

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. <p>Any page or portion of the page left blank in the Question-cum-Answer Booklet must be clearly struck off.</p>
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1. Invigilator Signature

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Name PRATIBHA SINGH

Roll No. _____

Mobile No. _____

Date 13/08/2017

Signature Pratibha

REMARKS

GS SCORE
GS MAINS TEST SERIES 2017

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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 recent ^{state} elections in Goa, Governor of Goa used his discretionary power and appointed the ~~leader~~ ^{BSP} of the party ~~at the~~ to form the Government.

However, the same was challenged in Supreme Court and ~~the~~ it held that "A party that comes second, has no right to form the Government".

It is an instance of abuse of Governor's discretionary power and shows politicization of the ~~post of the~~ constitutional office of the Governor.

In the earlier judgements ~~expressed~~ ^{b. P. nominal case} courts held that it is the floor of the house where the majority of the ~~party~~ ^{Govt} is to be tested and it cannot be decided arbitrarily by the Governor.

In this context, the role of Governor is often seen as the agent of the State and ~~therefore~~ such abuse of discretionary power should be ~~avoided~~ ^{avoided}.

Remarks

Why Abuse of discretionary power?

Role of the Governor should be seen in this context -

- (i) that he/she ~~is~~ has the responsibility to uphold, abide and safeguard the ideals enshrined in the constitution.
- (ii) to act as an effective link between centre and state and bring effective coordination -
- (iii) to act and exercise his powers with in consultation and advice of Council of Ministers.

Therefore, ~~safeguards~~ the office of the Governor should remain politically neutral in line with the spirit of the Constitutional position.

Refer to
Subtopic
Common /

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)

The move to make national commission for backward classes (NCBC) as a constitutional body as National Commission of educationally and socially backward classes on lines of SC & ST commission is needed in following rationale.

- (i) will provide NCBC a constitutional status
- (ii) will ^{in the states} ensure prevent political opportunism on the issue of ~~the~~ demands in states to be recognized as backward classes as now the same has to be decided by the Parliament after debate and discussion.
- (iii) there will only one list at the central level of the backward classes
- (iv) providing NCBC a constitutional status will ensure that effective measures are taken to address the concerns regarding development of backward classes. Report

They need constitutional status

Remarks

Containing recommendations of the Commission can be tabled in the Parliament -

However, this ^{step} may ~~have not~~ entail following issues -

(i) will require constitutional amendments and approval of 50% of States -

(ii) may impact the federal nature by preventing states from addressing the ^{unique} needs of its backward classes -

(iii) critics argue that this step brings backward classes ~~to~~ at ~~the~~ par with schedule tribes and schedule caste which lacks logic and historical validity

(3)

Whether
impose the
functioning

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)

India being a pluralistic society with great diversity ^{often} faces the challenge of to its unity and integrity on the lines of religion, caste and language.

These issues arouse sentiments and give rise to ^{agitations} demands and movements creating fissiparous & centrifugal tendencies in the society.

In this context, recently Supreme court ruled that demanding votes in the name of religion will be considered as a criminal offence.

Thus putting a blanket ban on political parties and candidates appealing in the name of religion.

This is expected to have a positive effect as it reinstates the secular aspect of our democratic ~~election~~ practices as non-negotiable.

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Answer
 Part 2
 (12.5)

Remarks

Media is
plurals
society

It will prevent political leaders from arousing sentiments of people on religious lines which creates divisions in society and insecurity and fear in the minorities.

2009

However, it goes against the earlier judgement of SC where it upheld that garnering votes in the name of Hindutva is not an offence because Hindutva is a way of life and not a religion. This may create ambiguity in what constitutes a religious appeal.

4/7

It is also argued that ^{current} judgement goes against the reality where religion, caste and language is widely pervasive in the electoral process.

However, such a ruling can become a starting point ~~and~~ in making our electoral process truly democratic.

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)

In the light of high pendency of cases in judiciary, alternative dispute mechanism is considered necessary.

This has following merits :-

- ① ~~disposing off~~ ^{resolution of} cases through mediation as it's being done through hak nayalayas
- ② prevent backlog and unnecessary delays
- ③ quick delivery of justice
- ④ straighten rule of law ~~and~~ and delivery of justice

demerits :-

- ① poor quality - adding another layer to the justice delivery system may prevent issues being ~~adequately~~ adequately represented as the focus will be on disposal of cases.
- ② transparency and accountability of this additional tier may become a challenge.

Remarks

① Instead efforts should be made in strengthening the capacity of additional mechanisms.

While innovative measures such as alternative dispute resolution can be sought to reduce backlog in judiciary it cannot be solely relied upon and ^{following} steps should be taken to improve the performance of judiciary.

quick appointment of judges at subordinate level and in high courts to avoid vacancies.

②

(i) use of ~~the~~ information communication technology; greater digitalisation in information management.

(ii) Accountability and transparency measure in judiciary to that performance can be evaluated.

(iii) Capacity augmentation, infrastructure provisioning

Voluntary steps like judges willing to work during summer breaks as a positive step.

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 cooperative federalism, especially in context of bifurcation of erstwhile Andhra Pradesh? (12.5 Marks)

Federalism in India is 'sui generis' i.e. of its own kind, often amidst multiple challenges states subjectively feel denied of their territorial integrity and due rights as federal units.

River water disputes, economic and financial autonomy in the light of GST implementation, greater role of the centre in all other aspects often creates disenchantment in the states. Demand for bifurcation of erstwhile Andhra Pradesh is a concrete such example.

However in the present context centre has taken number of measures to deviate from one size fits all, ~~but~~ top down approach to ensure cooperative federalism.

↓
Enumerate the provisions
Art. 258, 259, 261 etc

Remarks

These include

- (i) greater devolution of funds by implementation of recommendation of fourteenth finance commission an increase from 32% to 42%.
- (ii) change in the centrally sponsored scheme ^(CSS) by making them optional.
- (iii) setting up of Niti Aayog in which the governing council provides representation to all the states.
- (iv) ~~effect~~ inter state council ~~etc~~ - providing effective mechanism of dispute resolution through discussion.

(A) Due steps are being taken to evolve a consultative mechanism to bring all states in agreement on various issues. This is important in the light of shared national objectives.

Remarks

Q6. Justice delayed is justice denied. Judiciary on one 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)

Indian judicial system is facing several challenges with respect to providing timely and adequate justice with considerable backlog in the cases in judiciary, and ^{huge} delay in pronouncement of judgements there serious concerns about the efficacy of the constitutional mechanism for delivery of justice.

On this light the need for All India judicial service is being noted as per the previous recommendations of law commissions.

This can have following advantages:-

(i) quality of judges → at present state recruitment deters meritorious students from applying for judiciary. An All-India service will be more attractive.

(ii) respect for diversity - transfers can be made from between states.

Remarks

which will bring multiple view points, broadness in assessment of issues

(iii) will have a transparent and uniform mechanism for recruitment.

Recently Prime Minister displayed interest in establishment of All India Judicial Services. This is a positive step however it has to be complemented with transparency and accountability measures.

Challenges
of AIJS

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)

Fiscal reforms Budget management Act 2003 was enacted for efficient management of fiscal deficit in a targeted manner. *Just Features*

It introduced short term, medium term and long term targets in ~~incremental reduction~~ management of fiscal deficit & elimination of revenue deficit. Thereby bringing transparency in the fiscal management system.

However, in recent times due to slowdown in growth and lack of fiscal space for public investment the rationality of adherence to FRBMACT is being revisited. A more flexible mechanism is sought. It is said that decline in growth should be linked with fiscal expansion and vice versa.

In this context N-K Saxena committee was constituted which recommends doing away with chasing fiscal deficit target and using public

Remarks

Mention
success & failures
of the Act

debt as a mechanism for efficient
fiscal management



87
15/2

Suggestion for
improving the
provision

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)

Lack of

Access to internet is said to result into basic divide - a fundamental aspect of infrastructure that deprives the haves from have-nots in multiple ways in today's times where digital dependence has increased manifold.

Poor digital connectivity has several drawbacks:-

- ① Violation of right to information - lack of access to info in conflict with Art 19 (a)
- ② Unequal feeling with respect to access to opportunities.
- ③ greater use of digital medium for provisioning of services and benefits by Govt. such as case of Direct benefit transfer, use of Point of Sale machines for biometric authentication ~~set~~. All require internet at some stage.

Remarks

This in turn results into governance and development deficit.

In this context right to internet can be one such measure which would make the Govt duty bound to bring each person under the fold of internet access thus bridging the digital gap completely, however, it may not be practically possible and such a right may just remain on the letter because of following limitations :-

- low digital literacy
- poor infrastructure
- Cyber security
- Govt's initiatives :-

new challenges

(1) National Optical fibre mission now called Bharat Net to bring all Gram Sabhas in its net.

(N.O.F.M)

(2) Steps taken to enhance digital literacy as a special component to promote cashless transfers.

new dimension

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 is an institutional mechanism envisaged to redress citizens grievances from incidents of administrative malpractices and cases of corruption.

Lokpal and Lokayukta Act though enacted in 2014, after a vibrant civil society movement hasn't been implemented yet.

The reason cited for the same has been that the selection committee for appointment of Lokpal cannot be constituted ~~and~~ as ~~in~~ the leader of opposition cannot be appointed because opposition party cannot be recognized in the Lok Sabha.

However, Supreme Court has stated that the law has enough provisions to bypass this argument to constitute a selection committee and it is not being done because of lack of political will.

Remarks

Explain why
delaying

In this context, political parties when forego their election promises leave citizens with following recourse:

- (i) protests and mass agitation for the demand of their promises
 - (ii) role played by pressure groups
 - (iii) dynamic civil society - role played by NGOs in bringing to light the situation at grass roots -
 - (iv) media by providing correct and accurate facts
- Electoral system ensures that if incumbent govt does not respond to the aspirations of the citizens it is not reelected.

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)

In the present times parliamentary system is facing several challenges where the frequent disruption on one side and harassing opposition to voice their concerns on the other is deteriorating the quality of legislative process.

This has following impact:-

- ① prevent ^{adequate} parliamentary oversight - inability to ensure proper oversight by circumventing the legislature through other routes goes against democracy.
- ② prevents improper debates & discussion which prevents quality deliberative processes.
- ③ strong opposition is a significant check ~~and~~ on the excesses of the executive.
- ④ decline in the legitimacy of legislative processes as parliamentary

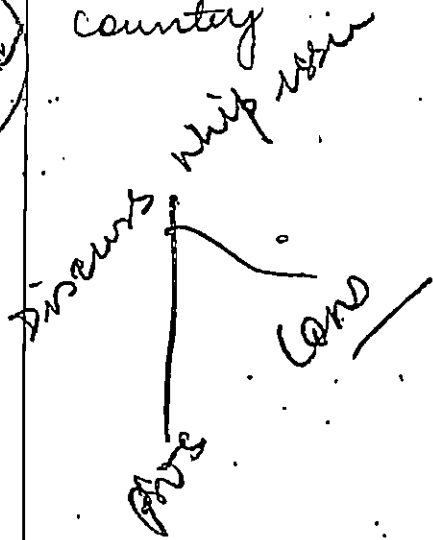
Remarks

What need to be done to save the parliamentary system

Committees are not ~~are~~ representative bodies =

Such processes create imbalance in the democratic fabric of the country

2/11



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)

Constitution of India, though 70% of continuation of Govt of India Act of 1935 has taken from constitutions of several other countries to suit the unique & diverse conditions of India.

- (i) ~~unitary~~ Directive Principles of state policy taken from the Irish constitution
- (ii) Parliamentary system from British constitution
- (iii) judicial system from United States of America.
- (iv) - Procedure established by law from Japanese constitution

This ~~app~~ ensures the following:-

- (i) every part of the constitution is customised as per the needs and challenge of a developing country like India.
- (ii) incorporating the liberal ideals

Remarks

2

from all parts of the world thus
making Const. of India truly
democratic, rooted in equality of
all - a living document

Why bulley

How Individualism of
America concepts were
done

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)

Supreme Court of India in Kesavananda Bharti case (1973) gave the principle of basic structure which

- (i) ensures that the constitution can be amended, ~~that is~~ including fundamental rights thus making it a living document -
- (ii) ensuring that the basic aspects, ideals enshrined in the constitution are not disrupted thus constituting a basic structure of secularism, democracy, Rule of law, independence of judiciary which cannot be violated.

Complete

Remarks

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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)

Remarks

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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 of India is widespread in India and it widens the gulf between haves and have not and creates a false sense of entitlement.

It has following negative implications:

- Violation of rule of law as often an unjustified preferential treatment is sought by VIPs. e.g. traffic rules are often violated.

- undermines right to equality

- ~~leads~~ creates hierarchy in society

of late ~~these~~ several steps have been taken by political parties such as AAP and the incumbent Govt at the centre disallowing use of red beacon/ lights on cars for everyone.

These steps have strengthened the public perception of Govt's will to fight against corruption, ~~for~~ all forms of favouritism and enhance

Remarks

traffic violations
stop
among
control
beacons

their focus on ~~to~~ delivering good
 governance to all.
 However, though implemented well such
 steps must be widened in scope
 and implemented at every level
 for them to have effect and not
 stay as political rhetoric.

what need to
 be done

- Awareness
- Rationality

Remarks

Q16. Idea of Universal Basic Income has gained traction in many countries across the world in recent. Can universal basic income address the problem of poverty in India? Critically examine.

(12.5 Marks)

Universal Basic Income (UBI) ^{the basic} is ^{income} given by the state to all without any conditionality.

Though ~~is~~ practiced in many other countries such as in Europe, its ~~is~~ suitability ~~is~~ being debated in India as India inhabits 30% of the world's poor and can benefit from it in following ways.

(i) the poor and the marginalized will receive a basic security against ~~or~~ income uncertainty in times of crisis thus acting as an INSURANCE

(ii) will ensure minimum standard of living

(iii) will ~~not~~ be truly universal therefore question of exclusion and inclusion errors is eliminated.

(iv) better alternative to poorly targeted subsidies and social security benefits as it will be available to all

(v) also the subsidy ~~amount~~ cost will come down and UBI can prove

get down reports only

percentage substitution

Remarks

to be more effective and economical means to achieve state goals of social justice in the long run.

The economic survey which first mooted the idea of UBI said that the time was only right to initiate the debate on UBI; however, it cannot be implemented as of now because -

- (i) It may generate a sense of entitlement
- (ii) Lack of fiscal space - fiscal deficit target ~~is 3.5%~~ to be achieved
- (iii) may discourage the poor from looking for a sustainable means of livelihood
- (iv) a basic income in India, unlike other countries would be extremely small and may not ensure a proper standard of living
- (v) since UBI is universal in nature, it will also go to the rich and the well off which defies logic.

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)

India Govt. has taken several initiatives to improve the healthcare in India through targeted, mission mode programmes, ^{infrastructure} capacity development.

Short
introduct

However, there is still a long way to go in making Indian healthcare system affordable, accessible and truly equitable ~~with~~ while ensuring quality care.

The issues that plague the healthcare system are: -

(i) high out of pocket expenditure and very low public spending. Almost two-third of the ~~expenditure~~ ^{provisions} comes from the private sector, propelling households into vicious cycle of poverty for health ailments.

Write
in
short

(ii) poor primary healthcare system with inadequate funds and infrastructure and tertiary care is inaccessible and often people from far flung areas are

Remarks

left out of its ambit.

(ii) low emphasis on preventive healthcare - until now sanitation and immunisation was not ~~not~~ given due emphasis.

(ii) poor implementation of programmes such as ICDS, Janani Suraksha Yojana, National rural health mission.

National Health Policy, 2017 addresses many of these concerns.

(i) seeks to increase public health spending to 2.5% of GDP (8% in states).

(ii) emphasis on preventive healthcare and capacity augmentation of building of primary health care facilities.

(iii) taking cognizance of increase in non-communicable diseases ~~and~~ better targeting of the same (NCDs).

(iii) integrative solution to healthcare by integrating AYUSH.

However, it did not take into consideration

- Right to health which would have been a progressive step.

- poor emphasis on education and awareness creation.

more dimension
 critical evaluation
 suggestion

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)

Recently Uttarakhand High Court gave Ganga and Yamuna rivers legal status which has ^{only} been in New Zealand for following reasons -

- (i) These rivers will be treated at par with any other living entity.
- (ii) Chief Secretary has been declared as the custodian of these rivers to assign responsibility of its implementation.
- (iii) This will ensure that entities polluting, discharging unwanted wastes etc. into the river are made liable.

It can be said that recognition of the rivers is a positive step and will strengthen the implementation of ^{river} pollution control measures, however this step has to be accompanied by ^{efficient} implementation of other Govt initiatives such as

Remarks

Now previous efforts
GAP, Namam Gange etc

- (D)
- National Clean Ganga Mission
 - Swachh Bharat Mission - to make villages along the Ganga open defecation free
 - regulation of activities along the river
 - waste, sewage treatment plants - building extra capacity
 - community management plans
 - river basin management approach

A comprehensive strategy will ensure a definitive change in the health and the pollution levels of the rivers.

How new concept is better

India needs effective implementation of existing laws. Another law may change the fate of the rivers.

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)

Recently Govt. made Aadhar mandatory for filing of income tax returns, PAN card application, verification of mobile phone numbers etc. It has also been made mandatory for availing various social security schemes such as MGNREGA, RSBY.

However, in its earlier judgement Supreme Court had ordered not to make Aadhar mandatory citing reasons of unavailability of Aadhar nos. with a large section. Other challenges with Aadhar are :-

- (i) Availability - deprives a large section of deserving beneficiaries of social benefits leading to exclusion.
- (ii) Data security - Aadhar ~~infrastructure~~ being linked to bank accounts etc. endangers the ^{data} security of all unless it is made robust and breach proof.
- (iii) Privacy concerns - will create a huge data base ^{through} which ^{state} can track

Remarks

every move of its citizens leading to a surveillance state. Privacy under right to life (Art 21) is a fundamental right of the citizens and must be safeguarded

(14)

loopholes in the Aadhaar Act itself - allows revealing of data under a court order or ^{by} filing reasons of national security which is ambiguous and prone to misuse. A joint secretary can give permission for the same and there's no robust mechanism for recourse if privacy rights are violated.

Answer Attempt

(5)

Though Aadhaar Act which acts as a unique identification for residents has been implemented with the intention of better targeting of subsidies, benefits and services, prevent inclusion and exclusion errors and decrease subsidy burden through its rationalisation. But a robust privacy law is necessary to prevent its misuse and to address the concerns of people.

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)

As per the Annual Survey of Education Reports (ASER) of 2014, 50% of the class IV students are unable to read the level of class II. This reflects poor learning outcomes of our education system which has gained near universality in the aftermath of implementation of Right to Education Act.

It is in this context that NITI Aayog and Ministry of Human Resource Development have launched the School Education Quality Index (SEQI).

The above index is significant for following reasons:-

- (i) effective monitoring - will provide a state wise data in Govt schools to monitor the learning outcomes in school education.
- (ii) defined objective parameters for adequate assessment

Remarks

(iii) brings to light the areas that require immediate attention.

(iv) promotes competitive federalism and thereby improving quality of school education.

Steps that can further be taken for improving learning outcomes :-

(i) implementation of suggestions of Casturian Jain committee on improvement of elementary education

(ii) No detention policy till class 8th has severely dented learning motivation and assessment

(iii) Teacher training and teacher motivation can be improved by ensuring strict adherence to standards in training certification.

(iv) Transparent assessment system integrated with effective measures by ~~non~~ non-governmental organizations and community can result into incremental ~~ed~~ steps in improving ~~ed~~ quality.

more dimensions

Remarks