



GS Advanced Program 2023

Generic Booklet

Test Name/Code/No. :²⁷.....

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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5	
6	
7	
Overall Grade/Score	

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 **ForumIAS**

Start Writing Here

Q.1)

to what extent has the decentralization of power in India changed the governance landscape at the grassroots?

Answer

~~As~~ 7^{3rd} 17th Constitutional amendments provided 11th & 12th Schedules thereby 3rd tier of Government & decentralization of power in India, by way of Panchayats, Municipalities.

Decentralization of power in India changed the governance landscape at the grassroots.

→ Gram Sabha giving representation to all voters to speak.

→ Women empowerment by 3rd reservation.

- Boost to vulnerable with SC, ST reservations
- Participative, decentralised democracy promoting Good Governance.
- Med funds ~~are~~ forcing local bodies to bring reform
- compulsory elections providing representatives to address local issues (not 1 size fit)

Challenges → no proper devolution of funds, functions
 Poor training of functionaries. → five state bodies

Way Forward → compulsory devolution of funds, functions.
 → Establishing ombudsman, State Election & Finance Commission.

Local bodies as grassroot had rock of democracy should be encouraged in line with Ar-40.

Overall Grading (✓)

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

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

Answer:

India is a land of diversities. To address the needs of multiple diversities, Constitution adopted for ^{form of} asymmetric federalism by Scheduled areas and Tribal areas.

Difference between scheduled & Tribal areas :

Scheduled Areas

→ Ar-244(1) of Constitution by 5th schedule

→ 10 States have this status (AP, Telangana, Himachal Pradesh, Madhya Pradesh, Chhattisgarh, Jharkhand, ^{Rajasthan} ~~Karnataka~~, Maharashtra, Odisha, Gujarat)

→ There is establishment of Tribal Advisory Council (TAC)

Tribal areas

→ Ar-244(1) ^{Ar-275(1)} of the Constitution by 6th schedule.

→ 4 States have this status (Assam, Meghalaya, Tripura, Mizoram)

→ There is establishment of Autonomous District & Regional Councils

- Relatively evenly spread
- Confined to particular pockets and includes not much assimilated tribes.

Conditions for declaring an area as Schedule area:

- By enabling of Ar-244(1) of Constitution, President defines and declare an area as schedule area
- The area should be backward, have tribals in mainland with different culture.
- President can list, delist any area, can increase an area of Schedule area in consultation with Governor, also laws made by Governor are effective only when accepted by President
- Governor decides application of any Central/state legislation, land allotment to tribals, regulate money lending, business, formation of TAC (Tribal Advisory Council).

Balanced autonomy to tribals help in their

Overall Grading (✓)

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

Q.3)

Municipalities are set to become the 3rd tier of Governance. Explain.

Answer:

~~The~~ 74th Amendment Act brought 12th Schedule & Municipalities as 3rd tier of Government -

Municipalities as 3rd tier of Governance,

→ People's participation, deliberative democracy

→ Principle of subsidiarity by bottom up approach

→ Addressing local problems according to the need.

→ Women & vulnerable sections

empowerment by reservation.

However, it is opined that they are yet to
become 3rd tier of Governance because!

- Non devolution of functions, funds by the States.
- Issue of Men dominating Women's Councils Autonomy.
- Poor resource generation.
- EXCESSIVE control by bureaucracy by tied nature of funds.
- Presence of Para Statel bodies.
- Non constitution of State EC, FC.

Municipalities are cornerstones in granting urbanisation to achieve SDG-11 / Sustainable cities

Overall Grading (✓)

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

Q.4) Discuss the impacts of abrogation of Ar-370 in J&K.

Answer :

Ar-370 is a temporary provision conferring special status to the state of J&K. Abrogation of Ar-370 was done by the J&K Reorganisation Act, 2019 by which ^{united} J&K was divided into UT of J&K with legislative assembly and Ladakh with no legislative assembly.

However there are various impacts with the abrogation of Ar-370 in J&K.

Positive impacts :

→ Removal of discrimination on basis of gender, class, Caste & place of origin created by Ar-370.

- Helps in opening the doors to private investment leading to development & job creation
- Reduces ~~separation~~ separation by integration into mainstream.
- Strengthens federalism & Ar-19 (Right to reside & Right to trade in J&K).
- Negative Impacts:
 - Act was brought in a hasty and stealthy manner leading to further judicial scrutiny and petitions filing in Supreme Court
 - Lack of meaningful debate, public participation to seek their views.
 - It is leading to further alienation & apprehension of people of J&K, increasing OGW, terrorism etc.

developing confidence, sensitization on issue, development is need of hour for J&K's successful integration into India.

Overall Grading (✓)

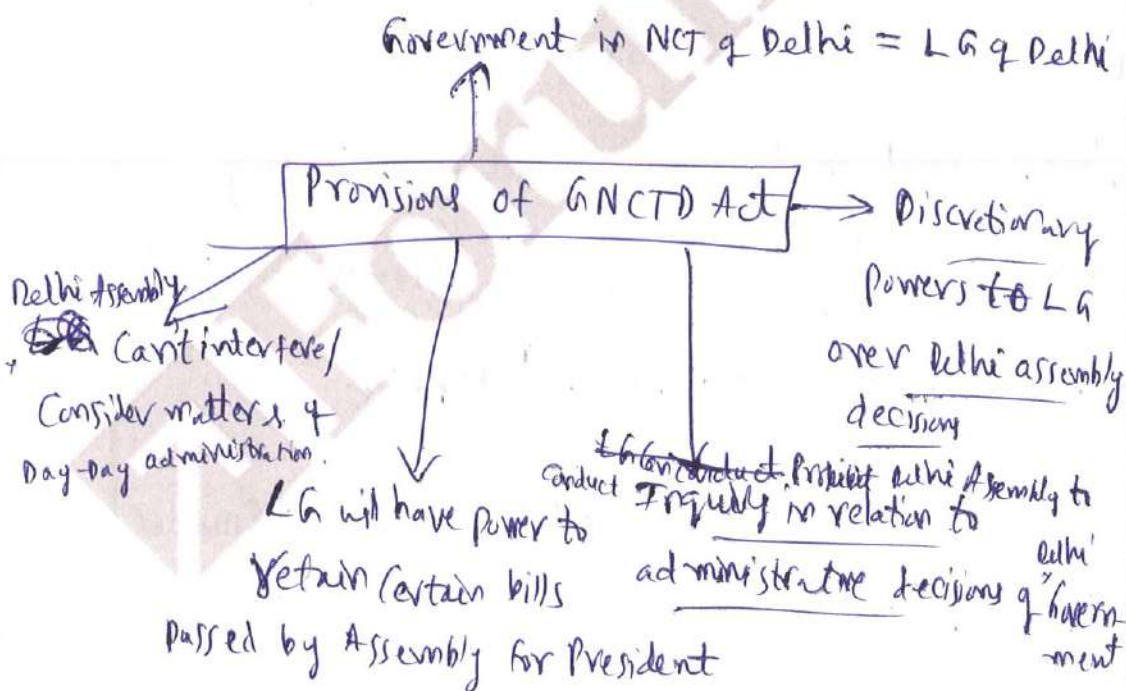
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Q.5)

GNCTD Amendment Act 2021 goes against the spirit of Federalism. Critically analyse this statement.

Answer :

GNCTD Amendment Act 2021 was passed in 2021 in line with enabling provisions Ar-239 AA and Ar-239 AB.



GNCTD Amendment Act 2021 against the spirit of Federalism :

- It undermines the authority of elected Government and legitimacy of electoral democracy.
- It adversely impacts federal polity by rendering meaningless the position of CM & CoM in Delhi.
- It delays Governance by requiring LG's opinion with no time frame.
- Amendment not referred to Parliamentary Committee by just passing through voice vote without much deliberation/debate.
- It is against Supreme Court decision of 2018 for Constitutional primacy of representative Government over appointed LG.
- It is against Cooperative federalism by undermining State/UT.

- However This amendment paved way for
- clarity of power division between Delhi Cabinet & LA. for increasing accountability.
 - It will increase administrative efficiency of Delhi and will ensure better relationship between executive & Legislators.

Way Forward :

- Move say in Law & order, Municipal & land management matters to State Government
- Removal of Conflicts between C-Board & LA by respecting Supreme Court decision, people's mandate.

There is need for pragmatic federalism for upholding will of people in a parliamentary

Overall Grading (✓)

democracy

Poor			Average			Good		
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Q.6)

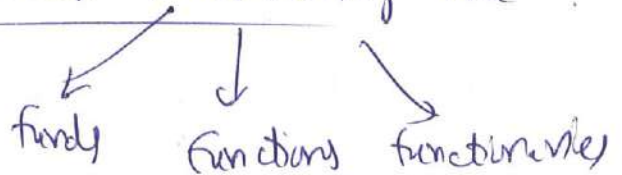
Highlight the critical challenges faced by local institutions in terms of their functionality in recent times.

Answer

73rd & 74th Constitutional Amendments brought Panchayats & Municipalities by 11th & 12th schedules forming a third tier of government.

Local institutions help in decentralized & Participative democracy.

However, they are faced with various challenges in their functionality like :



Funds :

→ No power of taxation delegated by states.

- Hesitancy in taxing of property, animal grazing etc.
- Less funds allocated by State budgets
- one size fit all approach by tied grants
- Non formation of State Finance Commission for allocation.

Functions:

- Non devolution of functionary items by States to local bodies
- Presence of parasitical bodies like SPVs etc.

Ex: Smart city SPV

Functionaries:

- No skill of employed man power to adapt to technology.
- Sarpanch pati — making ^{minimum} 33% women

Reservation as useless.

Solutions to tackle these challenges:

- Proper devolution of functions, funds by State.
- Following Moonishankar Aiyer Committee recommendations of capacity building of Panchayat staff, proper work matrix etc.
- Formation of State Finance Commission for proper devolution of funds to the local bodies.

Local institutions are the bed rock of democracy to uphold SDG-16 (Peace, Justice & strong institutions)

Overall Grading (✓)

Poor			Average			Good		
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Q.7)

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

Answer:

Part 9 of Constitution empowers Parliament to extend Panchayats to 5th schedule areas through which Parliament passed PESA Act, 1996.

PESA Act remains the foremost of all tribal legislations in India:

- To safeguard & preserve the traditions & Customs of tribal communities
- Self rule for bulk of tribal population

- village governance with participatory democracy.
- Administrative framework consistent with traditional practices.

Various problems in PESA's implementation:

- 4 out of 10 states under PESA not framed rules for implementation.
- Bureaucratic system of functioning with panchayat secretaries.
- Ambiguous definitions & interpretation by bureaucracy.
- Exploitation of tribals in resource rich areas.
- Reluctance of bureaucracy (IFoS, DFO) to share administrative sphere in letter.

and spirit.

→ Increasing Corporate's entry & Control of resource.

steps through which it can effectively
bring self governance in tribal areas :

→ Conflict & the inconsistencies between the
Gramsabhas & the Panchayats need to be
ironed out.

→ All 16 States to frame rules for implementation

→ Need to pledge plausible & time bound
action to implement PESA in letter &
spirit.

→ Political will & Bureaucratic zeal to implement
PESA.

PESA is a way ahead giving autonomy
to tribal areas for gradual engagement with mainstream

Overall Grading (✓)

Poor			Average			Good		
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11. 2022年12月30日

12. 2022年12月30日

13. 2022年12月30日