitimacy of many social movements in India based on language, caste, etc.
- 2) These identities are an important basis to fight against the social prejudices ~~is~~ and atrocities inflicted on the marginalised communities in India. Their removal from political discourse would thus fail to provide justice to such people.
- 3) There can be different interpretations of appeals based on these ~~the~~ attributes. As 'Hindutva' has been defined by the Court as a way of life and not a religion.

These difficulties would pose a major problem in functioning of the Indian democracy. It might lead to certain collateral damage impacting the hitherto ~~is~~ marginalised communities in a negative way.

also conclude on positive note

Remarks

Q4. In the light of growing pendency of cases with traditional judicature, the need for alternative dispute mechanism has been felt. What are the merits and demerits of alternative dispute redressal mechanism? Also suggest measures to improve the performance of the traditional judiciary. (12.5 Marks)

The Apex Court in the case Reghubir Singh v. State of Bihar had accorded the right to speedy trial as the status of a fundamental right. However, with more than 2.5 crore cases in the Indian judiciary there is a huge need to solve cases through alternate dispute redressal mechanism (ADR).

The ADR includes institutions as Lok Adalats, Nyaya Adalats, Legal Aid Schemes etc. which are utilized to solve cases pending in courts or at pre-litigative stages.

The merits of ADR include:

- 1) Speedy resolution of cases
- 2) Non-embarrassing methods of judicature which are easy to follow by the people make the method acceptable.
- 3) Comparatively the cost of the resolution of cases borne by the parties is highly reduced viz a viz the traditional court proceedings.
- 4) It provides legal justice to even the poorest and the farthest corners.

8

Remarks

Demerits of ADR mechanism:

- 1) The proceedings are held in an irregular manner.
- 2) People often do not come to know about the holding of such Lok Adalats in their districts.
- 3) Both parties involved in the case have to be convinced to approach Lok Adalat, this is a very cumbersome process.
- 4) Lack of legal literacy among the people to avail the benefits of the ADR mechanisms makes them reduce their importance.

However, ADR cannot solve all the judicial cases in the country & thus it is imperative to improve the traditional judiciary by:

- 1) Increasing the number of Benches hearing cases.
- 2) There are proposals to set up a National Court of Appeal and keep the work of Supreme Court restricted to solving cases having matters of constitutional importance.
- 3) ~~Red~~ Cancellation of the summer holidays of the judiciary to increase working hours.
- 4) Adoption of ICT by the Court to improve enhance administration's efficiency.

Remarks

- Q5. Indian states have not only been denied the 'guarantee of their territorial integrity' but also due rights as federal units. Examine the above statement considering idea of co-operative federalism, especially in context of bifurcation of erstwhile Andhra Pradesh? (12.5 Marks)

Article 1 of the Indian Constitution declares India / Bharat to be a Union of States. The States have no right to secede from the Union. ~~Thus India is~~

However, it must be noted that India is an indestructible Union of destructible States. This implies that States have no right to territorial integrity. This is backed by Article 3 of the Constitution which states that in order to bifurcate a state only a simple majority of the Parliament is required. Though the Bill for state bifurcation has to be referred by the President to the respective State, the views of the State are not mandatorily to be adopted by the President or the Parliament.

This makes the view of the state redundant as was seen in Andhra Pradesh's case whereby Telangana was carried out in spite of vehement opposition by the Andhra assembly.

~~Moreover~~ Apart from this, the States also have subdued federal rights, as:

(5)

Remarks

- Do good in content although you can

add more analytical aspect. - why bifurcation

happening in

some cases.

- 1) Their Constitutional Executive head (Governor) is appointed by the Centre without any concurrence of States. (Article 155-156)
- 2) State Bills can be reserved by the Governor for President's consideration who has absolute veto over the State Bills (Art. 201)
- 3) The State Government can be suspended under Article 356 following declaration of President's Rule.
- 4) All India Services like IAS, IPS & IFS officers are under the administrative control of Union but ~~are to work under~~ carry out necessary works in the States (Art. 312).

These points point out to lesser rights to States as federal units.

However, the mechanism of a relatively stronger centre has been ~~not~~ felt. require to protect the integrity of the nation. Article 245 and 246 of the Constitution lays out clear duties and functions of the States and Centre (Schedule VII). Also, the Courts are active to prevent encroachment in domain of States by Centre.

These attributes led to describing of such a relation between States and Union as Cooperative federalism by Granville Austin.

Remarks

Q6. Justice delayed is justice denied. Judiciary on one erstwhile hand is facing the crunch of manpower on other hand quality of talent is another big issue. In this reference examine the need of an All India Judicial Service? (12.5 Marks)

Judicial justice is a necessary right that a person in a democracy is entitled to, but with crunch in resources and talent the Indian judicial setup is failing to keep pace with time. ^{substantial with facts}

The Law Commission of India, in order to solve this dual problem of manpower and talent deficiency, had recommended the setting up of an All-India Judicial Service (AIJS). It is also constitutionally mandated under Article 312 to setup such a service for judicial appointments not below the rank of district judge.

Merits of an AIJS - ^{Why need?}

- 1) It will attract the best talent from across the country to reach judicial posts through competitive exams.
- 2) It will ensure that only meritorious people are selected, thus rejecting any chances of favours and biasness in judicial appointments.

Remarks

- 3) It will provide for a time-bound and annual recruitment to judiciary, thereby facilitating the filling up of vacant seats.
- 4) The level of confidence ~~is~~ in judicial appointments would be restored which at present are held by the collegium in a very non-transparent manner.

∴ These merits warrant the need of establishment of AJS in India. ~~For~~ For accomplishment of such an aim, a ~~too~~ constitutional and responsible body like the UPSC should be constituted to conduct the recruitment in a transparent manner.

Overall, the pace of justice delivery would increase in India which would be highly beneficial for the citizens.

Remarks

Q7. FRBM Act 2003, was introduced to bring transparency in fiscal management systems in the country and fiscal stability in long term. Critically analyze the success of FRBM Act and suggest the necessary reforms in the law to make it more suitable to India?

(12.5 Marks)

~~The Government~~
The Fiscal Responsibility and Budget Management (FRBM) Act 2003 aimed to ensure financial propriety in the Indian parliamentary setup.

It mandated the caping^{3%} of the fiscal deficit on a gradual manner and the eventual elimination of revenue deficit in order to ensure fiscal stability in the country.

~~* Points of success for the FR~~

* Critical Analysis of the FRBM Act

(I) Positives / Successes

(6)

- 1) It has helped to reduce the populist tendencies of the government at the Centre and States, thus leading towards sensible policy formulation.
- 2) It has made the governments accountable in explaining the reasons for any breach of fiscal target.
- 3) FRBM Act has mandated transparency in the government policies as it is necessary for the

Remarks

Government to release quarterly, mid-term and long term fiscal policies.

(F) Negatives / Failures:

- 1) It has provided avenues for the government to breach the targets in case of some unavoidable circumstances, thus many targets have not been met.
 eg: After demonetisation the govt increased fiscal deficit to 3.2% of GDP against the target to achieve 3% of GDP deficit.
- 2) Many externalities like disasters, poor monsoons etc. restrict the possibility of prediction of fiscal deficits, thus making FRBM Act lesser important.
- 3) The statutory limits often hold back the government from social spending.

In order to reform the FRBM Act, the government had constituted N.K. Singh Committee which has recommended to abolish the FRBM Act 2003 and replace it with a new Act.

- The breach of targets should be allowed in very difficult circumstances.
- overall debt to GDP ratio of India should be decreased to 60% in order to make FRBM effective.
- It should be mandatory for governments not to reduce social expenditure to meet targets.

Remarks

- Q8. The Internet is one of the fundamental aspect of infrastructure, which not only affects provision of government services, but also day to day transactions, especially when we are pushing hard towards the digital banking and cashless payments. In such a scenario, lacking the connectivity will not only increase digital divide, but also development deficit. Critically analyze the need for a recognition of right to internet in above context. Also, elaborate on the efforts taken by the government to achieve connectivity in rural areas. (12.5 Marks)

The World Development Report 2016

published by the World Bank highlighted major degree of digital divide in India. This puts a large section of the country under relative disadvantage as they are not able to benefit from the benefits offered by internet.

In order to remove this deprivation, Right to Internet is seen as a possible solution. However, it has its own pros and cons associated with it.

(E) **PROS** → Instead of issues why need

- 1) Right to internet would ensure inclusive growth and development in India.
- 2) It will increase the standard of living among the people especially in rural areas.
- 3) It will help in increasing efficiency of Governance in the country by ensuring service delivery.
- 4) Economic benefits will also emerge from availability of internet as a right.

Kerala
Govt.
deletion
+
Rebuttal

7 1/2

Remarks

hurdles

④ CONS.

- 1) It will lead to a huge burden on public exchequer as internet as a right would mandate the provision of both software and hardware for its utilisation by the State.
- 2) With low levels of digital literacy, the utilisation of internet can make people vulnerable to digital frauds.
- 3) With lack of regulatory setup in India, internet penetration might crop up more problems than solving many others.

In order to overcome these difficulties & to achieve rural internet connectivity, the govt. has taken steps like:

- 1) Digital India mission - to digitally integrate the entire nation & lead to digital empowerment of people.
- 2) National Optic Fibre Network (NOFN): with the aim to connect all Panchayats with internet.
- 3) PMGDISHA → for achieving Rural (Gramin) digital Saksharta (capability) i.e. digital literacy of the rural people in India.
- 4) Common Service Centres in rural areas to facilitate digital connectivity and learning.

Remarks

- Q9. Failure to implement the Lokpal Bill by the government is an indication of how the political parties engage in renege with impunity on the government's promise of a corruption-free India. Analyze the statement and elaborate the recourse available with citizen to deal with political parties forgoing their key promises. (12.5 Marks)

Lokpal Bill which envisaged setting up of an ombudsman like mechanism in India for dealing with cases of graft and corruption is lying in abeyance. This is a total failure on the part of political parties across the country.

The contention that non-availability of a leader of opposition in the 16th Lok Sabha is ~~the~~ forwarded as the prime reason for non-implementation of the Lokpal Bill is a fraud on the Indian people by these parties. The Supreme Court has already stated that the selection process of the Lokpal can move forward inspite of absence of leader of opposition as such a vacancy ~~would~~ ^{should} not leave the entire Lokpal Act 2013 redundant.

As a matter of fact, the non-implementation is a concerted effort of the political parties to keep themselves out of any scrutiny for charges of delinquency, as they have done by keeping themselves beyond the

Remarks

reach of ~~the~~ Right to Information (RTI) Act.

Recourse available to citizens to hold political parties under such circumstances would largely include:

- 1) Demanding for inclusion of ^{non-} delivery of promises by parties being elected to power as a ground for disqualification of elected candidates under section 8 of RPA 1951.
- 2) Citizens should use the medium of social media to bring out the double standards associated with political parties and enabling people to cast their future votes with due care.
- 3) ~~the~~ Recourse to Public Interest Litigation can be taken to hold the parties responsible for breach of mass trust.
- 4) People can utilise the option of NOTA during elections to mark their displeasure.

These would put political sanctions and force parties to be extra cautious about back-tracking on their promises.

Remarks

Q10. The numerous parliamentary committees together are acting as an ad-hoc legislature, especially in times of frequent walk-outs by the opposition parties and parliamentary blockades. Discuss how this practice affects the legitimacy of legislature in Indian political system and also analyze its effects on a ordinary MP, who is merely whipped into submission. (12.5 Marks)

The productivity of legislatures in India has been below satisfaction. According to PRS legislative Research Data, the productivity in the Winter Session (2016) of Lok Sabha was just 15% while for Rajya Sabha it was 18%. These are disarmably low levels of work which question the need of such legislatures.

Impact on legitimacy of legislature:

- 1) Repeated disruptions and walkouts diminish the confidence of people in their elected representatives.
- 2) It is estimated that each minute of working in Parliament costs more than Rs. 2 lakh to the public-exchequer. With huge wastage of time in the legislatures a large quantum of public money is wasted.
- 3) It deprives the country of detailed deliberations on the features of legislation → which leads to poor legislations.

These instances and practices of legislative working diminish the role of an

Remarks

- underline all keywords

Ordinary MP as he is not allowed to take decisions or vote following his conscience or logic. ~~PPP has to~~

- MP has to follow the official whip, failing which he becomes liable to disqualification under the Anti-Defection Law.
- This causes a decline in level of parliamentary discussions and MP is reduced to a ~~dead~~ dead wood.

Way Forward: In order to deal with this undiscovered situation, the National Commission for Review of Working of Constitution

has recommended mandatory working of 120 and 100 days for the Lok Sabha and Rajya Sabha respectively.

- The Anti-defection law must appreciate the difference between dissent and defection.
- There should be a Code of Conduct for the MPs to adhere to.

These would to some extent revive the legitimacy of the legislature and make it a better deliberative platform.

Remarks

Q11: The Constitution of India is remarkable for many outstanding features, which distinguishes it from other constitutions, even though it has been prepared after "ransacking all the known constitution of the world". Elaborate. Do you think that the bulk of the constitution is due to "patch work?" (12.5 Marks)

^{why write this}
 The Indian Constitution is the work of ~~much~~ much research and deliberation by the Constituent Assembly of India. It has been formulated by picking up the best features from a wide variety of constitutions existing at tense around the world.

Therefore, it is sometimes accused of ransacking. However, it must be accepted that while ~~take~~ adopting the progressive provisions of various Constitutions, it ensured to keep away the deficiencies and problems that had propped up in working of those Constitutions.

write keypoint of Constitutions taken from other constitutions

As a result, The Indian constitution emerged as a huge document balancing various fundamentals of a state machinery which has facilitated the working of the world's largest democracy.

Some outstanding features of the Indian Constitution are:

32

Remarks

- Ans. - all aspect of que.

- 1) Mention of Both Fundamental Rights and Duties for the citizens, thus striking a fine balance between the two.
- 2) It has ensured Social Justice → by abolishing untouchability (A-17) and mandating equality before law (A-14)
- 3) It has mentioned Directive Principles of State Policy (DPSP) which should be fundamental in governance and move towards a welfare state.

- 4) Various freedoms like speech, expression, residence, occupation etc are guaranteed under A-19.
- 5) Even religious freedom and rights of minorities are taken care of by the Constitution.
- 6) Inclusion of Articles for establishing official languages and promotion of languages of minorities through Constitution itself is a novel step adopted.

Thus, it can be seen that Constitution was formulated keeping in mind the socio-economic and cultural needs of the Indian. It derived its ethos from India's freedom struggle and thus would be wrong to label it as a patchwork.

Remarks-

Q12. Discuss the contribution of Kesavananda Bharti Case Judgement in retaining India as a cherished republic envisioned by its founding fathers? (12.5 Marks)

The Kesavananda v. State of Kerala (1973) judgement was a watershed movement in the political, administrative and judicial setup in India.

It propounded the doctrine of Basic Structure of Constitution which were fundamental features of the Constitution beyond the ambit of Constitutional Amendment.

Contributions of the Case:

- 1) It overturned the judgement of Golak Nath case and pronounced that a constitutional Amendment would not fall under the scrutiny of Article 13.
- 2) However, every amendment is only allowed to amend and not alter the boundaries setup by the founding fathers of Constitution.

The case has had implications in several other pronouncements as:

- 1) In Minerva Mills case the judicial review was regarded as a part of basic structure and thus invalidated the unlimited powers of

Remarks

Parliament granted by 42nd amendment.

2) In Coelho case, the blanket protection of legislations in Ninth Schedule was removed in line with Keshavananda Case.

3) Secularism has been defined as a Basic Structure in S.R. Bommai case (1994) and thus guaranteed religious freedom in India.

Some other features of basic structure include:

- Sovereignty and integrity of India
- Free and fair elections
- Supremacy of Constitution
- Writ Petition ~~of~~ by Supreme Court (A.32).

These decisions emanating from the Keshavananda Case have shaped Indian democracy for the ~~for~~ since the last 5 decades.

- It has restricted the violation of rule of law and helped in establishment of a prudent political setup in the country.

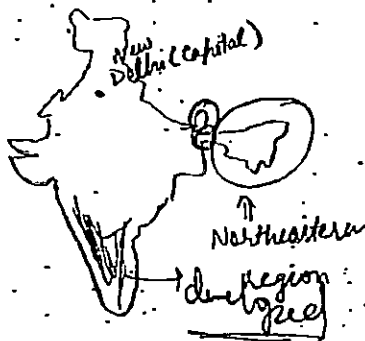
Thus overall the cherished aims of ~~the~~ our founding fathers have been well preserved forthwith.

Remarks

Q13. The tyranny of distance from the capital not only affects the provision of government and administrative services, but also the infrastructure. Critically analyze in context of the development deficit in NE of India. Also elaborate, how this affects even the media coverage of the regions affected by this phenomenon. (12.5 Marks)

Distance is one of the most ~~essential~~ ^{significant due} ~~impediment~~ ^{reason} in achieving good quality interaction and communication.

Case Study of Northeastern region in India:



→ The NE region is placed at an unenviable distance from the capital which restricts the realisation of true potential of its growth.

→ It is connected only ~~via~~ through the Siliguri Corridor which further accentuates the problem of ~~distance~~.

* Various handicaps developed due to huge distance include:

- 1) The government services like welfare schemes, benefits for the marginalized sections etc. face increasing difficulty to reach the people of NE.
- 2) → Poor administration in these region is a direct result of distance from the former headquarter situated at the capital.

Remarks

Ans. done with

7.9%
significant due
reason
is all
subpart
of que.

3

3) This leads to unsatisfactory implementation of govt and admin services leading to poor quality of life.

Impact on Infrastructure:

- The NE lacks in both Physical and Social Infrastructure primarily due to distance tyranny.

(a) Physical Infra:

- Lowest density of roads in India.
- Poor connectivity with Rail and Air transport.
- Lack of commercial ventures.

(b) Social Infra:

- Lack of good quality schools and hospitals.
- Poor standard of living.
- High mortality and morbidity.

These deficiencies keep the region ~~separated~~ - aloof from the overall happening.

Even media is not able to penetrate in the region due to impeding factors as poor infra and administration.

Overall, the problems of the people, the working of the government and issues on the ground fail to be highlighted properly.

Remarks

Q14. Discuss the initiatives taken by the government to improve attendance in government offices and analyze their impact? What steps can further be taken to improve the public delivery and work rate in government offices? (12.5 Marks)

Remarks

Remarks

Q15. The VIP culture of India is notorious and tantamount to having various categories of citizen as per their VIP status. However, of-late there seems to be a general disdain among political parties to stay away from such practices. Elaborate on the steps taken by government to reduce or curb the VIP culture in India? Analyze, if these have been successful? (12.5 Marks)

VIP culture leads to a direct violation of the fundamental right to equality guaranteed by the Article 14 of the Indian Constitution. It betrays the effort to achieve an egalitarian and equitable society.

Thus elimination of VIP culture is necessary to establish an inclusive society.

Steps taken by government to reduce the VIP culture include:

(1) Banning of the use of red beacon over government / public vehicles:

The red beacon culture is often associated with pride and dignity in India. Its abolition by amending the Motor Vehicles Act has paved the way to eliminate this privilege from the Indian roads.

(2) There are efforts to increase interaction between the political classes and the common citizens to ensure curbing of VIP culture.

Remarks

- Ans. is generalistic add some specific points:
 - historical background
 - unionism to public
 - other what need to be done

These steps have emerged to be only nascent ones. The VIP culture has been deeply embedded in the Indian cultural characteristics and thus would require a huge level modification in the societal perception and behaviour.

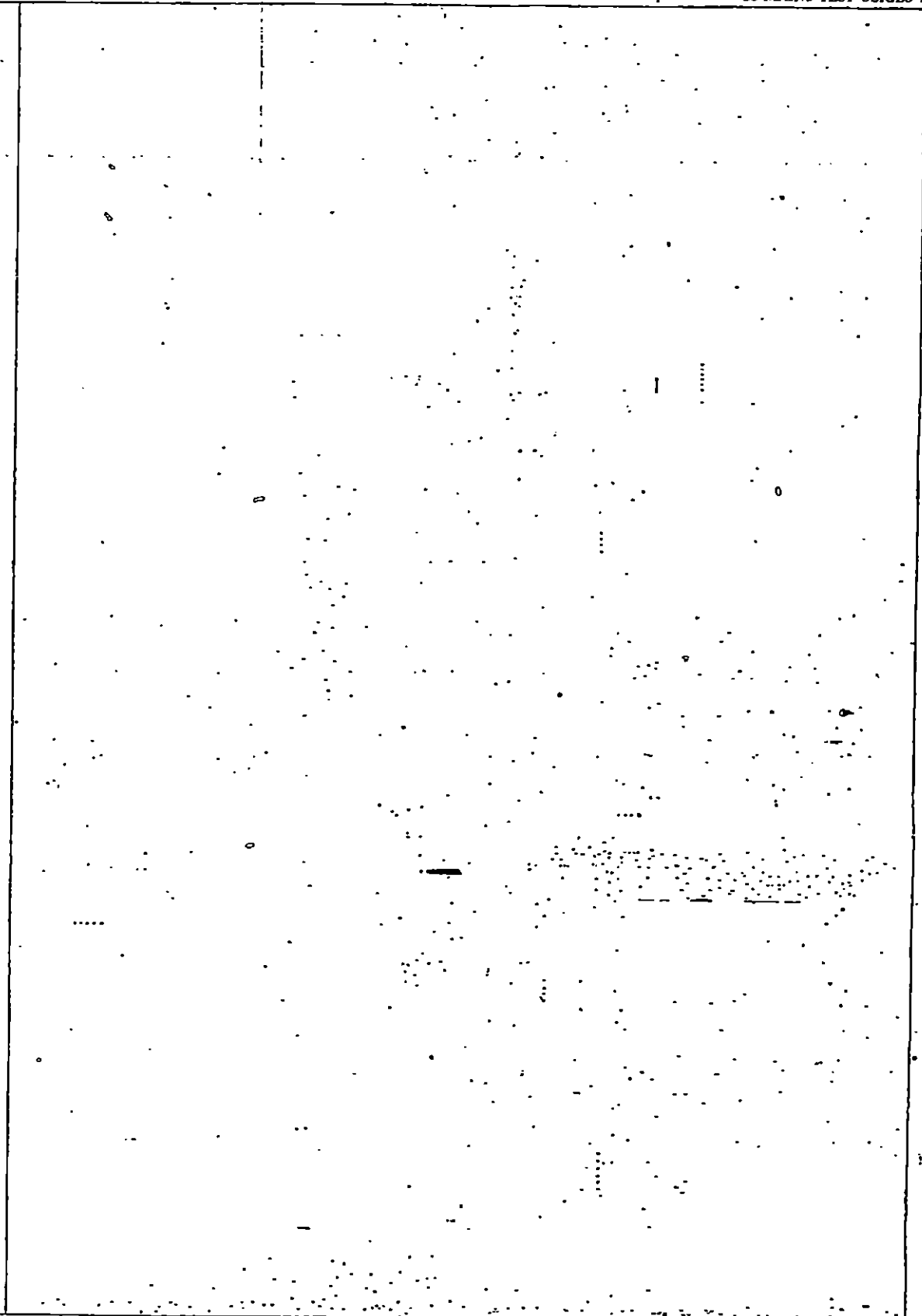
It is not possible to eliminate VIP culture just by legislation. It requires a change in mindset which has to be achieved through social engineering.

This has to be backed with penal provisions against those seen violating the cardinal principle of equality of all human beings.

Remarks

Q17. Though government has taken several steps to improve the health care in India, but the sector severely faces the crunch of public funding and lacks a comprehensive approach that would include preventive and promotive health care. In this scenario, critically analyse National Health Policy 2017 as a solution to improve Health care system in India. (12.5 Marks)

Remarks



Remarks

Q18. India seems to be following precedents in other countries like New Zealand where a flowing river has been granted a legal status. Do you think recognizing rivers as living entities will bring change to their health and condition? Discuss. (12.5 Marks)

→ The Uttarakhand High Court in a recent judgement declared the rivers Ganga and Yamuna as living entities. This has been marked as a significant legislation to protect the health and status of the rapidly deteriorating rivers in India.

⇒ Implications of the decision on health and conditions of rivers:

① Being a living entity, the rivers will have all the fundamental rights guaranteed by the Constitution to a person.

- Therefore, the rivers will have a right to survive with dignity and thereby any attempt to dump waste or filth in the rivers would make it a punishable offence.

② The rivers will be legally represented by the authorities entrusted by the Court in this regard and would ensure that their rights are not violated in the country.

32

Remarks

Recent dec. - S.C. dec.
way forward

Though the ~~matter~~ decision is seen as a progressive one, there are doubts about its viability as

- 1) Already the rivers are protected under Environment Protection Act and penalties have been imposed, but their health is deteriorating.
- 2) People in spite of a fundamental duty to protect lakes and rivers of the country (Art. 51A) the people have not restricted themselves from dumping household ~~the~~ wastes.
- 3) Discharge of untreated effluents by industries has been going on in spite of legislations banning it, mainly due to poor implementation.
- 4) The verdict would also impose upon the rivers duties that are applicable to an Indian citizen, it is unclear how they would be met.

Thus on the whole the living status does not guarantee an improvement in health and condition of rivers. What is largely required is mass scale awareness and strict implementation of existing legislations to deal with the menace.

Remarks

Q19. Government is expanding the mandatory usage of Aadhar in availing various schemes and providing various services, despite, the concerns regarding data security and its universal availability. Discuss benefits and challenges associated with using Aadhar as a platform for public schemes and services. What government should do to subside the fear of people regarding privacy issue? (12.5 Marks)

Aadhar has been envisaged to provide unique identity to each resident of India. The government is keenly expanding its scope and reach so as to deliver the services to the people.

Though Aadhar is a very progressive way of service delivery has associated with it both positives and vices.

* Benefits of Aadhar

- 1) Efficient delivery of services by government to people.
- 2) Reduction in ghost accounts availing benefits of welfare schemes.
- 3) Rationalisation of expenditure by targeted delivery will save huge amount of money for the government.
- 4) Identification of persons during case of national emergency threats and others.

* Challenges of Aadhar

- 1) Accessibility → According to ground reports, a

Remarks

large section of people have not been able to avail an Aadhar card due to non-availability of required documents. → Old people and those from marginalized backgrounds are the one most affected by this non-availability.

- 2) Aadhar has been able to stop fake identity cards, thus defeating the objective of the government of curbing duplicacy.
- 3) Enforcing people to adopt Aadhar has been seen as flouting the rights of common

citizens.

- 4) There are concerns regarding mass surveillance by the government and possibility of a data leak.

Government should follow the following steps to satisfy people regarding privacy issues:

- 1) Ensure through legislation (eg: Aadhar Act) that under no circumstance the data would be ~~lost~~ given to or anyone else or utilised for an ulterior motive.
- 2) Provide penal sanctions and ascertaining of responsibilities to ensure there is no breach of data.
- 3) Invest in cyber security infrastructure to satisfy the citizens.

Remarks

Q20. NITI Aayog along with MHRD launched the School Education Quality Index for better monitoring and raising the education quality by providing insight on various parameters. In this reference discuss the major features of the School Education Quality Index. Also suggest steps needed to improve the learning outcomes in schools. (12.5 Marks)

The School Education Quality Index (SEQI) is ~~as~~ expected to provide an objective analysis of the ~~the~~ conditions and competence of schools in the country.

* Major features of SEQI: ^{outcome} _{based}

- 1) It focuses upon important factors like qualification of teachers, and teacher-pupil ratio to adjudge the quality of education.
- 2) It mandates the provision of essential infrastructure in schools to ~~provide good~~ ~~to~~ accomplish good ~~positioning~~ via the index.
- 3) It focuses upon ~~activity based learning~~ rather than outcome based learning rather than quantitative parameters as years of schooling etc.

* Steps needed to improve learning outcomes:

- 1) Activity Based learning: every child reaches cognitive accomplishment at different

Remarks

3/2

pace and thus ~~must~~ each child should be given an individual path to learn through activities.

2) Flexibility in course / module of teaching should be allowed to ensure that learning is not restricted to textbooks.

3) There is a need to improve pedagogic methodologies by ensuring teacher training.

4) Home based schools can also be analyzed as a method for improving learning outcomes.

These steps are much required keeping in mind the poor results depicted in ASER reports ~~year~~ repeatedly in the Indian schooling ecosystem.

Remarks

Key issues raised
 +
 Improve
 - Student-Teacher
 Ratio
 Curriculum