

SCORE

TEST - 02

POLITY & GOVERNANCE

Time Allowed: 3 hr.

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/part 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 in 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 Digvijay Bodke

Roll No. _____

Mobile No. _____

Date 5/10/2015

Signature D. Bodke

1. Invigilator Signature _____

2. Invigilator Signature _____

Remarks

Roll No. _____

Q1. Despite the successful implementation of many e-Governance projects across the country, e-Governance as a whole has not been able to make the desired impact and fulfil all its objectives. In this context discuss the implication of Digital India programme on e-Governance in the country. (12.5 Marks)

Following factors have limited the success on a true scale of e-governance in India:

- Lack of e-governance ecosystem in public offices. eg: officials aren't trained accordingly, neither are citizens made aware of such initiatives.
- Lack of ^{digital} infrastructure - eg: Rural areas without physical connectivity & power mean digital infrastructure has suffered.
- Digital illiteracy.
- Lack of e-governance initiatives in local languages. This causes linguistic exclusion.

In this context, Digital India (DI) programme can have following implications for e-governance:

- It would fulfil the ~~the~~ digital infrastructure deficit since it is one of the main pillars of the project.

Few e-gov programmes

Aim and related objectives precisely

- Digital literacy programme under it would make e-governance projects more acceptable to the general public.
- DI would try to scout majority of government services through the internet. eg: online passport issuance, e-health service. As a result the reach of e-governance would increase & also the quality of service.
- Digital India has laid focus on electronics hardware manufacturing in convergence with Make in India. Thus the data on servers of e-governance projects would remain on Indian soil, thus increasing data privacy.
- Digital India wants to bring local languages within the ambit of e-governance, thus increasing inclusion even more.

This DI programme, wants to change the face of e-governance in India in physical, qualitative & inclusiveness spheres.

Q2. Discuss the salient features of the Representation of Peoples Act (RPA-2013) recently amended by the Indian Parliament. (125 Marks)

The Representation of Peoples Act (1951) ~~is~~ is about the election & their related spheres like disqualification criteria.

This act was recently amended in 2013 & it brought about following changes:

- The NERs were given a right to vote but it made physical presence in the constituency a compulsion to vote.
- The amendments disqualified a person from contesting election to the Lok Sabha or state assembly if he has been convicted for an offence for ~~more~~ 2 or more years.

These amendments increase the scope of citizen participation in democracy by extending

scope for a person in jail to contest elections if convicted for less than 2 years

ding franchisee & nets.

Also they ensure criminalisa-
tion of politics is checked by
debarring convicts from contesting
elections.

2½

Q3. Discuss the major factors which make it difficult for the civil society to organise effectively to curb forms of corruption which disproportionately afflict the poor. (12.5 Marks)

Corruption in India is a major issue because it affects the daily lives of people unlike in developed world where corruption occurs mostly in higher echelons.

NGOs & civil society have tried to reduce corruption & its effects on poor by and educating the poor, making them aware of their rights & entitlements, using transparency mechanisms like RTI, but face following hurdles:

• Non-responsive government:

∴ If data is not made available under RTI under the excuse of confidential data, then civil society can do little to curb the ongoing corruption.

• Collusive corruption:

Corruption has kind of been institutionalised so as even the poor are ready to bribe officials to get the work done.

• Diversified nature of civil society:

In India, the civil society

works for various initiatives at once in different spheres, unlike in western nations where they are more specific about their aims. This reduces their effectiveness & capacities since expertise is lacking.

• Oppa Mainstream media:

They are engaged more in mainstream news as a result often the needs & issues relating to the poor are neglected despite best efforts by the civil society, as their voice doesn't find a resonance.

The above issues can be resolved by:

- Increasing transparency mechanisms like making Public Information officer to give appropriate reasons for non-disclosure (not vague reasons)
- Consolidation of civil society organisations so that a mega-organisation with sector specific departments can act more effectively.

Q4. Most of the representative democracies have largely remained "ballot box" democracies. Evaluate. (12.5 Marks)

By calling a democracy a "ballot box" we mean the democracy in the nation has reduced to a single act of voting.

The first suspect in this case is India which is not only the largest but also the most representative democracies. gives the vast cultural diversity.

Citizens participation in governance in India remains low because of colonial legacy. Moreover the increasing inequalities in economic terms means that poor only have the ballot box (election) to assert themselves.

Moreover the elections in India have been fought on caste issues concerning the poor, but the poor aren't really willing or able to hold the governments to account due to educational & governance deficit.

However, civil society NGOs are trying to increase the scope & meaning of democracy in India.

Elaborate
post-election
public
participation

4

But not all representative democracies have remained ballot box only. eg: USA which also has great ~~cultural~~ linguistic & ethnic diversity. Citizens not only engage in governance but also are interested in how candidates are chosen. eg: Recent television debates between Presidential candidates. Moreover, the accountability is higher due to transparent functioning & high education levels.

Thus the nature of democracy more depends upon the society, its human capital & historical legacies.

Criticism related to representative democracy in detail

Q5. Reforms in bureaucracy may lead to social-economic development. Illustrate with examples. (125 Marks)

Bureaucracy has often been criticised in India for slow functioning of government, slow pace of socio-economic change in India, increased corruption etc.

Reforms in it can help in socio-economic development because:

- The colonial bureaucratic mindset still prevails in India which is based on excessive regulation.
eg: lessening such controls would increase efficiency for eg say in delivering services to poor.
- The economic sphere will be affected because the red tapism has often been cited (eg: Silicon valley leaders) as the reason for not investing in India. Thus foreign funds along with technology could spur domestic economy.
- Reforms like lateral entry would infuse fresh energy into government & also attract talent

Mention Negative features first.

from private world, giving best practices. This would also increase efficiencies of civil officials since competition for posts would keep them on their toes.

- Reforms in police would make it people friendly, increase trust in the state, as a result the social communities (minorities, transgenders) would feel more secure.

These reforms in bureaucracy which are main arms of administration in the government would improve the socio-economic atmosphere which would prove as a spring board for greater development.

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Civil Services Reforms in detail

Q6. Local democracy is sometimes treated as synonymous with 'decentralisation', but the two are in fact quite distinct. Discuss with example. (12.5 Marks)

Local democracy in which people vote for their representative on a micro scale (village) is treated synonymous with decentralisation because of the assumption that former would ensure latter.
But in fact, local democracy ^{is} ~~needs~~ a cause & sustained intervention & efforts would lead to the effect of decentralisation.

① If people elect their Panchayat representatives, but if those representatives don't have power or the funds to implement decisions then it won't amount to decentralisation.

② Similarly if government nominated people, at Panchayat level are given powers & funds to implement decision, it amounts to decentralisation although local democracy is not present.

Thus the spirit of local democracy can be achieved through decentralisation by:

- Transferring parent funds at local level.
- Technical & governance capacity builders of ^{local} representatives
- Social audit mechanisms to ensure accountability.
- Awareness about measures through which people can participate in governance.

Elaborate aspects related to decentralisation

Q7. 14th Finance Commission has ended the concept of Special Status to states. What will be the impact of it especially on the North Eastern states development scenario? (125 Marks)

The special category states (SCS) meant 20% of the center's finances could be devolved to these states since their geographical, social & economic conditions lead to lesser revenue generation.

Although 14th Finance Commission has ended this concept, it would have positive implication on development of north eastern states because:

- The share of each state under the SCS had over the years gone down due to increase in number of states under it.

- The increased tax devolution to 12% will benefit the north eastern states the most, based upon ^{GSDP} population criteria.

- More untied funds would mean local developmental needs are ^{more} effectively addressed.

eg: Mizoram doesn't need educational schemes since its literacy is high, so it can spend more on health.

Precisely mention the criteria

Rationale for SS to NE states

• Ending of SCS concept means that such states would get funds as per the vertical ^{horizontal} devolution criteria. But again north-eastern states would benefit because 11th FC has added (10% weightage) a new criteria for horizontal devolution - forest cover.

• In case of other states under SCS, they too would benefit because of overall progressivity of transfers of 11th FC.

Thus on the face of it, it may seem removing the SCS concept may adversely affect the such states development, the other measures / steps taken by 11th FC ensure that such states don't suffer due to paucity of funds.

Q8. Civil service can play a key role in development albeit it has to be true to the dictum of "service" and not "servitude". Discuss the issues in Civil Service Accountability in India towards citizen. (12.5 Marks)

In India, civil services are seen as elitist by the people due to colonial legacy. This has resulted in a scenario wherein civil servants instead of serving the public impartially have developed a superior complex. As a result accountability has suffered within the services with following issues emerging:

- lack of interface & accessibility:

Civil servants especially at top posts are often inaccessible to common public due to hierarchical nature of the administration. Hence direct accountability suffers.

- lack of ~~awareness~~ understanding about its nature among citizen:

Citizens have developed an attitude of servitude towards civil servants to see work done by them as a grace not their duty. As a result they aren't

Discussable to hold officials to account.
Political pressure, lack of morality on the part of officials.

Political pressure,

Hierarchical nature of bureaucracy in detail

This can be seen from the fact that majority civil servants ^{not} engage in corrupt activities because of fearlessness but because of impunity erosion of ethical values.

Impunity:

Due to lengthy procedures to prosecute civil servants & possibility of finding loopholes within the system. eg: low conviction rate under Prevention of Corruption Act, 1988.

This multitude of issues arise in accountability of civil servants should be resolved through increased citizen awareness, transparency through e-governance, to RTI, Role of civil society becomes important to bridge the distance between those governing & those governed.

3 1/2

Q9. Affordability of health care is a serious problem for the vast majority of the population than the accessibility of that. Has the Rashtriya Swasthya Bima Yojna been successful in increasing the affordability of healthcare? Discuss the steps needed for improving it. (125 Marks)

Out of the pocket expenditure on healthcare has increased in India because of poor public healthcare service & costly private alternatives, pushing back people deeper into poverty.

The Rashtriya Swasthya Bima Yojana (RSBY) is a smart card based cashless insurance scheme providing tertiary care services for a family of 5 upto a monthly expenditure of ₹30000.

It has increased the affordability of healthcare in unorganised sector as can be seen by increase in ~~the~~ demand in private sector healthcare. Moreover it provides choices to citizens, hence they can choose affordable but quality care.

However it faces certain problems like:

- Provider induced demand.
- Neglect of primary care.
- Unwanted ~~the~~ unnecessary ^{treatment} increasing insurance premiums.

- Increased transaction costs due to increase in intermediaries
- Not catering to state specific health needs.

It can be improved through:

- Linking smartcard issued with Aadhar to that ~~tracking~~^{targeting} of citizens becomes easier.
- Bringing primary care under its ambit.
- Increase digital & literacy so that intermediaries can be avoided.
- State specific cards can be issued with focus on local needs & diseases.
- Making a condition of referring to primary healthcare as a first point of access to avoid tertiary care so that unnecessary demand is reduced.
- Regulating service providers to reduce provider induced demand.

4/2
Ref. hints

Q10. Recent changes in the Prevention of Corruption Act, 1988 and Whistleblowers Protection Act seem to be contrary to the spirit of bureaucratic neutrality and bureaucratic accountability. Analyze. (12.5 Marks)

Changes in Prevention of Corruption Act, such as increasing punishment, bringing retired civil servants under ambit of Section 197 of CrPc, punishing both bribe giver & taker, seem to be against bureaucratic accountability because they seem to be reducing chances of conviction of officials.

Moreover such changes are seen adversely because they withdraw protection given to bribe giver thus discouraging them from testifying against accused.

However these changes are to be seen in broader context of functioning of bureaucracy. Provisions of POCA have been the reason for inertial decision making by officials. Moreover retired civil servants need protection because bonafide decision taken having adverse consequences can land them in trouble.

Mention other provisions of amendments also.
(Ref. hints)

The changes made to Whistle-blowers protection act by excluding from its ambit issues relating to national security decrease the protection provided to whistleblowers.

This is seen as a step against exposing wrong doings in government.

But we cannot let issues of concerning national security to be out in the open for ^{loss of} sensitive information may lead to strategic disadvantage.

But extending the exemptions under this act as per section 8 of RTI act, tend to discourage whistle blowers, reducing accountability.

Thus some form of internal accountability has to be maintained, to ensure efficient functioning, even in matters concerning national security.

Q11. 'Indian constitution is a product of evolution rather than of revolution unlike American constitution': Comment. (12.5 Marks)

Indian constitution has evolved since the Charter Act of 1773. Throughout the time until 1950, ~~the idea~~ it has undergone several modifications. eg. In Government of India Act 1858, India was brought directly under British rule.

During the entire period, ^{hitherto} Indians infamiliar with functions of modern ~~states~~ states got familiar with the ideas of parliament, democracy, accountability mainly because of the efforts of moderate nationalists since they worked to spread such ideas & forced ^{British} government to introduce democracy in India.

Moreover Indian constitution has several borrowed features from other constitutions. As a result the ideas of other nations through their own evolution as a nation have been incorporated in our constitution. eg. Structure of govt

Discuss evolution in detail

have been borrowed from Irish constitution which he borrowed it from Spanish constitution.

American constitution on the other hand is a product of American Revolution of 1784. Fighting against Britain, the American people developed certain ideas (as seen in Thomas Jefferson's declaration) & these ideas of a revolution are reflected in the constitution.

Hence India constitution has evolved through

Charter Acts: 1773, 1791, 1793, 1817, 1833, 1853

Government of India Act: 1858, 1907, 1917, 1935

This evolutionary pattern is seen ~~or~~ spanning ^{over 150} ~~about 150~~ years.

Q12. Most of failures of government schemes are attributed to the "failure of implementation" while having overtones of "bureaucratic scapegoating"; which can have a demoralizing effect but the policy formulation is equally responsible for it. Comment. (125 Marks)

Failures of government schemes due to tardy implementation eg. not following rules in spirit, ~~not~~ increasing corruption.

These failures are often attributed to poor functioning of bureaucracy since they ^{display} have the role of overall co-ordination. Moreover accusing them has become a way of life for some because of the gross disconnect between them & people.

However the policy formulation is equally responsible for such failures because:

- The policies are often framed without empirical data, which results in poor targeting.
- The policies advocate a top-down approach, as a result government schemes lose energy after initial enthusiasm because participation of people is needed to

Mention the challenges in detail

Sustain schemes since citizens are ones who benefit from it.

eg: Sanitation schemes of 1990s failed due to top down approach of constructing toilets without gauging why + how people will use it.

• Policies often ignore socio-economic factors which interfere with people's behaviour & ultimately decides the success of schemes.

eg: ~~has~~ ^{Asking} ~~expens~~ people to bear a part of cost of toilet construction when people are already poor & see toilets as a luxury.

• Hence arises a need for bottom up planning. NITI Aayog's vision of formulating plans at village level & aggregating at upper levels provides the right mix of flexibility & uniformity for implementation.

4

Explain the doctrine first

Q13. In India separation of power is more hypothetical than real. Comment. (12.5 Marks)

Indian polity doesn't follow strict separation of power as seen in presidential form of government as coke Parliamentary form of government in which the executive is a part of legislature, to avoid executive-legislature conflicts & focus on more accountability.

Separation of power is said to be hypothetical than real because:

- The executive virtually controls the Parliament because it enjoys its majority. Thus parliament's function to hold executive accountable is undermined.

• All ~~the~~ ^{since public bills} bills have more chances of getting passed, the government

- Since Executive officers are occupied by p top officials of the political party, they hold great influence over the Parliament through the anti-defection law.

The executive's control over Parliament is enhanced by the fact that it decides summoning & adjournment, ^{provision} ~~provision~~ of ordinances make separation of powers even more bleak. However the above assumption is not true because:

• Indian polity is based on the doctrine of checks & balances wherein ~~the~~ ^{no} organ of governance can assume absolute power.

Judiciary has been kept strong deliberately so that it exercises control over arbitrary action of other ~~part~~ ^{part} eg: Through judicial review, (basic structure), court can declare laws & executive actions void.

Hence Indian constitution has slight mix of separation of power & convergence of organs (legislative & executive) to suit its needs.

Precisely discuss the areas of overlap in detail

Q14. Our forefathers tended to create a grand vision of "unity in diversity" by incorporating numerous principles in the constitution and elsewhere, though it seems today that present day politics has misinterpreted it to be "identity and caste politics". Enumerate the reasons for the same. Can there be a solution to its misgivings? (12.5 Marks)

Unity in diversity was sought to be maintained by our constitution makes by granting religious freedoms (Article 25-28), protecting interests of minorities (Article 29, 30), safeguards for backward classes.

However present day politics has used these ideas to suit their interests through caste politics, vote bank politics and has following reasons:

- Institution of caste has remained rigid despite economic growth.
- Tendency of people to vote along caste lines on the belief that only same caste people can protect their interests. This mistrust runs high in the society.
- First Past the Post System (FPTP) which doesn't require a majority to

Reservation aspect

win elections, giving rise to caste politics to ensure required votes.

- Indian society has remained traditional in the sense that it is easier to mobilise people's opinion on caste related issues than on national issues.

Following can be done to find a solution to such misgivings:

- Educating people about the true nature of democracy, & how their interests are best protected.

- The major political parties should lead by example & hence the entire chain gets broken.

Electoral reforms like proportional representation or its variants can be explored.

- Moreover, efforts to blur the caste lines should be undertaken & the reservation policy which provides a base for such politics should be refined & reviewed to suit present/day needs.

Art. and provision

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Q15. Would it not be feasible for the legislature to create a legislative framework on "President's power of pardon", as it would minimize the errors that may be an outcome of its misuse for "politics of parochialism"? (125 Marks)

Recently there has been a discourse over setting standards over President's power of pardon because of perceived errors & delays. This is especially important in cases of death convicts.

Setting such standards would be following merits:

- The arbitrary decisions would reduce.
- The time required for such decision can be fixed.
- Its misuse can be curbed.

However, it may have following demerits:

- It would account for interference by the legislature in the domain of executive thus disturbing the constitutional separation of power.

• Moreover, arbitrary & mala fide decision on 'President's power of pardon' are subject to judicial review, thus having a check by judiciary.

• By the same logic, we may argue for codes or guidelines by Supreme Court or Parliamentary Privileges.
eg: Recent washout session makes a case for this.

President's pardon is essentially meant to take human & emotive factors into consideration while deciding on cases. A legislative framework cannot account for these. Hence it is best to leave the situation as status quo for any misuse can be held seen by vigilant civil society & citizenry.

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Aspects related to delay in decision making in detail

Q16. The "principle of subsidiarity" has been replaced by "principles of subsidies" in the context of Indian federalism. Comment. (125 Marks)

Indian constitution is a

federal one with unitary bias.

Such a federal structure is based on 'principle of subsidiarity' because

- Inadequate resource means raise revenue for states makes them dependent on centre for finance.

- Moreover, the subsidiarity principle is seen in legislative sphere state list subjects are in reserved & subordinate & union concurrent list.

- It is also seen in executive sphere where states have to comply with the directions given by the centre.

However ~~the~~ the "principle of subsidies" has evolved in the context of Indian federalism because

- Subsidies are given by centre & states in quite a few items like power, water, fertiliser, seed, interest rates etc.
- These subsidies are transferred from centre to states in matters concerning state debt, etc.
- ~~Many a times these~~ These subsidies often form a bulk of government's expenditure.
- Hence, the subsidy culture has engrossed India at both central & state levels, & these have been responsible for ~~in~~ continuous revenue deficits of governments.

Discuss in context
of Central Sponsored
Schemes

Q17. A key issue in Environmental Governance is public participation.
Comment. (12.5 Marks)

Environmental Governance, essentially concerns with protection of physical environment & ecology along with protection of people's interest.

To achieve the latter part, it becomes necessary to elicit public opinion & hence their participation in environmental governance becomes important.

But it is not to be seen that often people are neglected & it has following consequences:
eg: ① In Environmental Impact Assessment (EIA) studies, local knowledge of people is not taken into account as a result the assessment cannot gauge real impact of project, hurting the environment eventually.

② In EIA, the opinion of people (public hearings) are often conducted after EIA reports have been prepared. This renders their voice ineffective.

Because of above reasons, people themselves become discouraged to participate in environmental discourse even if it affects their lives.

Thus public participation can be improved by bringing more categories of projects requiring public hearing, making public hearing transparent, conducting such ~~to~~ opinion of public should be respected to restore faith in such exercises, Role of NGOs become crucial here because they can help in disseminating information. &

Apart from the environmental governance faces following issues:

- Rigid environmental laws.
- Red tapism.
- Poor monitoring of environmental laws.
- Lack of impurity to ~~just~~ perpetuate.
- Lack of technical staff in monitoring agencies.

Q18. "Reforming Police alone won't bring about a change in the Criminal Justice System." Comment. (12.5 Marks)

Police is often blamed for tardy Criminal justice system fails delays because:

- Faulty investigation, involving hiding of facts & incentivising corruption. Thus justice is denied.
- Slow investigation, due to ~~and~~ traditional functioning.
- In sensitive nature, as a result cases are not filed.
- Lack of protection of witnesses, resulting in their backing out.

However reforming police alone won't bring a change in Criminal justice system because of multiple factors affect it:

• Judicial factors

Our courts are facing short age of human resources, lack of use of technology, young talent not attracted to judiciary etc.

Political factors:

often police are under tremendous pressure from political bosses to go slow with an investigation.

Systemic factors:

3 ex: provisions of CrPc which allow powerful to get away with crimes committed.

Economic factors:

People often can't afford the length process of criminal justice system.

Hence we need to keep political interference out of police functioning, upgrade judicial capacities, increase help from NALSA, reform systemic factors along with police reform to bring about a change in criminal justice system.

Problems related to other aspects of CrP
↓
Prosecution and Prison

Q19. Critically evaluate the contribution of PESA in Schedule V areas. Also explain how the functioning of local bodies in these areas differs from the others areas? (12.5 Marks)

PESA as per its intent has been successful to an extent in bringing participative democracy in Schedule V areas.

It has also increased accountability of government officials, raised technical capacities of local people to understand & function in a democracy. It has protected local economic social interests from so called outsiders.

However, PESA is not considered as a success mainly because:

- Above successes have been isolated & selective depending upon local factors.
- Efforts by government functionaries to undermine its effective functioning.
eg: classifying panchayats as urban & bringing them out of the ambit of PESA.
- Implementation challenges have

Critical
analysis
of PESA
Act. in
detail

occurred because ~~several~~ village
definition as revenue villages has
caused scattered hamlets to be
grouped as Panchayats, thus reducing
the effectiveness of Gram Sabhas.

Functioning of local bodies
differs from those in the other
areas ^{because} ~~that~~ in PESA, the gram sabhas
have been given a lot more power
(e.g. Regulating local markets, sale of
liquor, ~~etc.~~).

Moreover the governor ^{has}
a say in their rule framing.

To ensure the benefits of
the legislation, the government
officials should be held to
account to implement laws in spirit.

Also, technical & governance capacity
of gram sabhas need to be
enhanced.

Q20. 'Life can become smoother if rights and duties go hand in hand and become complementary to each other'. In the light of the given statement illustrate the importance of fundamental duties for Indian society. (125 Marks)

The fundamental duties were introduced in the Indian constitution through the 42nd Amendment Act, 1976 precisely for the reason that in a democracy, citizens have to be aware about their duties as they enjoy their rights. Following is the importance of fundamental duties (Part III A, Article 51):

- They enhance citizens' participation in a democracy because they become aware of the ideals & purpose of the polity in which they live. eg: Cherishing the ideals of freedom struggle.
- They help in modernising Indian society & economy. eg: To develop a scientific temper.
- They help in bringing a feeling of owning & preserving national property. eg: protecting monuments & historic places.

- They help in developing a feeling of nationalism, thus conducive for national integrity, unity. eg. to protect sovereignty.

These fundamental duties & rights if go hand in hand they make life smoother because:

- Compliance to the laws comes from within & not through fear of punishment.
- They create a just atmosphere for an individual to realise his best potential. eg. political & social equality combined with scientific temper.
- They help in sustainable development. eg. Right to practice any profession (say woodcutting) & duty to protect environment. Thus ensuring checked felling of trees.

Hence these two aspects if seen complementary have potential to make life simpler.

4