

**GS Advanced Program 2023****Generic Booklet**Test Name/Code/No. : **692039**

Name			
Email ID.			
Roll No.			
Mobile No.		Date	

Allotted Time : 60 Minutes**Instructions to Candidates -**

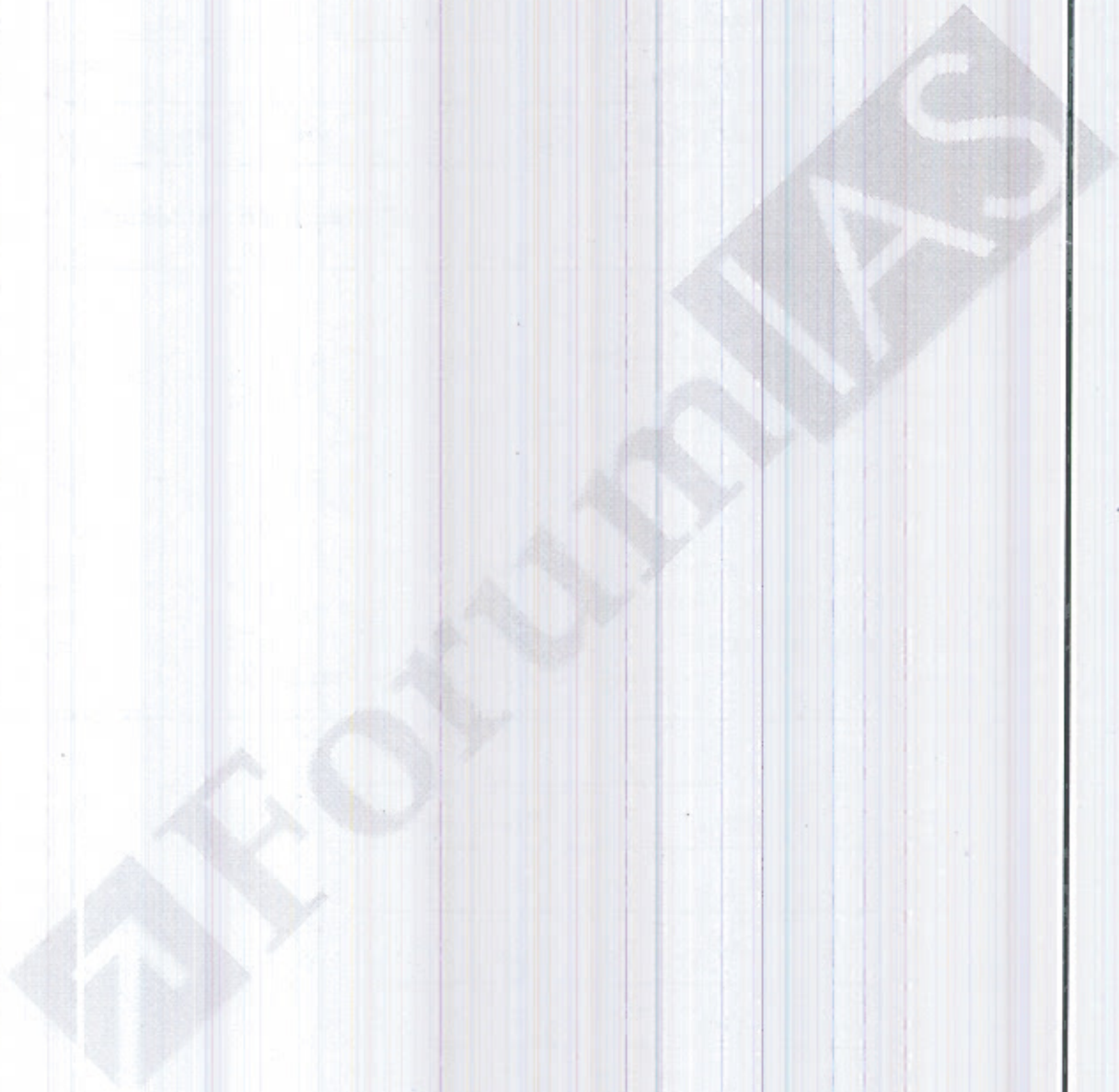
- There are 7 Questions in this Question paper.
- All Questions are Compulsory.
- For all updates, please visit the noticeboard -
<https://noticeboard.forumias.com/gsap-2023/>

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
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Overall Grade/Score	

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Q.1)

To what extent has the decentralisation of power in India changed the governance landscape at the grassroots.

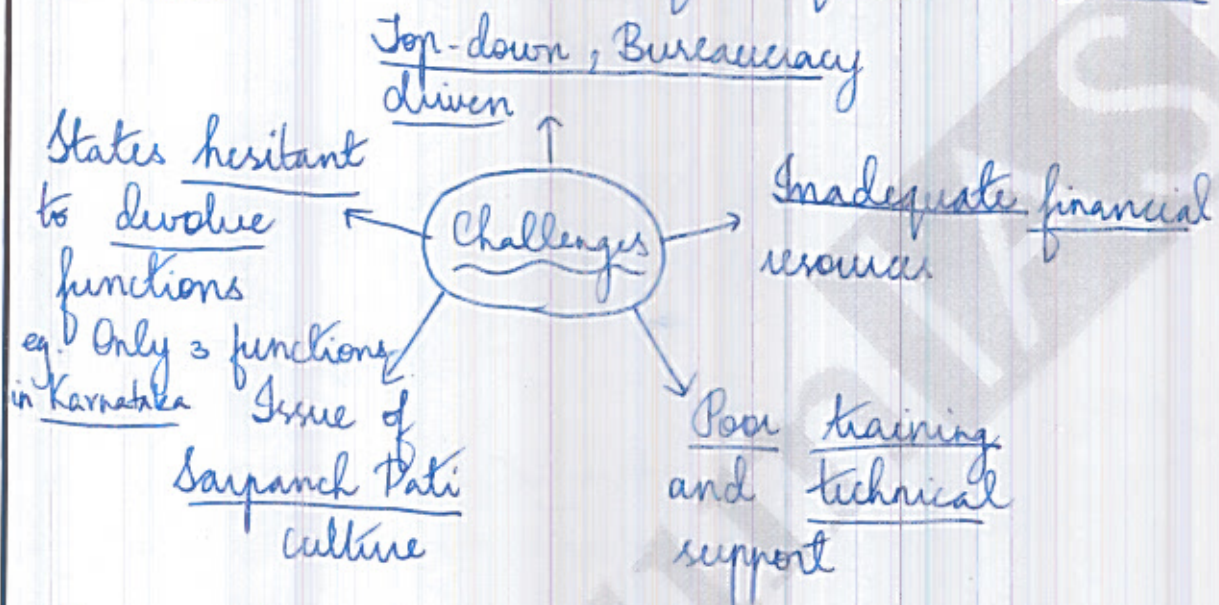
The 73rd and 74th Amendment gave birth to a third tier of government at the local level, fulfilling the Gandhian vision of grassroot government.

Significance



Challenges

At times, the 73rd and 74th amendment is referred as "Half baked cake" which creates a skeleton but does not infuse flesh and blood



Recommendations (Mani Shankar Aiyar committee)

- Institutionalise role of Panchayats in government schemes itself
- A panchayat driven social sector expenditure model must be encouraged

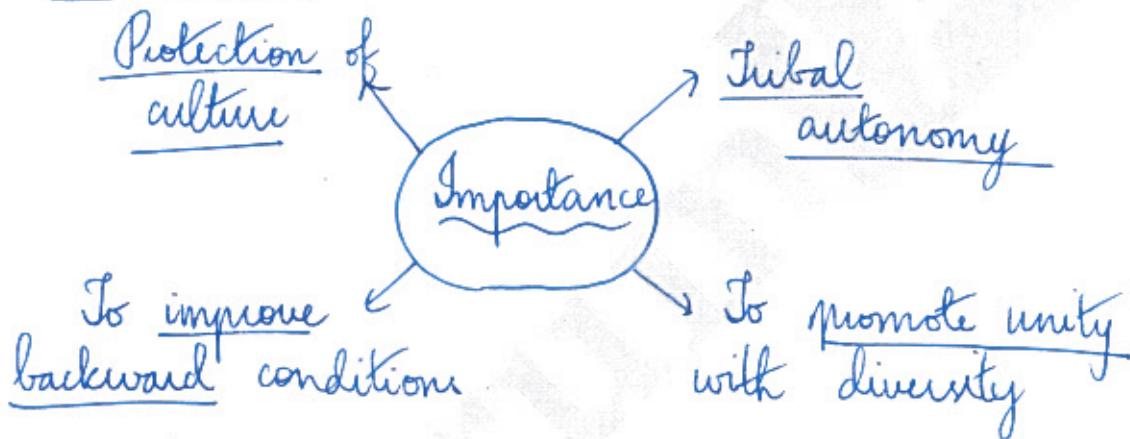
For decentralisation to bear fruits, devolution of 3Fs (Funds, Functions, Functionaries) must become the reality.

Overall Grading (✓)

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

Q.2) What is the difference between Scheduled areas and Tribal areas? What are the conditions for declaring an area as Scheduled area?

Article 244(1) defines Scheduled areas as areas defined by the President while Article 244(2) refers to those areas declared as Tribal areas.



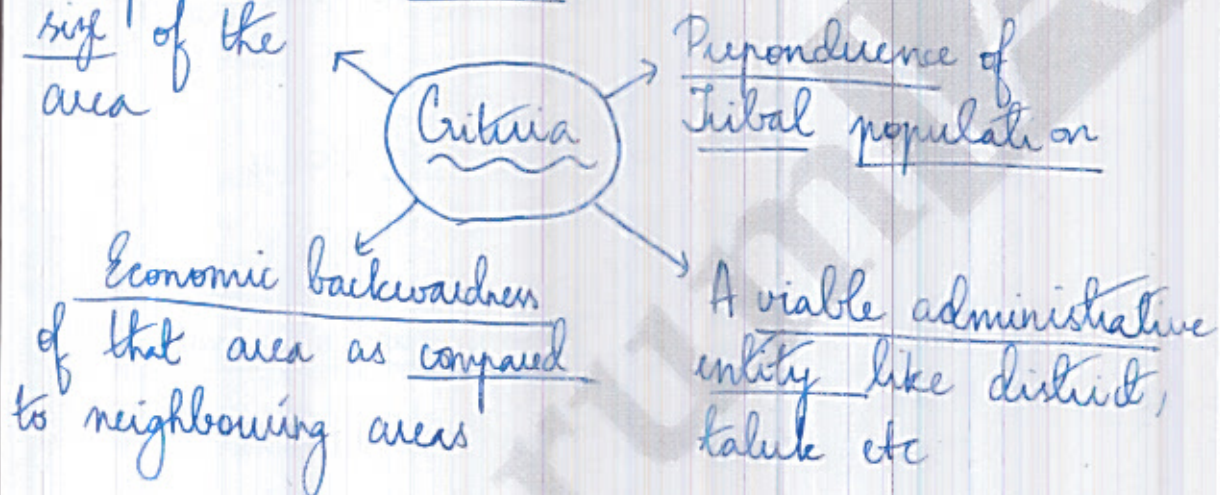
Differences

<u>Scheduled area</u>	<u>Tribal area</u>
• In the <u>5th</u> schedule • Article <u>244(1)</u> • Relatively <u>evenly spread</u> • <u>10</u> states • Provides for Tribal Advisory Council (TAC)	• In the <u>6th</u> schedule • Article <u>244(2)</u> • <u>Confined</u> to certain pockets • <u>4</u> states (Assam, Tripura, Meghalaya, Mizoram) • Provides for Autonomous district councils (ADC)

Conditions for declaring a scheduled area

Constitutional provisions } - The President is empowered to declare an area to be a scheduled area.

According to Ministry of Tribal affairs,
Compactness and reasonable size of the area



The scheduled and tribal areas, thereby allow the development of these regions while maintaining their autonomy and protecting their culture.

Overall Grading (✓)

Poor			Average			Good		
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Q.3)

Municipalities have yet to become the third tier of governance. Explain.

The 74th Constitutional Amendment constitutionalised the system of local urban government in 1992.

Issues :

(i) Poor devolution

The 3Fs (Funds, Functions, Functionaries) have not been devolved effectively to the Urban Local Bodies (ULBs) by State governments

(ii) Politicization of ULBs

Political mobilisation > Tools of development

(iii) Inefficient functioning of State Finance Commissions

Recommendations

→ Ad-Hoc in nature

→ Not based on sound finance principles.

(iv) Usurping of power by SPVs

Special Purpose agencies are entrusted with Smart City mission instead of empowering municipalities

(v) Mayor's role limited

Municipal commissioner
Defacto administrative functions

>

Mayor
Ceremonial post

To encourage Municipalities' role as third tier of government, capacity building and effective citizen participation is the need of the hour. State governments must devolve more taxes to ULBs and District Planning Committees must be effectively used to facilitate urban-rural linkages.

Overall Grading (✓)

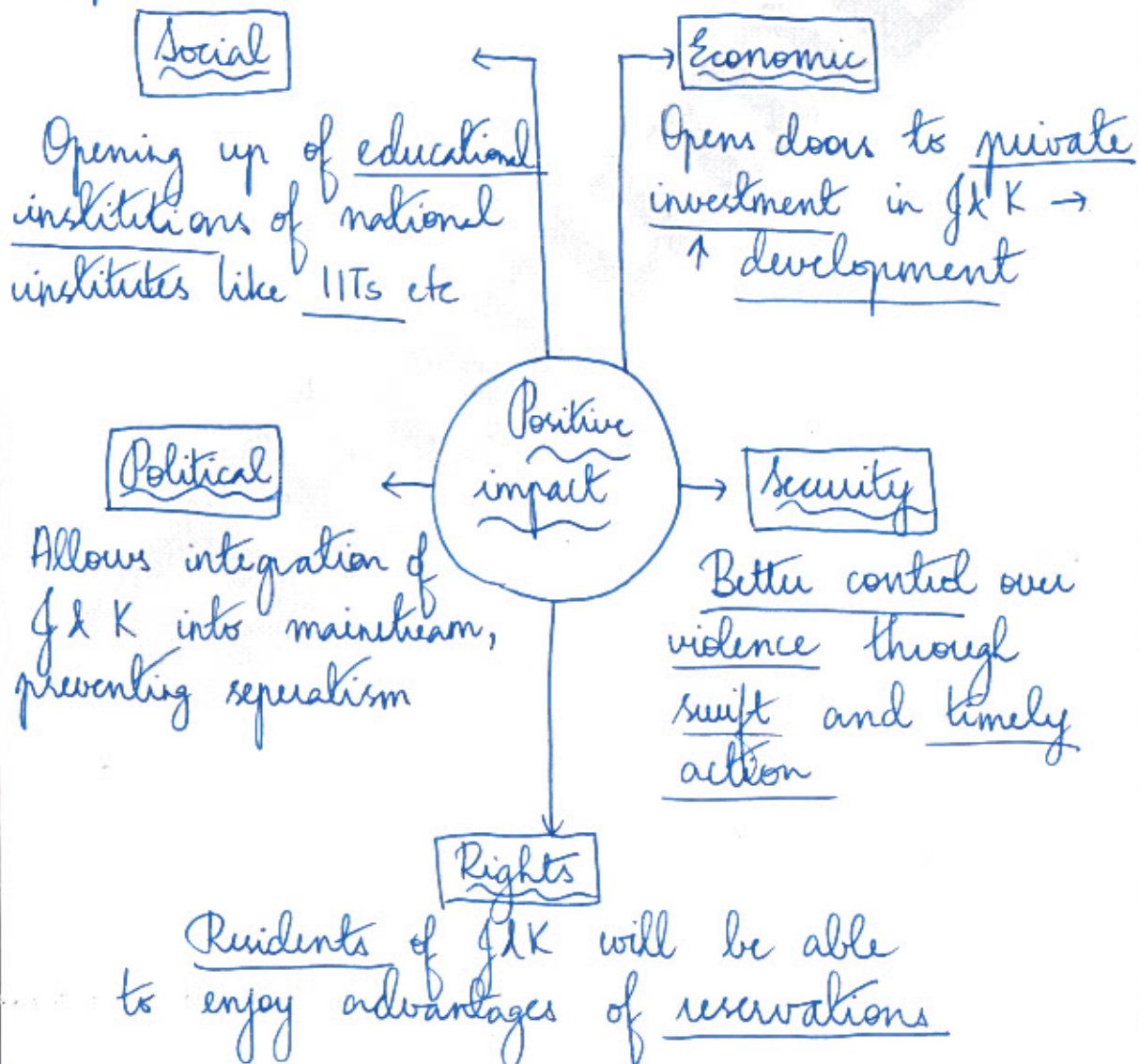
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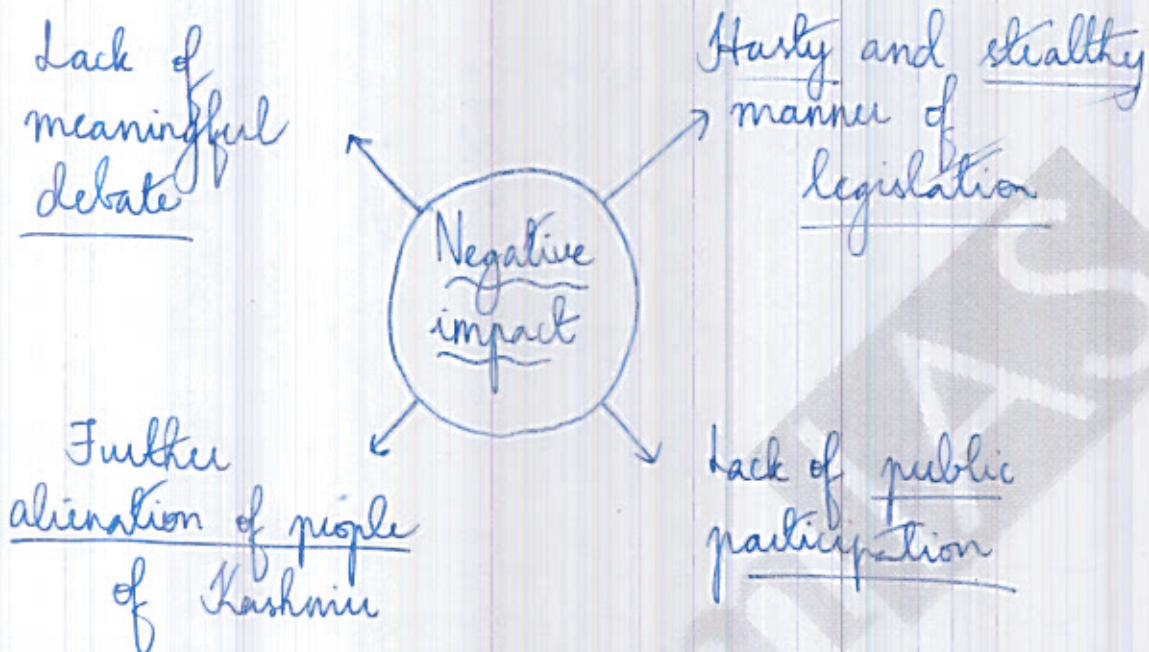
Q.4)

Discuss the impacts of abrogation of A. 370 in J&K.

Article 370 which gave special status to Jammu & Kashmir was revoked and divided Jammu and Kashmir into 2 parts - the Union territories of Jammu and Kashmir and Ladakh.

Impact:





The abrogation of A. 37B will have a significant impact on the economy, culture and politics of J&K. The government should assure the people of J&K with good governance and better security.

Overall Grading (✓)

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- (iv) The L-G will have power to reserve certain bills passed by the assembly for President on any matter outside the purview of the assembly.

Criticism

- (i) Undermines authority of elected government
It questions the legitimacy of an electoral democracy

(ii) Impact on Federalism

- The position of the Chief Minister and Council of Ministers is rendered meaningless
- It goes against principles of cooperative federalism, thereby adversely impacting federal polity

(iii) Delay in decision making

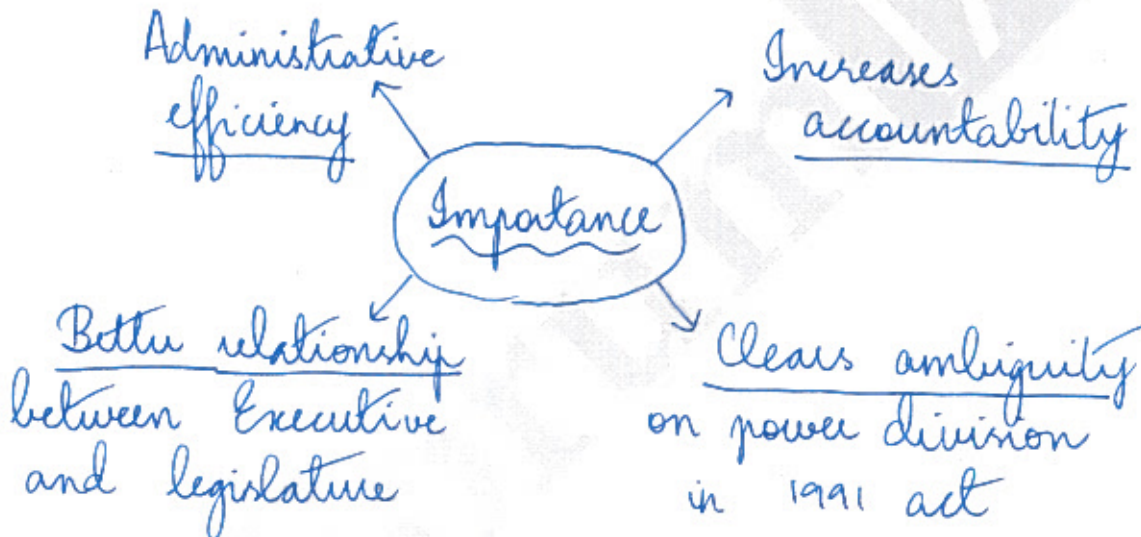
No time frame for L-G's opinion which is absolutely required

(iv) No deliberation

Bill was passed through voice vote →
Lack of scrutiny

(v) Against SC decision (2018)

It goes against the court's decision where the primacy of elected government was upheld over appointed L-G



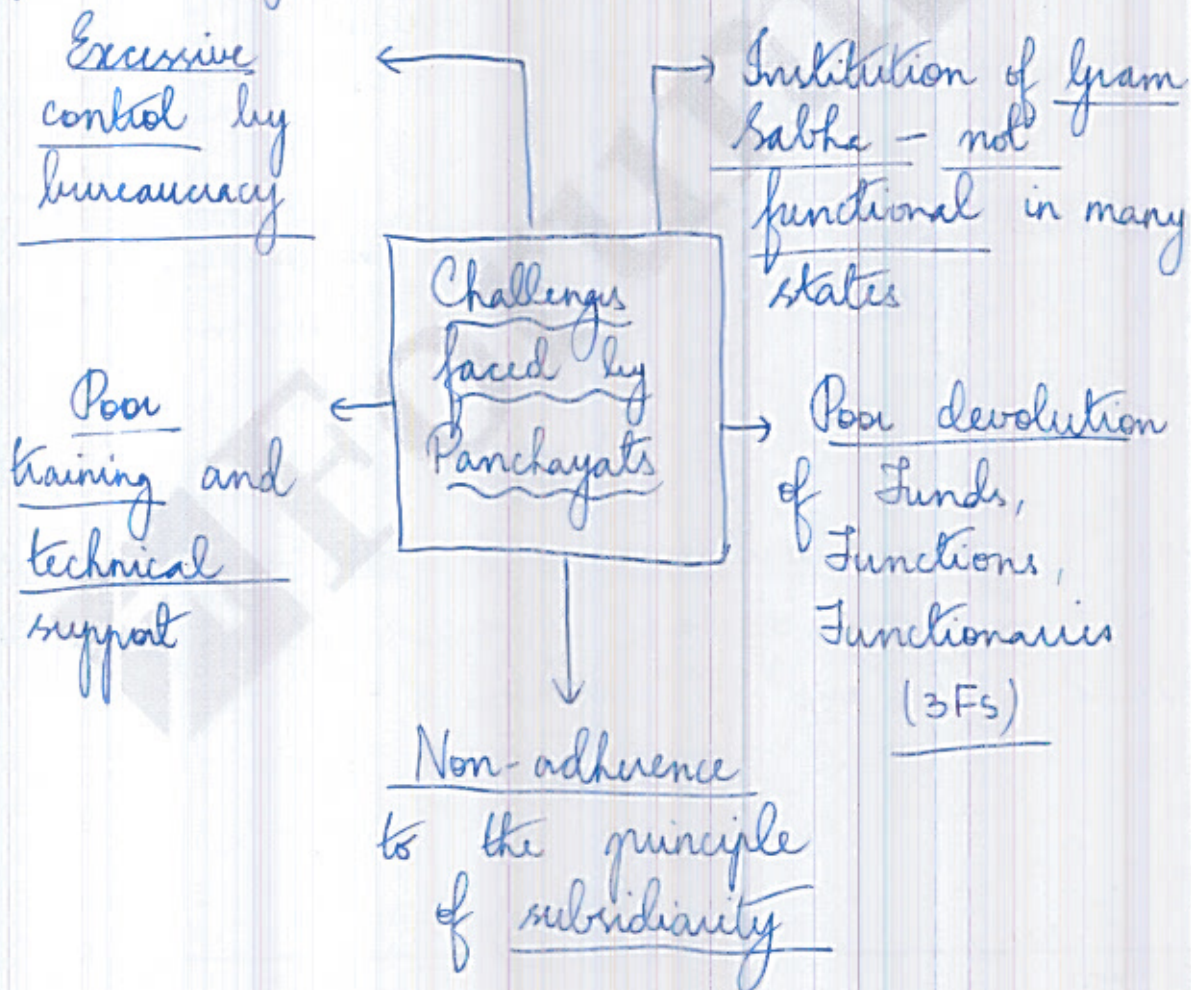
Despite certain limitations, the GINCTD Amendment Act of 2021 provides for increased efficiency in governance.

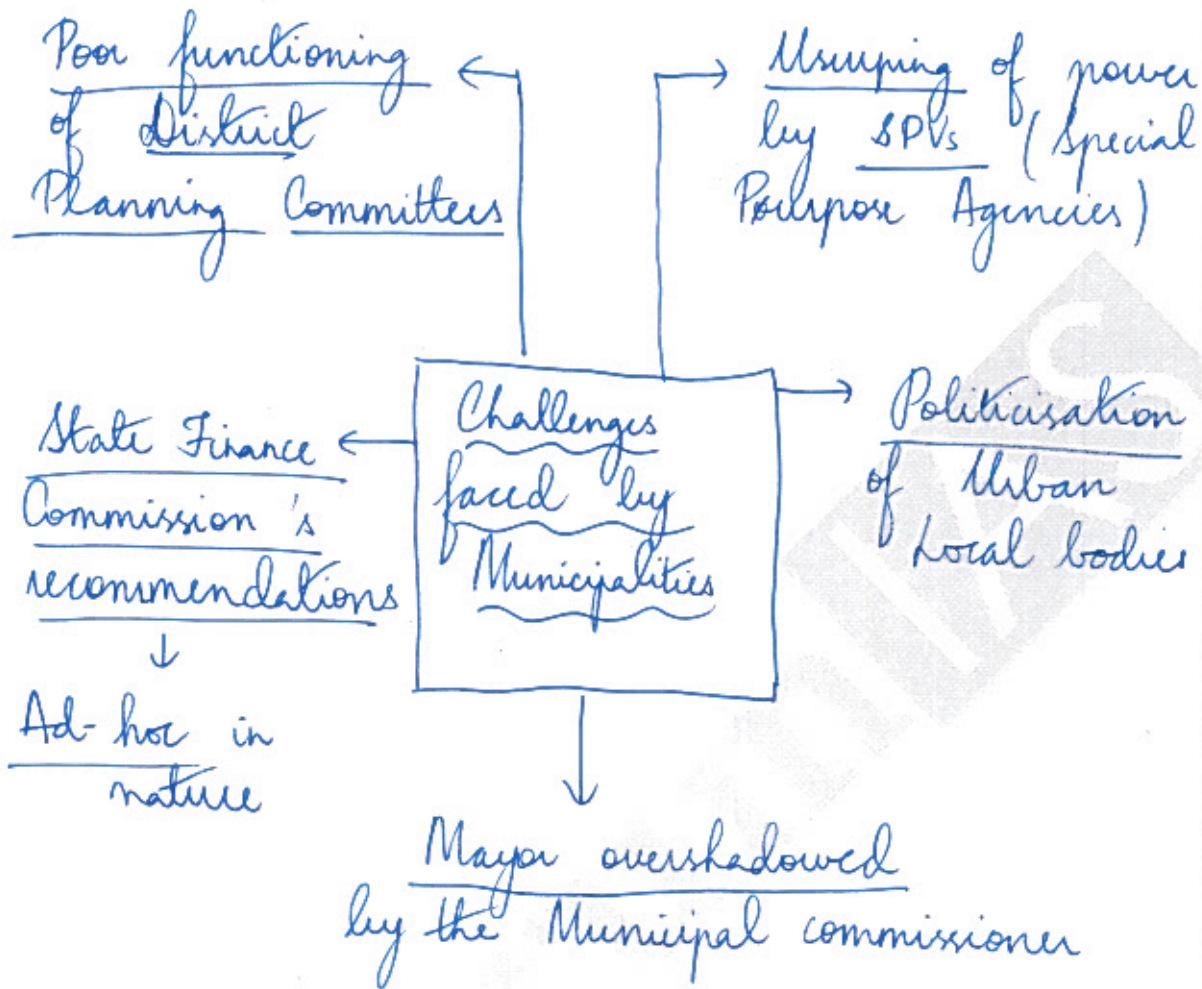
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2.6) Highlight the critical challenges faced by local institutions in terms of their functionality in recent times.

The 73rd and 74th amendments constitutionalised Panchayats and Municipalities as the 3rd tier of government in 1992. Certain challenges have arose in the last few decades in terms of their functionality.





Other challenges common to both

- (i) Lack of human resources and physical infrastructure
- (ii) Blockages in raising their own tax revenues
- (iii) Poor devolution of actual functional autonomy
- (iv) One-size-fits all approach

Recommendations

- (i) The principle of subsidiarity must be adhered to.
- (ii) There must be a revision in the role of district administration in the functioning of local bodies.
- (iii) Representation of members from local bodies in legislative councils of the state.
- (iv) Lokayuktas can be empowered to supervise prosecution of corruption cases.
- (v) Mani Shankar Aiyar committee → A local body-driven social sector expenditure model must be encouraged.

To encourage Atmanirbhar Bharat, proper devolution of funds, functions and functionaries must be done.

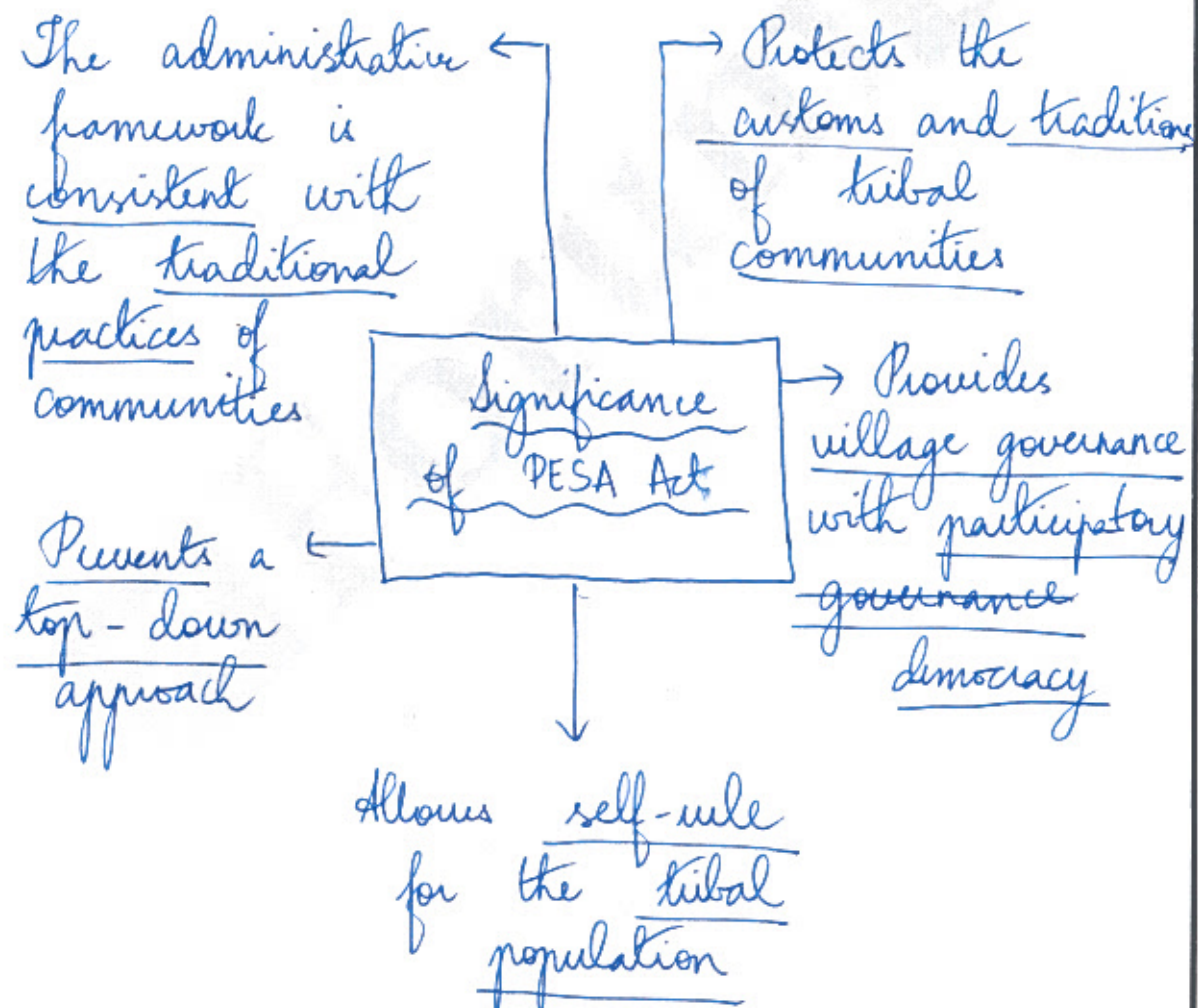
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Q.7)

PESA Act remains the foremost of all tribal legislations in India. What are the various problems in its implementation? Suggest steps through which it can effectively bring self-governance in tribal areas.

The Panchayats (Extension to Scheduled Areas) Act was passed by the Parliament to extend the provision of Panchayats to 5th Schedule areas also.



Issues in implementation

(i) Rules - not framed

4 out of 10 states → Chhattisgarh, Odisha, Jharkhand, Madhya Pradesh have not yet framed rules for implementation of PESA Act.

(ii) Top-down approach

Presence of Panchayat secretaries have bureaucratized the system of functioning

(iii) Lack of initiative

↙
Inactive role of Centre

↘
Reluctance of Bureaucracy to share administration

(iv) Ambiguous definitions

Vague interpretation by bureaucracy } → Exploitation of Tribal communities

(v) Push for corporate entry

PESA Act not implemented in its spirit

Steps to be taken

- (i) Rules for implementation must be framed by all 5th Schedule states and they must be implemented seriously
- (ii) Inconsistencies and issues between Gram Sabhas and Panchayats must be solved
- (iii) Political will and Bureaucratic zeal must be encouraged to implement PESA
- (iv) Time bound actions must be pledged to implement PESA in letter and in spirit
- (v) A PESA devolution index may be formulated and performance based devolutions can be done

With emergence of Pathalgadi movements, PESA act's proper implementation gains more significance in encouraging grassroots governance

Overall Grading (✓)

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