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GS Advanced Program 2023

Generic Booklet

Test Name/Code/No. : 692016

Name			
Email ID.			
Roll No.			
Mobile No.		Date	

Allotted Time : 60 Minutes

Instructions to Candidates -

- There are 7 Questions in this Question paper.
- All Questions are Compulsory.
- For all updates, please visit the noticeboard - <https://noticeboard.forumias.com/gsap-2023/>

Important -

- Answers must be attempted in the QCA Booklet only.
- To upload the Answer Copies please visit to "My Course" section on - <https://academy.forumias.com/>
- Only those copies will be evaluated which will be submitted before the next class.

Q. No.	Grade/Score
1	
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Overall Grade/Score	

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Start Writing Here

Q.1)

The Representation of People Act, 1951 is the legislation that deals with the conduct of elections in India. It provides guidelines for -

- Conduct of elections
- Qualification and disqualification of candidates
- Registration of parties etc.

The RPA, 1951 has played a vital role in checking electoral malpractices. Through:-

- Provisions for disqualification for malpractices under Sec 8 (i-iv) and 62(5).
- PUCI v/s UOI → SC provided for amendment in RPA to provide NOTA option for negative voting with secrecy.
- S. Subramanyam v/s UOI → mandated VVPAT with every EVM machine to improve transparency.

169556_092016_1910091547_(2022-11-16 15:18:44)

- Sec 29A → Political parties to register and disclose donations and receipts → improved transparency.
- Lily Thomson Case → SC invalidated Sec 8 (iv) providing for immediate disqualification with conviction.
- Abhiram Singh Case → Soliciting votes both in name of religion of candidate and electorate could lead to disqualification.
- Jan Chowkidar Case → A person confined in prison (except preventive detention) cannot vote and hence cannot be elected ⇒ reduced criminalization of politics.

Thus, the RPA, 1951 through appropriate grounds of disqualifications (Sec 8(i - iv)) allows free and fair elections. Timely judicial interventions and amendments have made the act more responsible to aspirations of electorate.

Overall Grading (✓)

Poor			Average			Good		
1	2	3	4	5	6	7	8	9

This Generic QCA booklet can be used to attempt all GS Advanced Program Tests.

169558_692016_1910091547_(2022-11-16 15:18:44)

Q.2) Representation of People Act, 1951 provides guidelines for conduct of legislatures elections to the Parliament and State assemblies.

Procedure to decide disputes arising out of election

RPA, 1951 provides for a well-defined framework to decide disputes arising out of elections:-

- Aggrieved candidate must file an election petition with the High court.
- Appeal can be made to the SC.
- In case of disqualification, the decision rests with President or Governor on advice of Election Commission. (acting as a civil court).

Grounds for declaration of election as void:-

- RPA, 1951 Sec 8 (i-iii) and Sec 62(5) determine the grounds of for this.
- Sec 8 (I) → disqualification for conviction in cases under Sec 153(A), Sec 498A, Sec 171(E), Sec 171(F), NDPS Act, FERA Act and untouchability.
- Sec 8 (II) → Disqualification if conviction is of 2 or more years and bar on contesting for 6 yrs.

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• Sec 62(1) → conviction for dowry, profiteering, hoarding.

• Sec 62(5) → Cannot contest from prison (except solitary confinement). (Jan Chowkidar Case).

• Abhiram Singh Case → Cannot solicit votes on grounds of religion of contestant and electorate both.

• Lily Thomson Case → Immediate disqualification following conviction.

Remedies available to aggrieved party

• File election petition in HC.



• Appeal in Supreme Court.



• Final decision vested with President of India or Governor of State on advice of EC.

Thus, RPA, 1951 provides for comprehensive coverage for declaration of election as void if there is indulgence in corrupt practices whilst balancing the right of candidate to be heard and seek justice.

Overall Grading (✓)

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Q.3) Good Governance refers to the wielding of power to utilize the resources of a society for the welfare of the citizens. such that benefits accrue to them.

In present age of technology and e-governance, digital resources play a key role in delivering the requisite services to the citizenry whilst ensuring transparency and accountability. It is in light of this that a digital gap in rural areas is an obstacle to good governance.

Digital Gap : an obstacle to good governance

- Lack of digital literacy in rural areas prevents the permeation of many ICT driven welfare schemes in villages.
- The digital divide in favour of urban areas and within rural areas between

169558_692016_1910091547_(2022-11-16 15:18:44)

- men and women, rich and poor, old and young has left many outside the loop of government schemes like DBT and Jan Dhan.
- High initial cost of digital infrastructure and precarious finances of PRIs. GOI's BharatNet programme is not exhaustive.
 - Low technical know-how makes people vulnerable to exploitation and may raise corruption initially as per Prof. SK. Prasad.

The recent case of digitization of MGNREGA rolls with GIS tagging of workites is a classic example wherein supervisors have suffered due to lack of smartphones while beneficiaries have suffered due to lack of know-how.

Thus, digital gap prevents the effective capitalization of ICT as a tool of good-governance and is major hindrance to dream of digital India. Digital literacy and infra is need of the hour.

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169558_692016_1910091547_(2022-11-16 15:18:44)

Q.4)

E-Governance refers to the use of ICT technologies for delivering services to the citizenry.

E-Governance is generally associated with good governance due to the benefits that it brings such as:-

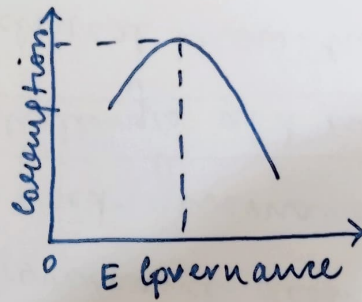
- Elimination of middle men and hence associated leakages and corruption.
 [Eg] DBT of Kisan Credit Card benefit.
- Prompt settlement of transactions.
- Quick resolution of citizen grievances.
 [Eg] RBI Ombudsman scheme.
- Improved coverage of govt. schemes through easy enrollment and verification.

However, E-Governance doesn't necessarily translate to good-governance as it has its own set of challenges and issues:-

- Lack of technical know-how makes citizens initially vulnerable to exploitation and

169558 692016 1910091547 (2022-11-16 15:18:44)

increased corruption. as propounded by S.K. Prahlad.



- Digital divide → among rich and poor, rural and urban, men and women, young and old.
 - Low digital literacy → keeps many outside the net of govt. schemes.
 - High initial cost → of digital infrastructure and hence exclusion.
 - Hence, while E-governance is a boon in today's era of ICT and is undeniably the future of governance, it cannot translate into good governance without
 - digital literacy • digital infra. • digital affordability
- Affirmative steps in this direction are needed.

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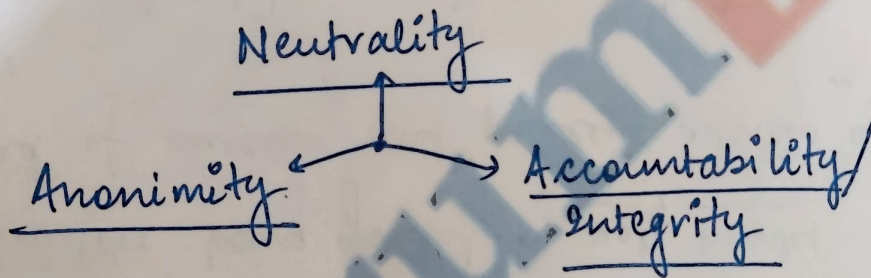
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Q.5)

Civil Services is the backbone of Governance in India. They are the link between the government and the citizenry and the custodians of the Directive Principles of State Policies.

The 3 pillars of an effective civil service are:-



However, in the recent years, a drift away from neutrality and effectiveness:-

- Neutrality refers to performance of duties without any sense of political bias. It requires objective evaluation and implementation.
- There has been a rise in bureaucrat-politician nexus due to development

169558_692016_1910091547_(2022-11-16 15:18:44)

of so called Transfer Industry. where transfers/postings have become political tools.

- Bureaucrats have often failed in keeping aside their political biases in formulating and implementing policies.
- Long postings of 8-10yrs have led to bureaucrats trying to be in good books of political masters.
- Politician-bureaucrat conflict due to decisions of ministers being guided by vote banks instead of sincere and prudent advices of officers.
- Tendency of politicians to concentrate powers in their hands.

Needed Reforms in Civil Services.

- Increase the powers of Civil Services Board from being mere advisory bodies and mandate their formation for all states.

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(2nd ARC and Hota Commission).

- Amend the Prohibition of Corruption Act to prevent malicious actions on bureaucrats (Hota Committee).
- Santhanam Committee Recommendation to amend Act-311 and allow state govt. to take disciplinary action against bureaucrats.
- Model Code of Ethics and Model Code of Good Governance for civil servants. (Hota Committee)
- Strict adherence to transfer timelines (3-5yrs) (2nd ARC)
- National Institute of Good Governance, periodic training for domain expertise and competence building (2nd ARC)

As Sardar Vallabh bhai Patel has rightly said that civil servants are the Steel Frame of India.

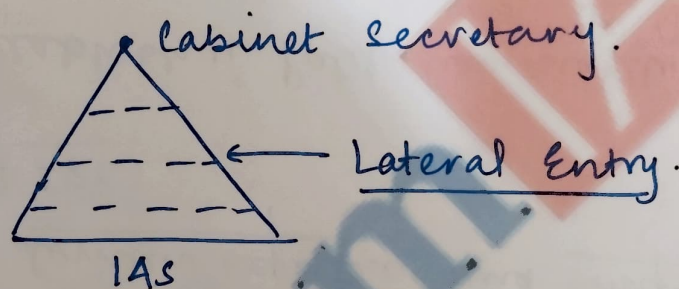
It is vital to keep taking affirmative action to keep this frame strong.

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Q.6) Lateral Entry refers to the scheme of recruiting domain experts and specialists from the private sector into Government organizations at the medium or higher levels.



The Generalist v/s Specialist debate continues for long. There is a need to examine the compatibility of Lateral Entry into Civil Services in this regard.

Arguments in favour of compatibility of Lateral Entry:-

- Emerging challenges of the 21st century like technological disruption, cyber

169558_692016_1910091547_(2022-11-16 15:18:44)

warfare, ICT governance challenges etc make domain expertise essential. for

- Increasing of AI, ML and big data in all fields makes experts necessary for effective policy making.

Eg Recent AVGC committee formed with field experts.

- Lateral entrants bring good practices of private sector, fresh perspectives in govt. departments.

Arguments against compatibility of Lateral

entry :-

- Lateral Entrants don't have field experience and public dealing.
- They may not appreciate the welfare objectives of the government.
- Find it difficult to adjust to the

169558 692016 1910091547 (2022-11-16 15:18:44)

hierarchy and work culture of govt. depts.

- Lack of accountability as they may easily return to pvt. sector at better remuneration.
- Relying on a few domain experts may backfire.

Hence its important to ensure that lateral entry system is used prudently and where needed.

- As 2nd ARC recommends, there is need to institutionalize lateral entry.
- Lateral entrants can be better inducted in 'PSEs and mission mode projects.
- Mandatory training and field posting of such entrants.
- Deputation of govt. officers to pvt. sector.

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Q.7)

Representation of People's Act, 1951 provides for guidelines relating to conduct of elections in India including qualifications, disqualifications of candidates, administrative machinery for elections, registration of parties etc.

Section 62(5) of RPA 1951 provides that a person who is confined in prison (except for preventive detention) cannot be an elector and as such cannot be a candidate to contest elections either.

There is a lack of clarity in this clause which has led to many adjudications.

- The Section denies the Right To Vote to a person even before final conviction and in spite of availability of appeal.

169558_692016_1910091547_(2022-11-16 15:18:44)

- It also subsequently denies the right to contest elections to such as person in spite of such a right been conferred to citizens by the constitution.

In this way, the provision denies the Fundamental Right to Equality enshrined in Art. 14 of the Constitution.

However, the judiciary has intervened and upheld this section.

- In the Tan Chowkidar Case, The Patna High Court ruled that since the right to vote is a Statutory and not a fundamental right, it can be taken away and as such, has upheld Sec. 62(5).
- The SC in an appeal by the EC has upheld the verdict of the Patna HC.

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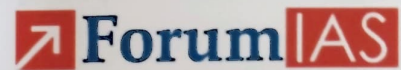
- Currently, the matter is again under the consideration of the court following appeals by a minister from Maharashtra under judicial custody.

Hence the Sec 62(5) denies the right to vote and Universal Adult Franchise envisaged in Art. 326 of Constitution. and It thus, denies equality to a person under prison confinement violating Art. 14 and the Principle of Natural Justice. As the NCRB data of 2021 suggests that 77% of prisoners are undertrials, there is a need to re-examine this clause whilst also preventing the criminalization of politics.

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