

We feel proud to share our joy with all of you that our Student **Nitika Pawar has secured AIR -18 (IAS 2011)** in her very first ATTEMPT. We strive to serve the Student Community with more joy and dedication. Best Wishes to all our members who had come out successful.

(Also **many students have scored 320+** in POLITICAL SCIENCE in the previous years using our Study Materials & Class). (**AIR - 2 in POL.SCL. PAPER 2 in 2007 (190)** as per our known records).



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Q 10) Civil liberties movements in India was a product of Emergency (1975-77)

NITIKA PAWAR

AIR-18

The period of emergency (1975-77) was characterised by numerous inhuman atrocities and frequent violation of fundamental rights. The government declared the emergency to tackle with wide-spread internal disturbances and armed rebellion in the country.

As a result of emergency, fundamental rights of citizens including Art 19 (right to ~~life~~ <sup>speech</sup>), Art 20 (unlawful detention) and Art 21 (right to life). Numerous people were unlawfully detained and several deprived of a dignified life. As a result, a lot of anger and distrust arose in the country. This led to the birth of first wave of formal civil liberties movements. Jai Prakash Narayan (JP) was a distinguished leader.

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TOTAL REVOLUTION

The most crucial movements were - JP

- i) People's Union for Civil Liberties
- ii) People's Union for Democratic Rights

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Some other movements like Shankar Nayagi led Chattisgarh Shramik Mukti Morch (CSMM) were also of this era. The main demands of these civil liberty movements included:

- a) Preservation of life and security of people
- b) An end to unlawful detentions and encounter deaths
- c) A change of system to help the ailing sections of society.
- d) Lifting emergency as soon as possible.

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These movements opened up way for civil liberty and civil rights in Indian society. People were also awakened and became aware of their rights both fundamental and constitutional. This was a new dawn in Indian political, social sphere and paved way for future movements like Khairatpur Bachao Andolan etc.

Q2 Requisite factors for the success of the panchayati raj system. Comment

Ans The panchayati raj system in India was institutionalised by the virtue of 73<sup>rd</sup> amendment of the Constitution, 1992. The system spearheaded by Panchayati raj institutions (PRIs) in all districts of the country has changed the socio-political landscape of rural India. There are however certain roadblocks that need to be tackled for true success of this landmark legislation. Some of the requisite factors of success for panchayati raj include:

1) UNIVERSALIZATION:

The first step in this direction would be to ensure that PRIs are set up in every district and each village across the country. This is essential for an equitable and common grassroot system of democracy. The Panchayat (Extension to Scheduled Areas) Act (PESAS) is a step in this direction.



## ii) GREATER AUTONOMY :

Although PRIs have been instituted in almost all states, the levels of autonomy are variable and questionable. Most of these institutions continue to work in accordance with state legislatures with little autonomy about to take decisions regarding social schemes, funds, tax collection etc.

## iii) FINANCES :

The finances set aside by the Centre govt for the PRIs are often siphoned off in wrong direction due to no. of intermediaries such as state bureaucracy and contractors etc., This needs to be taken care of to ensure proper allocation of funds.

## iv) ASSISTING JUDICIAL BODIES :

To make the PRIs truly democratic and self governing, the legislative executive functions should be coupled with judicial functions too. The Gram Nayalayas Act, 2008 provides for judicial bodies at block panchayat level. It is truly a positive step.

## v) REGULAR ELECTIONS :

Some of the states have been shown to have a poor record when it comes to elections at panchayat level. The state of J&K held its first panchayat elections in 11 yrs in 2011 recently. State of Jharkhand didn't hold any elections for panchayats for a long time after its formation in 2000.

## vi) PARTICIPATION OF WOMEN :

Women participation, by the virtue of reservation policy, has greatly enhanced the working of PRIs. with increased participation of women in days to come, PRIs could become more accountable and work-oriented as has been the trend till now.

## vii) PROPER DEVOLUTION OF POWER :

Lastly, the most important factor for success of PRIs is devolution of power to them in true sense. The legislation lists 29 subjects to be transferred to panchayati raj institutions. If states eagerly allow PRIs to administer them, PRIs could be a great success.

Such steps could definitely change the face of Panchayati raj system, a landmark in the socio-political scenario of the country.



Q4 Election Commission has emerged as the unlikely hero of Indian democracy in the last decade. Comment

Ans Election Commission is a constitutional body set up under the Art 324-329 of Indian Constitution in 1950.

The Election Commission was set up to supervise, regulate and ensure the transparent and smooth working of the electoral process in India.

Being a democratic republic, it was crucial for the country to ensure a fair and transparent electoral process which forms the backbone of any democracy.

The Election Commission created for the purpose has done a fairly well job of ensuring that. The main functions of Election Commission include:

- i) Accepting nominations from candidates
- ii) Preparing electoral rolls of voters.
- iii) Oversee the delimitation of constituencies (undertaken by an independent delimitation committee)
- iv) Determining the moral code of conduct during elections
- v) Ensuring safety and security at all voting booths.
- vi) Re-poll and countermanding if required etc.

The Election Commission, which is headed by a Chief Election Commissioner, is basically a watchdog ~~of~~ body which ensures that anti-social elements or political motives do not rig the election procedure.

The Commission has performed a fairly well job and has introduced a no. of reforms to ensure this.



Some of the most significant reforms brought about by the Election Commission in last decade include:

### 1) INTRODUCTION OF PROXY VOTING :

In 2003, India became one of the few countries that have a provision for proxy voting. Proxy voting is the provision for allowing a soldier, who is on duty and is unable to cast his vote, to vote through a representative he may nominate. The soldier can ask for proxy voting and nominate a proxy voter from his constituency to vote on behalf of ~~me~~ him.

Proxy voting is an extension of universal franchise itself as soldiers can easily exercise their right to vote despite posting in distant regions. This is a revolutionary step which has increased the participation of soldiers in voting process manifold.

### 2) PROVISIONS REGARDING EXIT POLLS :

The Election Commission has in a revolutionary reform, put restriction on exit polls till well after the voting process is complete. Exit polls are speculative statistics of voting as presented by media during voting days. As a result, ~~on~~ on occasions when voting is to take place in phases, the exit polls used to affect voting patterns to a certain extent by moulding public opinion. To put an end to this and ensure fair voting, Election Commission has put a restriction on media to present exit polls before the last day of voting is over.



The recent assembly elections in West Bengal, Kerala and Pondicherry are a glaring example of how Election Commission has reformed the electoral process.

### iii) PROVISIONS AS TO INCOMPLETE INFORMATION BY CANDIDATES :

The Election Commission has taken a stern view of candidates who provide incomplete or false information in their nomination papers. The Commission has taken strict steps like disqualifying such candidates from the process of election at once.

### iv) COMPUTERIZATION OF ELECTORAL ROLLS :

Computerization of Electoral rolls and application of ~~Comm~~ information technology in the administration and functioning during elections has been done at a commendable pace. This has certainly enhanced the fairness, accountability, accuracy and transparency of the process. It is not only far more convenient for the voter, it also ensures false voters are minimized from electoral rolls.

Apart from the above measures, the Election Commission has also put certain essential restrictions on advertisements by political parties during elections. The Commission is also taking steps to ensure that the spending limit on campaigning is not exceeded.

Although a lot of structural and administrative loopholes exist in the process of election such as increasing criminalization and use of money power



in politics and other social issues like regionalism and communalism playing a part in election of candidates, Election Commission has hammered out most of the issues that have affected Indian electoral process for years. It has certainly turn out to be an unlikely hero of Indian democracy ✓



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Q5. Should demand for autonomy or powers to states be given. (6)

Ans. Autonomy can be defined as ~~state~~ Union government's non-interference in certain domains of a state. The demand for autonomy has been rising in India. Some of the recent examples include demand by Gorkha Janmukti Morcha (GJM) which <sup>was</sup> emancipated in form of Gorkhaland Territorial Authority (GTA) agreement between GJM and Govt of West Bengal. The agreement provides for total autonomy of GJM to administer over 50 subjects in state list including roads, schools, irrigation projects, electricity etc.

Such demands have originated in other parts of the country as well. But the question regarding the validity of such demands and its effects on Centre-State relations or the federal polity remains. The major reasons for such demands include:

- i) Rampant use of provisions like Art 356 by Centre.
- ii) Ignorance of certain states as perceived through the prism of development.
- iii) Misgovernance on part of governments at times.
- iv) Unequal allocation of resources.
- v) A new awakening among people due to free dissemination of information.
- vi) Breeding of regional political parties which ~~put~~ give voice to regional aspirations.

While some of such demands for autonomy are justified and are born out of genuine



grievances, some are barely an expression of the vexed interests of certain vested interests political groups. As a result the centre is often faced with a dilemma.

While some experts suggests that the autonomy is asked under the federal structure and is in no way an act of secession and should hence be not perceived as a threat to federalism of India, some may disagree with this view.

The supporters say that the autonomy if granted leads to:

- i) Greater responsibility on part of states as well as autonomous administrative units
- ii) The administration seems to improve as the regional problems are better communicated and well-understood in such a scenario.
- iii) Suppression ~~the~~ of any feelings of hatred or discontent that regional population had against central government
- iv) Ultimately better development and integration of society

**Good** / The opponents seem to disagree as there are other changes autonomy might bring such as:

- i) Erosion of a strong centre in federal polity
- ii) Non-uniformity in developmental plans due to distinct administrative units in different parts of the country.
- iii) Centre having a difficulty in taking decision on

national interest as consent from autonomous areas is needed.

Although it is true that the autonomy may not be that dangerous to the federalism of India as it supposedly seems, it is highly pragmatic to ensure that no major changes are made in the centre-state relations. The constitution framers envisaged a federal polity with a stronger centre and all such changes should be implemented in the light of this scheme only.

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Q6) With the rise of regional parties and coalitions, states seemed to gain upper hand in many spheres of governance. Do you agree? (6)

Ans The face of party politics in Indian polity has changed significantly over the decades. When India gained independence, it was largely dominated by Indian National Congress. Other national and regional political parties were non-existent. Till about 1967, the centre as well as state governments were dominated by single party, mostly Congress. This kept the centre-state relations at an ease.

As the following decades saw the rise of national and regional parties like Janata Dal, Communist Party of India (Marxist) which was growing in its base, Bharatiya Janata Party, Bahujan Samaj Party (BSP) etc, the face of Indian polity underwent a gradual transformation. The hold of single parties was decreased and a new culture of coalition governments came to existence.

The coalition governments at centre and in states have come to depend on regional parties more and more. There are regional parties which have immense hold in their home states but may not have a chance at centre. Such parties are often forming coalition governments which serves the dual purpose of national as well as regional parties.

It is in the view of such regional parties that the centre-state relations have transformed.



As the centre government is dependent on these parties to hold majority in parliament, they get a chance to mould the policy making in accordance with their states' demands.

As a result, a number of regional parties are gaining a say in the political discourse at Union level. For instance, in subjects like inter-state councils and river tribunals, the decisions are often not respected. The disputes between Haryana-Punjab, Karnataka-Tamil Nadu etc over water sharing exemplify the helplessness of union government in implementing the adjudications.

A recent example that appears to highlight the increasingly important roles states are assuming is the agreement of Teesta river water sharing between India and Bangladesh. The treaty could not be finalised due to last minute refusal of West Bengal chief minister Mamta Banerjee to go along with the plan formulated by central government. The event could have a lasting effect on Indo-Bangladesh bilateral ties.

The inside trading of various portfolios as bargained by regional parties at central level is another example. The regional parties often threaten to breakaway from the coalition if not given important ministries. As a result the government often has to subserviate to these demands. This indicates the growing instances where states gain an upper hand.



By the above examples, it is clear that the centre-state relations have undergone a paradigm shift in the light of growing culture of coalition governments. The mushrooming of several regional parties who are beginning to hold a stake in the governance as a result of their huge vote banks has been a kind of set back to the slight supremacy of centre over states as provided for by the constitution.

Good

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Q7. The powers and functions of the Governor under Articles 200 and 201 in respect of assent to bills have been a strain on centre-state relations. Explain.

Ans. Article 153 of Indian constitution provides for the appointment of a governor for each state. Governor is a representative of central government at the state level as well as the intermediary between centre and state. The office of governor was initially envisaged to ensure the smooth centre-state relations. It is the responsibility of the governor to oversee the functioning of state executive and ensure that they don't ~~stop~~ abrogate the system of checks and balances and ultimately the federal character of Indian polity.

Article 200 regards with the power of governor to assent to the bills. He may, on his discretion, assent to, withhold his assent or reserve for the consideration of the president, the bill. The governor can reserve a bill if it is found to abrogate the powers of High Court.

Article 201 deals with the issue of bills reserved by the governor for president's assent. According to this ~~Art~~ Article, the president, on receiving such a bill may assent to the bill or send it back for reconsideration. Also, in case the bill reproduced before the president after reconsideration is not to his satisfaction, he may again send it for ~~re~~ reconsideration.



clearly, the two article, especially Art 201 put a very important power in the hands of the governor and through him to the president. It is the power to virtually retain a bill from being introduced in legislature. The power is completely in the accordance with the spirit of Indian federalism so that the state governments are not allowed to make laws that may disturb the judiciary or that are against national interest. However at times, these powers have been found to be complacently exercised without due care and consideration. At occasions, states have even accused governors of misusing this power to block the ~~exec~~ executive from efficient law making.

The office of governor comes with a great responsibility to maintain a fine balance between his position as the chief of state executive as well as a representative of centre in the state. But the beholders of the office haven't always stood up to this responsibility. The centre-state relations have been strained often due to mis-impudence practiced at the part of the governors.

The result is a frustration on the part of the state executives. They are led to believe that the centre is taking advantage of the provision of federalism.