



SHUBHRA RANJAN

Always Ahead

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PSIR Answer Writing Module 2023

Test 9

Time Allowed: 1 Hour 30 Minutes

Max Marks: 120

Name: NIKITA VERMA

Test Submission Date: 03/12/2022

Email Address: _____

Instructions:

1. All questions are compulsory.
2. All questions are for **15 marks** each.
3. Word limit for each question is **200 words**.
4. Answers must be written in the medium authorized in the admission Certificate, which must be stated clearly on the cover of the booklet in the space provided.
5. Content of the answer is more important than its length.
6. Any page or portion of the page left blank in the Question-Cum-Answer Booklet must be clearly struck off.
7. All parts of the question should be written at one place itself.
8. **Filling all the details in BLOCK LETTERS is mandatory.**

Q. No.	Marks	Q. No.	Marks
Q1		Q5	
Q2		Q6	
Q3		Q7	
Q4		Q8	
Total Marks:		Evaluator Code:	

For any issue related to PSIR Test Series, write only at
psirtestseries@shubhrranjan.com



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	Poor	Average	Good	Very Good	Excellent
Understanding of Questions					
Structure & Flow					
(a) Introduction					
(b) Conclusion					
(c) Overall					
Subject Knowledge					
Presentation					
(a) Underline					
(b) Paragraph					
(c) Overall					

Overall Remarks:

Dear Student,



Que.1

The quasi-judicial nature of ECI's functions makes it especially important that the integrity of the institution remains beyond doubt. Comment. (200 words, 15 Marks)

The ECI is an independent constitutional body formulated under Article 324-329 of the Constitution. Though responsible for conducting free, fair and impartial elections in the country, the powers of the organisation are severely restricted both constitutionally and by law.

Time and again there have been demands to strengthen the institution so that it can function as a quasi-judicial body.

Presently, the Election Commission can't deregister a political



party: On the grounds that it violates the Constitution or is illegal.

Secondly, the Model code of conduct is not legally binding. Thus, it remains a mere moral code. If the ECI is given the power to punish the political parties on grounds of violation of the code, justice will be better served.

Third, ECI appointments are based on the recommendations of the President. There is no objective guidelines for their appointment. If the powers of the ECI are elevated then the appointment of CEC and 2 other EC will be fairer.



Fourth, quasi judicial body would have greater financial accountability and ease in appointment of its secretary staff.

Fifth, Goswami committee in its recommendations has suggested that we need to free the institution of hate mongers, criminals and money bags.

Though Constitution provides independence of ECI by means of security of tenure, not varying income to disadvantage etc. Similarly, Election Commission Act of 1992 provides for composition of the organisation.

Yet, more needs to be done to give teeth to the organisation to preserve its integrity.



Que.2

How do you define the minorities in context of the international law and under Indian Constitution? What constitutional safeguards exist in India for the protection of minorities? (200 words, 15 Marks)

Universal Declaration of Human Rights defines minority ~~as~~ as the non dominant sections of the society. Individuals, groups, communities under-represented in the political, social, economic sphere of society are referred to as Minorities. for eg: Jews in Nazi Germany, Tamils in Sri Lanka, women and transgender in general. There is a sense of alienation, discrimination and prejudice present against the Minorities.



Democracies like India aim at integrating the Minorities in the mainstream. Thus, several protections exist for them.

The Constitution doesn't explicitly define who the minorities are. However, Fundamental Rights under Article 29 and 30 aim at preserving the cultural and educational rights of Minorities where they can preserve their distinct culture, language, script and tradition.

However, on the recommendation of Home Ministry's resolution of 1987, the National Commission for Minorities Act 1992 was passed. The NCM defines Minorities on the grounds of Religion →



Buddhists, Jains, Sikhs, Parsis, Christians and Muslims.

All minorities in India enjoy Right to Equality, non discrimination in terms of employment and education, right to religion and Right to vote. (All Rights under Constitution)

Essentially, as per the Constitution they are Indian citizens and enjoy all the rights of an ordinary citizens.

As per law, the NCM has been constituted as a statutory organisation to safeguard, protect and promote the interests of the citizens and is also an institution of grievance redressal.

India as a democracy takes everyone together which is based on majority rules - minority rights principle.



Que.3

Critically evaluate the effectiveness of National Commission for Scheduled Castes towards addressing the atrocities on the community. What powers and functions have been assigned to the commission to fulfil its mandate? (200 words, 15 Marks)

National Commission for Scheduled Caste^(NCSC) has been constituted under Article 338 of the Constitution.

The effectiveness of the NCSC can be checked by the extent to which it has been successful in delivering its mandate.

NCSC looks into the excesses committed against the SC community. It has five major wings :-

- i) Service wing
- ii) social wing
- iii) Religious wing
- iv) Political wing
- v) Economic wing

However, it has been seen that NCSC has assumed an elitist culture thus restricting itself to the



service wing officers involved in government services.

Secondly, spoils system has been witnessed in the organisation. Often, political appointments are made to the organisation undermining its autonomy.

Third, it is extremely dependant on government funds for its effective functioning. Thus, it lacks financial autonomy.

Fourth, as per the act the NCM submits a report to the President which has to be laid in the Parliament. It details out on the ways and means through which acts like Protection of civil liberties Act of 1955 and Prevention of Atrocities against Scheduled Castes, (1989) can be better delivered. However, limited steps have been taken.



NCSC looks into the successful implementation of Constitutional and legal safeguards for protection of Minorities. It conducts studies, carries out surveys and even campaigns for implementation of law.

Though, it has been severely criticized, yet its achievements can't be neglected. In ^{high profile} cases of Unnao Rape case where Dalit girl was raped and killed, NCSC came to the forefront to ensure Justice is delivered.

Therefore, the pillars of inclusive democracy like the NCSC needs to be strengthened. More teeth has to be given to the organisation to empower the vulnerable.



Que.4

What is the Constitutional mandate of UPSC and evaluate its role towards it? (200 words, 15 Marks)

The Union Public Service Commission (UPSC) under Article 315 to 323 of the Constitution is the premier recruiting agency of India. It is the chief body responsible for promoting merit in the society.

Union Public Service examination as an organisation consists of chairperson and other members

It is the body responsible for conducting public service examinations for All India services and other group A posts.

Some of the extremely prestigious services of the government like Civil service



examination (IAS, IPS, IFS etc). and Defence examination like CDS, engineering and economics examination for posts in RBI/ NABARD are conducted by it.

It also assists other SPSC and JPSC in conduct of the examination.

Since independence in 1947, it has played a significant role in screening out the best talent for serving the country.

In order to better deliver its mandate, Constitution has provided safeguards for its Autonomy like :-

- Members / chairperson are not eligible for re appointment to the post.
- Their salaries, allowances etc can't be varied to their disadvantage



- They aren't eligible for further reappointment under the government.
- Their functioning is autonomous from the government of the day.

UPSC has proved to protect the mettle of the country by promoting merit in the system.



Que.5

Women movement in India has a chequered history. Discuss. (200 words, 15 Marks)

Women in India have faced the brunt of patriarchy. Male dominated society aimed at restricting them to the household. But, women time and again came to the forefront to present their views.

Initially, during the British Rule reformists like Raja Rammohan Roy and Savitribai Phule came to forefront to protect the rights and liberties of women against sati and their right to Education.

Later, women themselves took the baton. Leaders like Sarojini Naidu, Kamala Devi Chattopadhyay participated in NCM and CDM. While still others, like Aruna Asaf Ali took the revolutionary turn.



However, post independence there is a subsidence of women led movement because it was felt that the Constitution would be the guiding force for reform in society.

But, in 1960's and 1970's, women felt that more needs to be done so that their voice the power-centres which remained relatively men dominated.

Thus, began the new social movement in 1960s and earlier movements ~~were~~ ^{were} classified as old social movement

Women organised themselves through various means. foreg :-
self help groups proved to be a success story where it led to financial inclusion, employment and empowerment of women.
foreg Lajpat Papad



SEWA →

Self Employed Women's Association was started by ELA BHATT which aimed at inclusion, training of the women in informal sector [SEWA].

Annapurna Mahila Mandal in Tamil Nadu is women led movement for empowering and strengthening women.

Women were active participants in several movements. Like Anti-arrack movement in Andhra Pradesh, anti price rise movement in Hyderabad etc.

Bhartiya Kisan Mahila Sangh is a women led trade union active in the Northern belt

Post-independent India has various examples of rising and rising women led movements. However, it is to be noted that whenever necessary women have come out in the forefront so that they can exercise their rights.



Que.6

Environmental movement in India is rich and vibrant which has taken various forms. Analyse. (200 words, 15 Marks)

Environmental movements in India are special in several in several domains. Sunita Narayan ascertains that environmental movements in India represent a utilitarian and protectionist approach ^(Resource use) while Western movements are protectionist and conservation alist.

There are 3 major types of environment movement in India :-

- i) Against large scale dam construction like Narmada Bachao Andolan under Medha Patkar
- ii) Against mid scale displacement of tribals and destruction of their land in case of Vedanta steel plant and Kond tribe, Odisha
- iii) Against destruction of forests and wildlife eg Bishnoi movement and chipko movement.



Ramachandrea Guha traced the evolution of the rich and vibrant environment movement in India in several phases :-

- I) Phase I → when environmental movement was primarily seen as elitist phenomenon under leaders like Sunderlal Bahugana and Chander Prasad Bhatt
- II) Phase II → The movement expanded to involve the local people under leaders like ANIL AGARWAL
- III) Phase III → Marxists distance themselves from environment movement as they see it as a bourgeoisie phenomena.
- IV) Phase IV → It is still seen as an elitist neo liberal phenomena.

Guha has analysed the phenomena especially after 1972. 1972 marked as the the milestone for environment movement across the world.

The Stockholm Conference : Limits



to growth emphasised on the need for sustainable development. Subsequently, government brought wildlife protection act of 1972 and Project 1973.

Sunita Narayan is critical of the success of the environment movements in India where India is a classic example of all sorts of environment movements with limited success.

However, it is to be noted that environment in India has not only spiritual and cultural importance but also is a source of livelihood of people. The citizens are vigilant about their rights and knock the institutions like the NGT for grievance redressal.



Que.7

Analyse the context and nature of emergence of human rights movement in India post-independence. What are the major contemporary concerns and challenges of the movement? (200 words, 15 Marks)

Human Rights are the essential conditions for the growth, well being and prosperity of the individual. UDHR defines Human Rights as inalienable conditions for the rights and development.

Though the Constitution safeguards the rights and liberties of the individual. Yet, there were instances where Human Rights of those involved in hazardous jobs were severely challenged. eg Mining, brick kiln industry, crackers etc.

In recognition of the glaring ^{protection of} call for inalienable rights, India formulated the National Human Rights Commission (NHRC) under NHRC Act, 1993.



It is a multimembered body consisting of chairperson and vice chairperson, 3 members and 8 ex officio members.

The NHRC in order to fulfil its mandates conducts studies of international covenants and Indian laws, conducts survey of prison cells, looks into effective implementation of laws, suggests ways for better implementation.

As the scope of Human Rights has been ever expanding in post independent India, NHRC has been successful in :-

- i) Preventing the illegal deportation of chakma refugees
- ii) Conviction of BSF personnel accused of rape
- iii) transferring of rape case from Gujarat High Court to Bombay High Court to provide protection to victim



However, the role of NHRC doesn't go unblemished like in case of Gujarat Riots of 2002.

There are several concerns and challenges of the movement in India:-

First, the recommendations of NHRC is not binding on the government.

Second, it does not have the power to punish the abuser

Third, it can't take up an issue after 1 year of its occurrence

Last, it depends on the government for providing compensation.

Human Rights movement in India before NHRC was restricted to Judiciary which made the process long and tardy.

However, with the coming up of NHRC and strengthening it, we can change the paradigm of Human Rights in India.



Que.8

Explain the origin and the constitutional provisions related to the institution of CAG. Critically evaluate the role of CAG in strengthening the Indian democracy. (200 words, 15 Marks)

CAG has been established under Article 148 of the Constitution. It is the guardian of the public purse in India and acts as a bulwark against the financial improprieties in India.

The CAG is the head of the Indian Audit and Account services in India and is appointed by the President under the warrant of his hand and seal.

Once appointed, CAG enjoys security of tenure. He can't be removed from the office in an arbitrary manner, but only on the grounds mentioned in the Constitution. The expenditure of the CAG is charged on the Consolidated Fund of India.



CAG is the premier auditing agency which performs three types of audits:-

- * Performance based audit
- * Financial attest audit
- * Compliance audit
(discretionary in nature).

The CAG performs the auditing of public account of India, Contingency fund of India, Consolidated fund of India and states. It also performs audit for revenue, loss, profit of public sector units.

CAG submits three reports to Public Account Committee including Audit Report on Appropriation, finance accounts and others.

However, CAG in India faces several challenges.

Primarily it performs a post mortem exercise. It can't check the availability/need to provide funds (done by ministry)



secondly, newer challenges in case of PPP projects etc.

Third, unlike Britain ~~comptrolling~~ function of the CAG is extremely limited.

Vinod Rai (former CAG) has emphasised that the CAG as an institution needs to be strengthened by giving it the authority to conduct PPP projects auditing and even for local government.

CAG as an institution has been referred to as the strongest pillar of financial accountability by Dr Radhakrishnan and the same spirit should be strengthened.



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