**INDIAN POLITY & 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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Name PAWAR SWAPNEE

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Date 09/04/2017Signature Swara

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REMARKS

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Q1. "Democracy is the worst form of government, except for all the others." The quote aptly explains that despite all its imperfections, democracy continues to be the best possible alternative. Critically analyze. (12.5 Marks)

Democracy is government by the people, of the people and for the people. Indian Constitution in Preamble declares India to be democratic and the sovereignty is vested in people.

The challenges and imperfections:

- Human rights violations especially of minorities in countries like Sri Lanka, Myanmar (Rohingyas).
- ~~Attempts~~ of corruption tend to subvert democracy and hit at the root of transparent and accountable governance. Eg. 2G, Coal scams.
- Majority rule where the minority interests may get neglected.
- ~~Quality of govt~~ ^{voice of} ~~is~~ ~~not~~ ~~represented~~ ~~as~~ ~~the~~ ~~voice~~ ~~of~~ ~~poor~~ ~~and~~ ~~unrepresented~~ ~~sections~~ ~~is~~ ~~unheard~~ ~~as~~ ~~against~~ ~~business~~ ~~interests~~. Eg. Policy bias towards large businesses or against agriculture and poor sections.

Remarks

Leaders chosen by parties on basis of caste, creed, religion, etc.
 Delay in decision making.

However, these are not the failings of democracy as a system but of the implementation of it.

The democracy is still the best system because

- It gives liberties - civil (freedom of religion), political (right to vote; speech and expression).
- It protects minority interests the best (Fundamental Rights under Articles 25, 29, 30.)

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→ strives to protect weak and vulnerable - Directive Principles aiming for socio-economic democracy.

→ It enhances ^{global} co-operation and establishes international peace as the aggressive policies are checked by representative legislatures eg.

Represents the people

Article 51 of Indian Constitution; Aggressive policies by Trump Administration criticised by Congress and Senate.

Better governance due to transparency.

Thus, enhancing transparency in governance processes as well as inclusive growth would help realise real

Remarks

democracy and upholding the constitutional values. Conclude with democracy inspite of many drawbacks is still best form of govt.

Q2. Critically analyze the functioning of PRIs with respect to e-governance? How Digital India can help in improving the freedom, justice and good governance at the decentralized local self-government level? Give reasons in support of your answer.

(12.5 Marks)

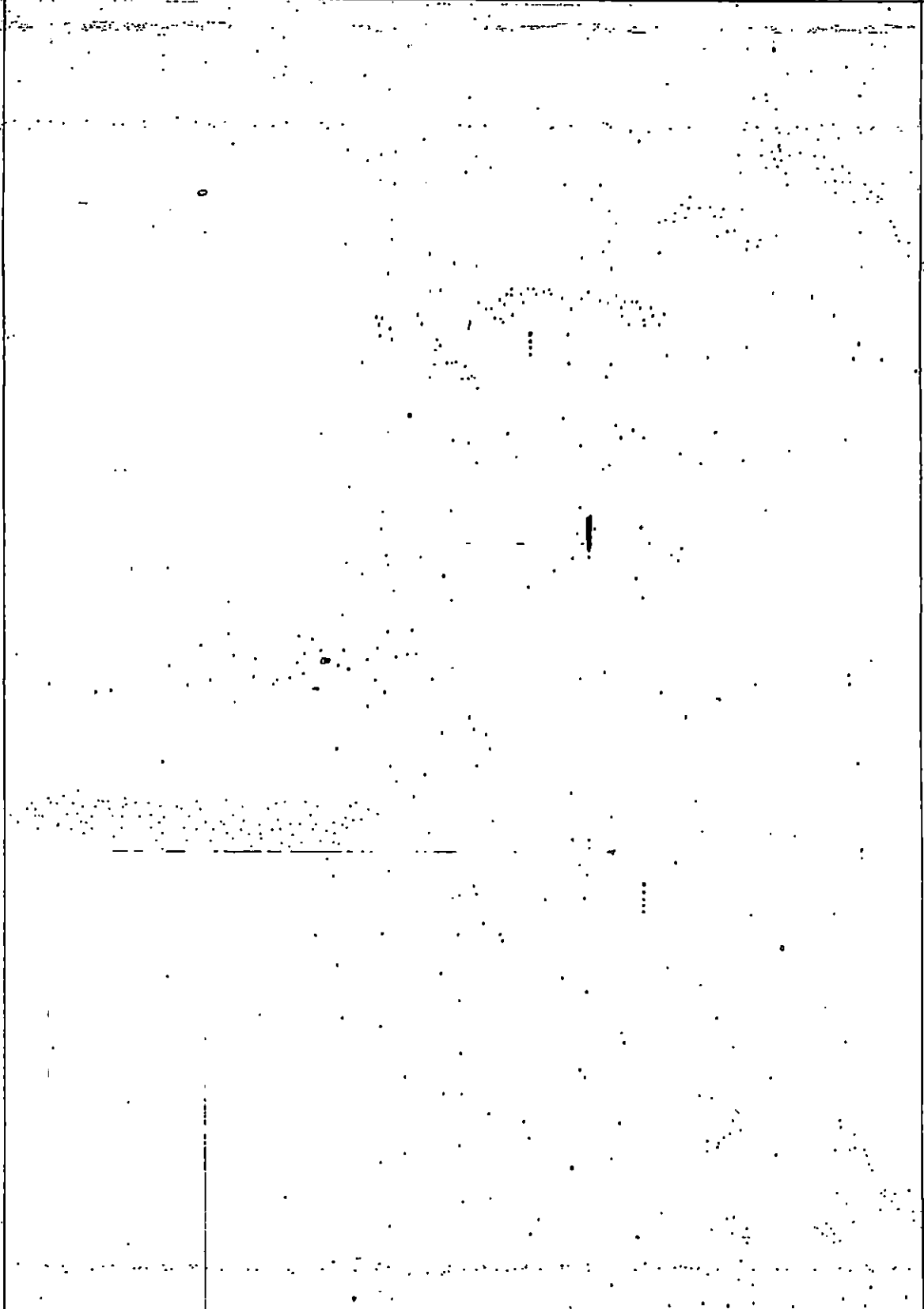
Remarks

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Remarks

Q3. Union Cabinet has recently approved proposals for extending several benefits to asylum seekers, discuss the major changes proposed to it and how these changes may affect asylum seekers who have been exploited and subjected to violence since many years. (12.5 Marks)

Remarks



Remarks

Discuss in light of the statement that every FR comes with reasonable restrictions.

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Q4. "Right to Religion is the weakest of all the fundamental rights as it is subject to public order, morality, health and all other fundamental rights". Do you agree? Elucidate with examples. (12.5 Marks)

Constitution of India envisages under Article 25 right to freedom of religion - conscience, profess, practice. This has reasonable restrictions too - public order, morality, health, other rights.

These seem to make it weak:

- Morality - many religious practices are banned under name of morality.
- Religious conversions ^(forcible) are disallowed - which are part of many religious practices.
- Control over secular activities of religions arise out of functioning of other fundamental rights.

However, these do not actually make it weak but strengthen it as:

- Banning forcible conversions protect the right to religion of others or those who were getting converted.

Remarks

Revisely discuss the flaws with Personal laws

- Health - Practices like Santhara (Jain) when forced upon elderly affect their health as well as their right to life (Article 21). This need to be ~~not~~ regulated by reasonable restrictions.
- Other Fundamental Rights: these are also necessary for dignity of individual, proper life and social functioning. Eg. regulation upon Muslim Personal law in secular practices like providing maintenance to wife - necessary for dignity of women (Article 21).

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Thus, these restrictions actually benefit the exercise of right to religion more properly. And towards this, issues like practices derogatory to dignity of women eg. Triple talaq and Nikah Kelala, instances of religious conflicts need to be addressed for effective exercise of this right.

Remarks

Analytically discuss the way JC can overcome the issues

Q5. Most of the quasi-judicial bodies in India act as "a toothless tiger". Discuss the measures need to be taken to make them more effective. (12.5 Marks)

Quasi-Judicial bodies are those with powers of summoning and calling witnesses, play role of watchdog in specific sectors, have powers of civil courts in some instances. Eg. National Human Rights Commission, Finance Commission, National Commission for Women, Minorities, SCs, STs etc.

These are criticised as toothless tiger because:

- They are recommendatory in nature only. Eg. recommendations of Finance Commission and NHRC can be ignored by govt.
- Many lack professionals as their heads. Eg. NHRC - only Chief Justice as chair restricts potential pool of candidates.
- Staff is mostly filled by bureaucrats thus undermining the role of watchdog.
- They lack financial independence. Eg. NHRC

Remarks

→ Specifically, in case of NHRC, the investigations are done by police personnel ~~which~~ who themselves are perpetrators in many cases.

→ These bodies cannot enforce their awards or provide monetary compensation on themselves.

The reforms needed:

→ Professionals should be given place in the composition of bodies.

→ Separate investigation wings.

→ Action Taken Report should be submitted by govt. to parliament over their recommendations.

→ Financial Independence - more funds, expenditure charged on Consolidated Fund.

→ Power to enforce monetary compensation awards.

Necessity to enforce with their orders!

These steps would ensure deepening of democracy and greater accountability and make governance responsive to public.

Remarks

Q6. The international treaties - be it multi-lateral or bilateral - have a serious impact upon the centre-state relations. Substantiate with examples and how can the process of treaty making be democratized? (12.5 Marks)

Under Article 253 of Constitution, Parliament can make laws on any subject to give effect to international treaties and obligations. This has had following impacts on centre-state relations:

→ Economy - the economic interests of the states are jeopardised. Eg. The Bilateral Investment Treaties - those states who signed would be seen as pro-business and others unattractive for business.

→ Environment - is a state subject but to give effect to environmental agreements like Kigali Agreement on Ozone Depleting Substances, unilateral action is taken by centre.

→ Water sharing - the river flow through national, state, international boundaries giving rise to water sharing conflicts between centre-state, nation-nation. By Teesta sharing agreement

Remarks

has been contentious over resistance to water sharing by West Bengal.

Avoid writing in margins and write within provided space

- Social: To give effect to UN convention on Persons with Disabilities, Centre made law on disabled-obligating states for certain functions and financial ramifications.
- President's Rule: When executive orders on such obligations by centre are not accepted or states are not able to follow, President's Rule under Article 356 can be imposed.

Way forward:

- Greater co-operation between centre-states through forums like Interstate Council (A262).
- Involvement of states in decision making through platforms like NITI Aayog Governing Council.
- Implementing recommendations of Sarkaria and Punchhi Commission on Centre-State relations.

Suggest more
measures

steps taken by govt; in this line like NITI Aayog are in right direction but much needs to be done for success of

Remarks

Co-operative and competitive federalism

Mention few Sarkaria
Comm. recomm.

Q7. Do you agree that Strong States make a Strong Nation? Illustrate the statement with respect to the working of Niti Aayog in implementing it. (12.5 Marks)

Remarks

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Remarks

Q8. Answer the following questions based on Election Commission:

- a) The Election Commission registers political parties for the purpose of elections and grants them recognition as national or state parties on the basis of their poll performance. What are the benefits of getting recognition as a National party?
- b) Put into words the major functions of the Article 324 of the Indian constitution in vitalizing the democracy. List out the electoral reforms proposed by the Election Commission of India ahead of recent polls in Bihar, Assam and West Bengal for restricting political campaign advertisements. (12.5 Marks)

Brief intro required

(a) Benefits to National Parties:

- Dedicated symbol throughout the country for official candidates of such parties - this is important as people depend on symbols more than names for voting.
- Dedicated time slots for campaigning on All India Radio and Prasar Bharati - Doordarshan.
- Only 1 person needed as guarantor to file nomination.
- Availability of electoral roll lists free of cost.
- More number of star campaigners allowed as compared to other parties whose benefit is that their travel expenses are not counted in election expenditure.

Space or building for office

Remarks

(b) Article 324 of Constitution says that the superintendence, direction, control, conduct of polls lies with Election Commission. The functions performed under this are:

- Creation of electoral rolls, registration of voters.
- conduct of elections throughout India in free and fair manner.
- EC has prepared Model Code of Conduct under Article 324 for this purpose and enforces it.
- It recently countenanced elections in two constituencies in Tamil Nadu for use of strong power.

34+

The reforms proposed by EC for given state polls towards advertising are:

- The regulation applicable to print media, i.e., no-advertising in 48 hours including the ending hour of election social electronic and print media be applicable to
- Party symbols cannot be used for advertising government policies and bagging credits

Remarks.

More reforms related to media and add.

Q9. The Real Estate (regulation and development) Act-2016 has been considered as a game-changer in fastest growing real estate industry. What are the salient features of the recent Real Estate Rules that will be applicable for five Union territories without legislature? How far will it improve the transparency and accountability in the sector? (12.5 Marks)

Real estate industry contributes 9% to GDP of India but is also alleged to be huge source of black money. In this context, Real Estate Act was introduced.

Salient features of RE Rules in 5 UTs:

- Real Estate Regulatory Authority - for regulation, registering of all constructions.
- Appellate mechanism and time bound redressal.
- Consideration of actual ^{living} area as against carpet area.
- All the advertisements must claim only ^{truthful} facts.

Precisely mention all major provisions
This would help improve transparency and accountability as:

- All the businesses would be registered → transparency.
- Citizens would have grievance redressal mechanism and time bound resolution → accountability.

Remarks

- Reduce black money market as all properties will be registered.
- The checking based on false advertisements would reduce ~~thus~~ protecting consumers.

4

Remarks

Q10: Accountability of public institutions focuses on (a) prevention of activities not specifically authorized by law and (b) maintenance of financial propriety. Is this concept of accountability capable of bringing good governance? What other dimensions should be added to make it more holistic? (12.5 Marks)

Remarks

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Remarks

Q11. "There is a general impression that this House (Rajya Sabha) cannot make or unmake governments and, therefore, it is a superfluous body. But there are functions which a revising chamber can fulfill fruitfully..." Elucidate with reference to recent debate over the relevance of Rajya Sabha; giving both sides of arguments. (12.5 Marks)

Recent blocking of certain bills and the passage of Aadhar Act as money bill have led to question on relevance of Rajya Sabha.

Weaknesses and challenges:

- It has been blocking reform measures like Land Acquisition Bill and Parliamentary logjam.
- This has led to government introducing bills as money bills. Eg. Aadhar Bill, to circumvent the process.
- Many defeated candidates find way through Rajya Sabha into Parliament.
- A forum for corporatisation and money bag politics as many members are businessmen leading to conflicts of interest. Eg. Vijay Malya.
- The very process of election to Rajya Sabha incentives back room manoeuvres; horse trading.

Remarks

- States like Italy have abolished it and it is very weak in Britain.
- It doesn't have equal representation of states. So anyway it is not performing its role of protecting federal spirit, as envisaged by constitution makers.

The strengths and relevance:

- It generated widespread awareness on policy issues like Land Reforms, notion of Thanks (for Haryana Panchayat law), Aadhar Bill.

- 7
- It helps check hasty and ill conceived legislations by which the rulers in Lok Sabha might try to gain political mileage.
 - The founding fathers envisaged it as a House of elders for mature deliberations over policies.
 - It gives chance to experts from social services, arts, science to be represented, who cannot face elections.

Thus, strengthening the Rajya Sabha by giving equal representation to states in federal spirit and maintaining deliberative spirit

Remarks

would go a long way in strengthening democratic spirit of India, rather than questioning its relevance.
 Avoid writing in margins

Q12. No detention policy under RTE received criticism from various sections of civil society. At the same time expert committees like T.S.R. Subramaniam Committee has recommended retaining No Detention Policy in initial stages. Critically analyze 'No Detention Policy' and suggest suitable measures to tackle the criticism.

(12.5 Marks)

The No detention policy under RTE Act allows a student to move to next classes even when he/she fails in earlier one. This was a part of continuous comprehensive evaluation process. ^{Reason for its implementation}

The advantages of no-detention:

- Reduces burden on students to pass exam.
- Helps them focus on other aspects of education along with academics.
- Reduces the mental pressure, parental pressure which sometimes led to suicide attempts.

Criticisms of no-detention:

- Reduced the focus on academics.
- Breeds a negligent feeling in students about anyway graduating to next grades without studying.
- Reduced the quality of education and learning.

Remarks

No detention policy is applied till class VIII!

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outcomes as pointed out by ASER - less than half students of class V could read text of class III level.

→ Increased absence of students in schools.

In this context, TSR Subramanian committee recommended no-detention till class VIII only and thereafter detention V instead of

The other measures that can be taken

are:

→ Focus on quality of education and learning outcomes.

→ Providing remedial coachings and two attempts for the student, after failing, to prove him/herself. (TSR committee).

In this direction, govt. has launched School Education Quality Index and has decided to participate in PISA programme. Further, it needs to be kept in mind that no-detention is not the only provision of RTE. It

Remarks

also envisaged better learning infrastructure, teacher: pupil ratio - which are necessary to harness our bustling demographic dividend.

Q13. The Indian government has been increasingly focusing on Digital India, E-biz portal and other online interfaces, but is e-governance only a supply-side aspect, as there is still a significant proportion of population, which doesn't have access to smartphones and internet? Critically analyse. (12.5 Marks)

The digital push needs both - the efforts by government (supply side) and the ability of masses to adopt to technology (demand side).

The steps like Digital India, E-biz portal are helpful but not sufficient as there are challenges like:

→ Supply side:

- Lack of digital infrastructure, connectivity in remote areas.
- delayed Bharat Net Project - hindering access to gram panchayats to internet.

→ Demand side:

- Digital illiteracy of masses. (Rural areas)
- No access to mobile phones as not all can afford it. (Rural areas)
- Small businesses are out of technology net and would find it difficult to use e-biz, e-filing of taxes, applications.

Remarks

→ other challenges like lack of trained workforce to train masses into digital technology and adopt it themselves.

Also discuss the benefits of e-gov. and digitalization.

In this direction, the steps taken by government are:

→ Digigoon - digital infrastructure, skill development of rural areas and use of e-governance.

→ Digital Saksharata Abhiyana - to create a trained workforce of 6 crore by 2019.

→ JAM trinity along with incentivising digital transactions, Pos machines. Digitalhan Vyapar Yojana.

Proper implementation of these steps, speeding up of Bharat Net project, skilling the workforce would help achieve better e-governance and the constitutional objective of inclusive growth.

Suggest specific measures to overcome the issues.

Q14. India's push for e-governance faces a serious challenge from the weak cyber security system and infrastructure in India. Analyse in context of recent high profile hacking episodes. (12.5 Marks)

Recent report by NASSCOM shows a rise of 800% in cyber crimes episodes including hacking, data theft.

Challenges:

- Weaker encryption standards leading to data theft. Eg. 32 lakh debit cards' data stolen from Hitachi payment systems.
- Private institutions have low cyber security standards. Eg. hacking into twitter accounts of Rahul Gandhi.
- Even govt. cyber infrastructure is weak. Eg. hacking of NRC and ministry of Environment website.
- No centralised cyber security agency.
- Lack of trained manpower with CERT-IN.
- The National Cyber Security Policy, 2013 is not adapted to the needs of changing technology.
- Lack of co-ordination between various agencies like NRC, ministries etc.

Remarks

Examples of recent attacks and data thefts.

Steps taken:

- Approval to set up National Cyber Security Co-ordinator.
- Set up CERTs like Banking, Industry and State CERTs like Maharashtra setup.
- Cyber cells at police stations.

Way forward:

- Amendments to National Cyber Security Policy to meet technology demands.

Strengthening CERTs by skilled professionals.

Uniform standards of encryption as well as mandatory cyber security infrastructure in govt and private institutions.

- Govt can agree to follow the international Tallinn manual to enhance cyber security.

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Remarks

Q15. India ranks very poorly in the latest global hunger index. Why despite the food security act and increased rural spending year after year, India continues to find itself in an embarrassing group? Suggest measures to eradicate this problem? (12.5 Marks)

India was included in last quarter of countries in global Hunger Index and around half of children are malnourished. This is despite the fact that almost all of India has been covered under Food Security Act and its increased coverage.

The reasons are:

→ Related to Food Security Act:

- Subsidised cereals availability increases intake of Carbohydrates than diverse diet.
- They focus on quantity rather than quality of food.

- Leakages, diversion of subsidies, lack of proper targeting (pointed by Shankar Kumar Committee).

→ Awareness - is lacking about the proper dietary habits.

→ Neglect of nutrition programmes as they are.

Remarks.

housed in health or women and child development departments and considered as non-core activities

→ Inflation - increased cost of living, education divert resources, saved due to subsidised food, away from nutrition.

→ women - are generally neglected due to societal norms and this affects girl child, mothers and neo-nats - affecting nutritional levels.

→ Sanitation - unhygienic conditions and consequent health implications take away the gains of NFSA, nutrition programmes.

Reduction in budgetary allocation towards ICDS in last two budgets.

6
Good effort

measures needed:

→ Diversification of NFSA components by including millets and pulses.

→ Focus on quality rather than quantity of food through programs like mid-day-meal.

→ Specialised departments for nutrition programmes.

→ Awareness about dietary patterns, women health.

→ Direct benefit transfer for NFSA for reducing leakages and better targeting.

→ Bio-fortification of food crops.

Remarks

These steps would help tackle nutrition problem and nurturing India's future generation.

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Q16. Illustrate the meaning of 'minimum government' and 'maximum governance'. How it could be achieved? (12.5 Marks)

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Remarks

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Remarks

Q17. - A Parliamentary Standing Committee report opined that medical education and profession in the country is at its "lowest ebb" and suffering from "total system failure" due to corruption and delay. Comment on statement in reference with proposed National Medical Commission. (12.5 Marks)

The open medical education and standard regulatory authority Medical Council of India was found to have following problems by Parliamentary Standing Committee:

- High level of corruption and opaque processes.
- No diversity of representation. Only medical doctors represented on board.
- Artificially stringent regulations on government colleges.
- Fraudulent accreditation to private colleges - leading to reduced quality of skilled health professionals.
- Use of temporary/ghost faculties and infrastructure by private colleges not during audits.

In this context, a National Medical Commission has been proposed. It would have representation from social health workers and activists, medical as well as non-medical doctors.

Remarks

Mention all major provisions of NMC Bill 2016

Analysis of National Medical

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Commission in detail

It would set regulations in consultation with all stakeholders and would help enhance standards of medical education and certification of doctors. This would help reduce corruption and enhance transparency.

However, a completely new body would face issues of abrupt change in regulatory process and lack of experience. It would lead to bringing a completely novel experience.

Thus, it would be appropriate that the existing MCI be reformed by allowing diverse representation, transparency in setting regulations, accountability mechanisms.

A committee setup by Supreme Court under Article 142 under ^{Retd. Justice} Lodha to oversee reforms in MCI is a step in right direction.

And further strengthening of MCI through amendments to MCI Act would help improve health standards and build a skilled workforce of medical ^{health} professionals.

Remarks

Q18. "Universities and institutions of higher learning are best forum for debates, discussions, free exchange of views". Elaborate your opinion in the light of recent debate on political activism Indian University Campuses. (12.5 Marks)

Remarks

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Remarks

Q19. Does sport administration in India requires a radical overhaul? Discuss this in the context of Cricket in India and bring out what extent implementation of Lodha Committee recommendations would help in reforming Indian Cricket. (12.5 Marks)

Extensive maladministration in cricket administration (BCCI) led Supreme Court to intervene and set up Lodha Panel.

A radical overhaul of sports (cricket)

administration is necessary because:

- Politicisation of cricket boards - more politicians and bureaucrats on boards than sport persons.
- Conflicts of Interest between business-politics-sports administration. Eg. E. Sreedhar case.
- Lack of vision due to uncertain tenure or the age of administrators.
- Unequal voice to state cricket boards as voting rights are not equal.
- Non-representation of sportsmen/women.

How would Lodha Committee recommendations help?

- Disallowing serving politicians and bureaucrats - would reduce politicisation and give representation to sports persons.

Remarks

→ Sports persons are aware of needs and intricacies of particular sport. Their representation would improve infrastructure, boost talent and the performance.

→ Fixed tenure and limitation on age at 70 would provide the vision to the board.

→ One state-one vote - equal voice to all cricket boards and would enhance representation from hitherto neglected states in cricket like North East.

⑥ → The union of sports persons would allow redressal of their specific grievances. Funding to these would be provided by BCCI itself.

This strict implementation of these recommendation would help boost cricketing spirit, enhanced performance and democracy in management. Such reforms are very much required in other sports too to improve Indian performance on Olympics and other events too.

Remarks

Q20. "It said that everyone in the Indian Railways is responsible for safety without safety being anybody's responsibility in particular". Political incentives and organizational structure contribute to a disregard for safety. In the backdrop of the recent accident, analyze the challenges faced by Indian Railways. (12.5 Marks)

Train accidents due to derailments and collisions have increased in last few years according to Indian Railways. This has led to increased loss of lives and damage to rail infrastructure.

The Challenges:

As highlighted by Kakodkar Committee on Rail Safety:

- Most of the tracks have outlived their utility and need replacement.
- Rolling stock - the coaches used are not at par with global safety standards.

As recently pointed out by CAG:

- Lack of effective cadre management and increasing instances of interdepartmental conflicts like between Personnel, Traffic and Engineering departments.

Other challenges:

- Lack of funds for modernisation.

Remarks

- Unmanned crossings leading to accidents.
- Increasing attempts at sabotage. A recent report by NIA points to the fact that railways are vulnerable to attacks by terrorists and waralites.
- Human negligence - in a recent accident, the train collided as the red flag was not shown on station.
- Way forward:
 - converting all tracks into standard metre gauge.
 - more funds, specifically for rail safety.
 - eliminating all unmanned crossings.
 - Integrated cadre management for streamlined operations as suggested by CAU.
- 6 → Rolling stock, coaches with international safety standards.
- electrification of all tracks and digital signalling.

The steps taken in this direction like Setu Bharatam, Rail Vikas Kosh are commendable. Addressing above mentioned issues would go a long way in ensuring rail safety.

Remarks

Analytically discuss all major taken initiatives in detail.