



# VISION IAS

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## GENERAL STUDIES (TEST CODE : 1021)

Name of Candidate	RANGASHREE TIL		
Medium Hindi/Eng.	ENGLISH	Registration Number	13309
Center	ONLINE	Date	17/7/17

### INDEX TABLE

Q. No.	Maximum Marks	Marks Obtained
1	12.5	
2	12.5	
3	12.5	
4	12.5	
5	12.5	
6	12.5	
7	12.5	
8	12.5	
9	12.5	
10	12.5	
11	12.5	
12	12.5	
13	12.5	
14	12.5	
15	12.5	
16	12.5	
17	12.5	
18	12.5	
19	12.5	
20	12.5	

Total Marks Obtained:

Remarks:

Signature of Examiner

### INSTRUCTIONS

1. Do furnish the appropriate details in the answer sheet (viz. Name, Registration Number and Test Code).
2. There are TWENTY questions printed in ENGLISH.
3. All questions are compulsory.
4. The number of marks carried by a question/part is indicated against it.
5. Answers must be written in the medium authorized in the Admission Certificate, which must be stated clearly on the cover of this Question-Cum-Answer (QCA) Booklet in the space provided. No marks will be given for answers written in medium other than the authorized one.
6. Word limit in questions, if specified, should be adhered to.
7. Any page or portion of the page left blank in the Question-Cum-Answer Booklet must be clearly struck off.

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103, 1<sup>st</sup> Floor, B/1-2, Ansal Building, Behind UCO Bank, Dr. Mukherjee Nagar, Delhi – 110009

## EVALUATION INDICATORS

1. Alignment Competence
2. Context Competence
3. Content Competence
4. Language Competence
5. Introduction Competence
6. Structure - Presentation Competence
7. Conclusion Competence

Overall Macro Comments / feedback / suggestions on Answer Booklet:

1.

2.

3.

4.

5.

6.

Answer all the questions in NOT MORE THAN 200 WORDS each. Content of the answers is more important than its length. All questions carry equal marks.

12.5X20=250

1. Identify the key objectives of the Protection of Children from Sexual Offences (POCSO) Act, 2012. Also highlight the challenges in its implementation.

- The POCSO Act, 2012 seeks to protect children from the trauma and horrors of sexual exploitation.
- Its Objectives include:
  - a) Safeguard Interests of the child
  - (b) ensure a safe and dignified childhood
  - (c) Bring the perpetrators to justice
  - (d) ensure compulsory registering of offences against children
  - (e) Reduce sexual crimes against children
- because very often the accused is known to the child-victim.
- Children are unable to express what has happened to them and stay silent until someone asks them.

- The accused is often a family friend or family member or a driver/ helper known to the child. Thus, it becomes all the more challenging.

- Some of the challenges are:

(a) Creating awareness among the children, schools and parents on "good versus bad touch"

(b) Gender-neutrality is vital because even boys are exploited

(c) we do not have a national level cell against this yet.

Recently, the National Campaign against Online Child Sexual Abuse was started and the Women - Child Ministry (MWC) is setting up a cell at its Secretariat for this purpose.

(d) Online child-pornography

is unregulated.

(e) How do we get the child to come forward and identify the perpetrator?

Intimidation and fear grips the hearts of young children. Since the elder is always in a higher position than the child, she can get away.

(f) How do we get families to come forward?

The recently setup E-Posco Box in the NCPCH (MWCs) is an online, speedy way to register your complaint, ensuring your privacy.

— We need to sensitise families, children, schools, the police and even the judiciary because children are involved and strict implementation of POSCO is key to a happy, safe childhood!

2. Discuss how the design of MGNREGA program makes it more successful than other rural development programmes.

- MGNREGA is an improvement of the earlier National Rural Employment Programme (NREP)
- Some of the factors that makes MGNREGA better than other programs are:

(a) The Right to work is established as a statutory right, unlike earlier when it was mentioned only across schemes and policies

(b) It is demand-driven

(c) Assured 100 days work for an adult member willing to do unskilled labour is a landmark shift because we have a situation of disguised unemployment in our agrarian society.

(d) Minimum intake of women is very notable because it empowers them with work and wages.

(e) In drought-struck districts, upto 150 days of work is given and thus, small farmers have

## Alternate employment.

- Most rural development schemes have focused on treating rural poor as beneficiaries, rather than as equal participants.
- MNRGA has opened the door to include them in the development process.
- MNRGA has a wage to material ratio of 60:40 and this is remarkable.
- MNRGA has been linked to other schemes such as PM Awas Yojana and Skill India so that there is convergence across schemes and to skill the workers.
- Some challenges remain in implementation because critics argue that MNRGA is merely a "digging the hole" scheme and

no durable assets have been  
created, plus problem of  
great beneficiaries.

Nonetheless, the assumed  
week of 100/110 days is  
important for rural India,  
especially when we depend  
on the monsoon so much.

3. Self-employment of the poor has been an important objective of the anti-poverty programmes and SHGs have played a significant role in this. Elucidate with examples. Also discuss the problems which plague the model of SHG micro-finance in India.

- "Teach a man to fish, rather than giving him the money to buy fish"
- This means that encouraging one to be self-sufficient and be employed is better than giving loans.
- Since the days of PM Gram Sadak Yojana, focus has been on self-employment of the poor.
- However, the poor by themselves cannot form necessary connections, have the capital and resources to generate livelihood. Thus, they form SHGs that pool their resources and gives the support.
- Access to formal loans, capital has been possible because of SHGs where access to credit is more

Certain, repayment is higher because of group pressure and collateral is minimum.

- Creating an entrepreneurial ecosystem and diversification to non-farm activities will help reduce poverty.
- Even in urban areas, access to credit through SHs ensures a better standard of living.
- Women play a vital role in SHs and thus, their empowerment is key to reducing poverty.
- NABARD has an SH-linkage scheme and the SH model has been successful in Andhra Pradesh [Sri Krishna Finance].
- Similarly, Bandhan (now Bank) used the SH model in <sup>their</sup> first to improve the lives of the poor.

Some of the issues are:

- (a) Since we are an agrarian economy, any failure in the monsoon leads to inability to repay debt and thus, loans are defaulted.
- (b) Many families still prefer to go to the local moneylender for easy loans.
- (c) With the rise in NPA's, even NBFCs and smaller rural banks may find it difficult to lend to SHGs.

4. Give an account of the issues that arise due to short tenure of civil servants in India. Critically discuss the move of setting up a Civil Services Board in order to address this problem.

— The SC in the TBR Subramanian Case in 2014 held that a minimum of 2 years should be given for a district posting.

— The SC held that the frequent transfers and shifts created a lot of instability in the smooth administration of the districts and also created fear in the minds of honest bureaucrats.

— In UP alone, each district sees a new District Magistrate every 5 months, on an average. Many see 3 new officers every year.

— This system of political appointees based on favoritism and the so-called "closeness" to the government is pitiful. Thus, it

harms the administration and demotivates young officers.

— Similarly, even at the Secretary level, there has to be some assured tenure.

— A pre-tenure transfer should happen only when the circumstances are so grave and upon a written recommendation, the officer should be given a chance to present her case.

— the impression that one might be transferred to a less important posting for standing up for the law and doing honest work should change. Rather, transfers should not be seen as a punishment.

— thus, there is a need for a Civil Services Board:

↳ On the lines of the UPSC

- ↳ the Board will ensure that Officers have security of  tenure and are not unfairly harassed for doing their work
- ↳ All pre-term transfers should be looked through the Board, in writing
- ↳ Grievance redressal cell for Officers who feel they are unjustly treated
- ↳ Act as an ombudsman and uphold good professional practices.

5. India's health system is one of the most privatised in the world, poorly regulated and accessible only to those with income levels well above the average. Comment.

— Over half the ill-patients visit private hospitals rather than government hospitals on a daily basis. Why so?

— Some of the reasons are:

(a) The number of beds in hospitals and the number of hospitals itself are simply ~~inadequate~~ inadequate.

(b) The doctors and staff too are not enough. Where the numbers are there, the skills are lacking or they are unwilling to attend to patients.

(c) With a burgeoning population, the nature of diseases is changing and the rise in non-communicable diseases (NCDs), speciality care etc. means the government hospitals are under-equipped.

(d) Although the cost of treatment is higher in private hospitals, people prefer them because they feel that the quality of treatment is better.

(e) Out of pocket expenditure is one of the highest amongst BRICS countries.

(f) Routine inspections and visits to government hospitals too is futile because no action is taken.

(g) the Medical Council of India has under-performed and grants medical college licenses to everyone so the quality of doctors, even in best places, is questionable.

(h) Under the Rashtriya Swastha Bima Yojana, a family is given 30,000 Rs. per year to choose between a private and a government hospital. How is this enough today?

- the National Health Policy, 2017 outlined the need to raise the % of GDP on health to 2.5% in the short run and 5% longterm (as per WHO)
- Some states like Tamil Nadu provide free or less costly drugs, even for serious diseases. The opening of Tan Anshadhi Stores to regulate drug costs is welcome.
- The AIIMS in various parts of India is welcome, but we need to see if it solves the problem.
- Recently, in Kerala, Government hospital said "housefull" - can we deny public access to health?
- This is pitiabile.

6. Keeping in mind the importance of NGOs in India's development process it is imperative that adequate legal and regulatory mechanisms should be in place. Discuss in the context of recent developments.

- Recently, NGOs have been in the news on the grounds of undertaking activities prejudicial to the interests of India.
- NGOs have played a vital role globally in raising issues of concern and urging governments to act.
- Greenpeace, Amnesty International, Red Cross etc. have brought human rights violations to the news and helped secure justice for victims.
- However, in India, we are facing the challenge in terms of where they get the money from, who sets their agenda and what activities do they indulge?
- The recent cancellation of licences under the Foreign Currency Regulation Act (FCRA) has shown that

Some NGOs have ~~been~~ been unable to show the source of their funds and may have given a boost to some groups who have created law and order issues.

- The importance of civil society cannot be overstated, They are vital partners for development because they engage the public and create public awareness.

- However, one must exercise caution and differentiate the bad apples from the lot and only punish such NGOs indulging in nefarious activities that can threaten the development, peace and stability of India.

- Legal action should be taken and their accounts frozen.

- But, the honest, sincere

NGOs who genuinely advocate a cause and uphold human rights and justice should not be penalised because it will stifle our freedom of speech.

Thus, our laws should be amended to include NGOs in RTI for more transparency and at the same time, we must make sure that we work alongside NGOs because they may have the knowledge and expertise in some areas where the government may lack.

A blanket ban or a blanket praise will not help us. And thus, regulatory changes are essential.

7. While on one hand, there has been proliferation of use of digital technology, on the other hand, resulting digital dividends have not been forthcoming. Analyse.

- The World Bank recently published a report where it said that there is immense digital divide in India.
- As per the UN - ITU's Index on Inclusive Internet, India lags far behind over our South Asian neighbours.
- The "digital haves" have benefited from access to information, resources and have bettered their position, while the "have nots" have been unable to do so.
- One of the reasons is the access to a cell phone. Google's Sundar Pichai has said that we need to further reduce the cost of a cell phone, so that people can buy one. Further, access to internet

is limited.

- With programs like Internet Saathi we can train and equip people to use the Internet.

- There is a gender gap, more so in rural areas where the women are less likely to know and use digital tools.

- Language is a barrier too because we have many regional dialects and not all know Hindi or English or Tamil.

- The spread of Digital India for 24 x 7 mobile connectivity and inclusion is a game changer.

- The Bharatnet programme of on-demand Internet to take gram panchayats can help bridge the rural divide.

- PM Digital Saksharta Abhiyan

Can play a vital role in spreading  
digital literacy among the  
rural masses. (PM DISHA)

8. The public policy requirements of the 21st century demand a bureaucracy less generalist in nature. Analyse in the context of Indian civil services.

- Post-1991 liberalisation, the Indian economy and society have changed rapidly. New areas of finance, technology, law etc. have emerged and our administration is going through tremendous change.
- Earlier, the role of a bureaucrat was to sign files and play a government regulator. Today, she is expected to be a facilitator and enabler.
- As our GDP grows at 7% and as we reach to be an Asian Giant, our governance too should keep pace.
- For example, bodies like TRAI and CCI need officers well-versed in the areas and not just generalists. Knowledge of the law

- Is key.
- Similarly, ministries too have new requirements, such as Information Technology (MEITY) where we need experts in cyber security, digital payments etc.
- While the nature of society changes, the nature of crimes also changes and thus, we need Police Officers who understand cyber crimes, cross-border <sup>cyber</sup> espionage etc.
- Thus, we need Officers who can contribute positively for each area of administration.
- While recruiting Officers, UPSC can keep these demands in mind.
- The introduction of lateral entry too is a welcome move because we can bring in experts with knowledge of the domain.

9. Explain how the National Digital Library (NDL) can bring a fundamental shift in the paradigm of education and research. Also highlight the challenges that need to be addressed to make NDL self-sustainable.

- Access to good, quality books and education is lacking for many people in India.
- Many schools and colleges do not have the money, are located far away from Delhi or Bangalore and thus, students do not have the best inputs at times.
- Digitisation of knowledge is so important to bridge the gap and create a level-playing field for youngsters.
- While IITs, IIMs, NLU's have the best research journals and books, many State Universities may not have it. Thus, the creation of NDL is necessary and was long due.

— The McBride Commission of UNESCO has also suggested reforms in education.

— Thus, at the click of a button, one can get the best access to knowledge. Brain gain and demographic dividend can be reaped.

— While we complain that our Universities do not perform well internationally, access to knowledge and consequent research through NDL, MOOCs can be a game-changer.

— How do we create a self-sustainable model?

↳ Keeping mind that subscription to foreign content is costly, we can create a fund where companies can contribute through CSR, PPPs.

- ↳ Request IITs / IIMs / NLU's to have open access portals for all students everywhere
- ↳ Charge a small user fee from colleges using the NDL
- ↳ Institute grants in the names of senior scholars and teachers to attract funds.

10. Census 2011 observed that there has been a significant increase in urban homeless households in the period between 2001 and 2011. What are homeless households? Highlighting the challenges faced by them, discuss the causes for increase in such households. Suggest various measures to rehabilitate these households.

→ Homeless households refers to those who do not have access to a pucca house or have temporary shelters seasonally or live in uncertain circumstances, such as sleeping by the foot path.

→ 2001 to 2011 has seen an increase in urban areas because of rising rural to urban migration - when they come to already crowded cities like Delhi, where can they stay?

- the cost of housing is high
- they do not have proper jobs

→ Often, young children are found sleeping under bridges and

the mother cooks rotis by the road

→ This division between slums and skyscrapers leads to Crimes and social disharmony too

→ During disasters like floods or during ~~storm~~ heatwaves, these families are first affected.

→ The PM Awas Yojana (Urban) seeks to rehabilitate and construct low-cost homes for the urban poor so that they can live better.

→ Disease, infection and crimes are often rampant in the juggis and bastis of Delhi and Bombay.

→ The inclusion of affordable housing in Priority Sector Lending (PSL) is welcome.

- the use of finance companies, NBFCs forming in affordable housing is a good step to ensure there is more money for better housing.
- Our vision of smart city and smart villages is not possible unless we have affordable and safe housing for all by 2022.

11. What is the criteria for a village being recognized as electrified? Examine the challenges present in rural electrification in India. Elaborate upon some of the recent initiatives of the government with a special emphasis on Deen Dayal Upadhyaya Gram Jyoti Yojana.

→ The criteria is:

- (a) 100% of households be electrified
- (b) Public Offices, Schools, Government Offices have electricity
- (c) Panchayat ~~building~~ etc. should be electrified.

→ Some of the challenges are:

- (a) Cost of electricity is still high
- (b) Rich households, rich farmers benefit from <sup>free</sup> electricity while the poor homes do not even have electrical connections.
- (c) India heavily relies on Coal and thermal power. Thus, there is an environment issue.
- (d) Per capita electricity use is still very low in India.

(c) with primary reliance on monsoon, failure to rain means our agricultural sector is ruined and there are insufficient non-farm activities where power is used.

Under the DDU AKY :

- (a) 24x7 power for all
- (b) feeder separation for agricultural and non-agricultural activities
- (c) Compulsory metering
- (d) accessible, affordable power

Other initiatives include

↳ Pradhan Mantri Ujjwale Yojana of giving LPG to homes so that Kerosene (risky) is not used.

↳ PM Ujjwale Yojana — The

Domestic Electrification Lighting  
Programme (DELIP) seeks to  
give LED bulbs to homes.

↳ the new GPRV app tells  
us where and when electricity  
is available — so monitoring is  
easier and more reliable.

12. While the Right to Education (RTE) Act was based on noble intentions, implementation of many of its provisions remain ridden with problems. Discuss.

- The RTE was welcomed as a game-changer for education.
- with the emphasis on 25% reservation, access to schools for 6-14 years was made a statutory right.
- However, there are some issues
  - (a) Donations are still asked from parents.
  - (b) Schools continue to reject RTE students or flimsy parents.
  - (c) Parents of non-RTE students have a problem with their children mingling with RTE children, so separate sections are created. The whole purpose of social inclusion is defeated.
  - (d) Student: Teacher ratio continues to be skewed.

- (E) The ban on private tuition for teachers is impractical because many continue to take after-school tuitions.
- (F) Funding and reimbursement schools is still a challenge.
- (G) Quality is still a concern because there is no monitoring of learning outcomes.
- (H) Rural schools lack basic infrastructure like tables, books etc. merely sending a child to school is meaningless.
- (i) Child labour is rampant still and children work after school because of economic needs. Can we punish the parents? That seems improbable.

— However, despite the challenges  
RTE is a good legislation  
and we must seek to improve  
it over time.

13. Critically examining the key provisions of The Surrogacy (Regulation) Bill 2016, discuss whether a complete ban on commercial surrogacy is justified.

The 2016 Bill brought many changes

(a) Complete ban on commercial surrogacy.

(b) A surrogate can only be a mother/close relative or someone doing it out of love and affection.

(c) A woman should have already had her own biological child before she becomes a surrogate.

(d) A couple should have been married for 5 years.

(e) Wife's age: 23 - 50 years

Husband's age: 26 - 55 years

[Age for committing couple]

(f) You can have a child through surrogacy only if you have a child with a serious health or mental condition.

- (g) A woman cannot be a surrogate more than two times
- (h) Complete ban on NRI couples/  
Diplomats / live-in couples / <sup>sex</sup>work  
couples from the Bill.

— The ban on Commercial Surrogacy has been controversial:

(a) Ethical / Moral Concerns:

That baby birth is a noble task and cannot be a monetary transaction — this will lead to "Baby-farms"

(b) Health Concerns:

Affects the health of the surrogate who is kept in hostels and paid a small sum of money, and it is a public health concern in allowing Indian women to be exploited.

— Those against the ban argue that  
(a) Right to choose (Autonomy)  
of women to choose to be a surrogate  
or not

(b) Economic Compulsions necessitate  
it, just like another profession

(c) If you ban it, it will become  
an underground business

(d) Regulate the ~~to~~ money and  
the number of children per  
surrogate, rather than banning

— My understanding is that the  
ban was <sup>a bit</sup> too extreme because  
the social realities of India are  
grim. Thus, we must regulate  
the living conditions, financial aspects  
for the welfare of surrogate mother  
and allow them to make an  
informed choice for themselves.

14. It is often strongly suggested that scarce government resources should be redirected in favour of primary education rather than higher education. In this context, analyse whether curtailing public spending in higher education would help in achieving the principle of equity.

The tussle between primary and higher education has always been controversial:

Primary education in India forms the basis of our development, while higher education ensures that we have good research and development and secure jobs for our youth.

To argue that we need to spend more on primary education at the cost of higher is questionable because:

(a) Both are vital for our economic growth

(b) Higher education enables a person to think freely, openly and demographic dividend becomes meaningful.

(c) Good education at all levels makes us full-citizens with democratic participation

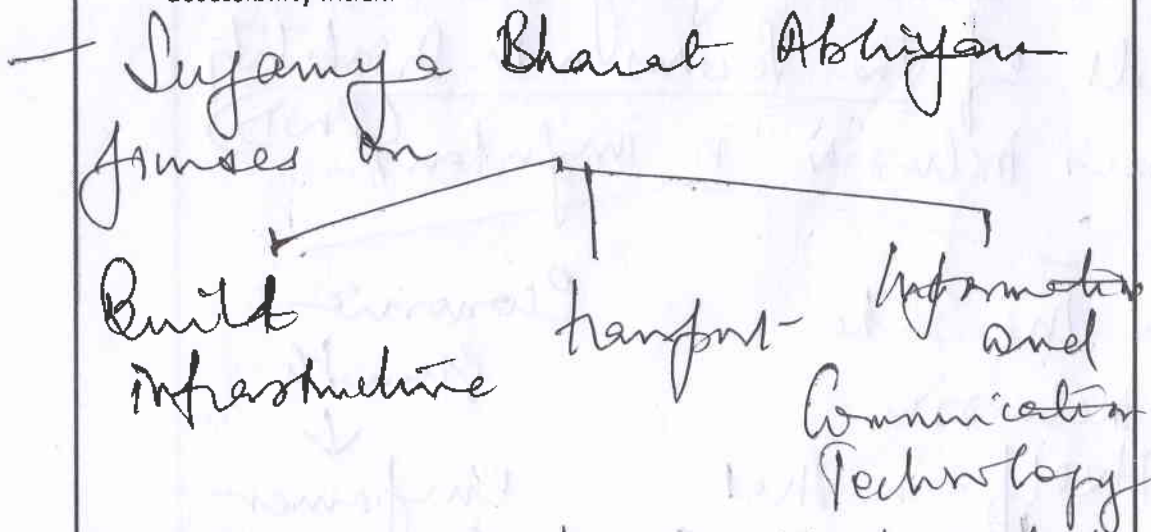
(d) If we don't spend adequately in our colleges, we will export our talent and incur brain

drain where Indian students prefer to study and work abroad and never return to India (and loss for forex).

(e) Higher education should be linked to needs of the Indian Community, especially rural India so that the benefits of investing in higher education spreads to the masses and reaches the bottom (Unnat Bharat Abhiyan)

- The RTE ensures primary education, similarly our NITs and AIIMS ensure quality higher education for our youth.
- Both are important and equally essential.

15. Accessibility is the key to inclusion and equal access for people with disabilities. Analyse. Also discuss the objectives and components of the Sugamya Bharat Abhiyan with a special emphasis on inclusiveness and accessibility index.



↳ These are three vital aspects of creating a disabled-friendly India.

↳ It seeks to make public places more accessible and more open for the disabled.

— The inclusion and access for the disabled is so vital for our development because they constitute only 2% of our population (2011 Census).

- Be it buses or schools or trains, India does not fully cater to the needs of the Persons with Disability (PwD)
- Their inclusion is important

for the sake  
for inclusion  
Helf - in that  
they have equal  
rights as citizens

Economic  
growth  
↓  
empower  
themselves  
and  
contribute  
to our GDP

- As equal citizens of India, under Article 41 (DPSP) and Article 14 (equality), we need to give them equal access to study, to work.

- Thus, Jyanya Bhanet seeks to change the perception of the PwD as merely "help-keepers"

to independent individuals who can participate in the society.

— The increase in reservation from 2% to 4% in the PWD Bill, 2016 is also welcome.

— Under Suganya Bhavet, the new Accessibility index has been developed as a voluntary index for corporates to use — they can evaluate how PWD friendly they are and how they can improve and become more inclusive and sensitive to their needs.

— The index is a landmark step because it is not mandatory and thus, acts like a mild effect to induce better access and public facilities for the PWD.

16. The Olympic Task Force constituted to prepare an action plan for the next three Olympic Games is a step in the right direction. Comment. Also highlight other initiatives required to augment India's performance in the sporting arena internationally.

- The OTF led by Abhinav Bindra and there was very critical about where we lack and what we should do.
- It set up short term, medium and long term targets and even includes the Commonwealth Games too.
- For 2020, 2024 and the following Olympic Games, models targets have been recommended.
- Further, they have mentioned how access to funds is still crucial for players - the private sector can be involved through PPP, CSR etc.
- The selection criteria and

performance-based selection of players based on International Standards is crucial.

— Training and Coaching facilities too should be upgraded to International Standards.

— Some of the challenges for India's performance are:

(a) Lack of adequate state support — Players need to run around pillar to post for the right to play, for funds and permissions etc.

The bureaucracy does not fully cater to their needs.

(b) Young talent is often stymied because academic workload is deemed more important than sports in schools.

(c) Class level infrastructure is poor. Often, players don't have basic equipment.

Recently, there was news of girl footballers playing without shoes in the hot sand in

Thanking

(d) Lack of support for girl players — they are treated as inferior by the state administration

(e) Rampant Corruption and inefficiency in our sports bodies. Instead, we should have retired, professional sports persons run these bodies, rather than bureaucrats or politicians.

17. Recent judgment of the Supreme Court, amending the Protection of Women from Domestic Violence Act, 2005 has invoked varied responses. Highlighting the amendment, critically examine its likely impact on the application of the law.

→ In Hansara v. Hansara, the SC amended the DVA, 2005 to include even non-males; including minors against whom a woman can file a complaint.

— This means that she can file a DVA complaint not only against her husband, but also against mother-in-law and others, including minors in the family.

— Some of the implications are (a) the SC held that in India, section 498A, IPC (Domestic Abuse and harassment) was not enough and thus, there had to be a legal provision against other family members too.

(b) The woman is helpless and

And all her wealth and jewellery  
is taken by the mother-in-law  
immediately after marriage  
and not given back to her

(c) Social structure in India is  
often patriarchal and the full  
family of the husband will support  
him

— On the other hand, some argue that

(a) DVA was meant to be a gender-  
specific law (against the male)  
and not gender-neutral

(b) We are diluting its effect  
by making it gender neutral

(c) If we want to include others,  
we need a <sup>separate</sup> broader gender-  
neutral anti-harassment law

(d) Inclusion of minors is  
problematic

(e) a recent UN study said

that the relevance and efficiency of gender-specific laws is higher in curbing crimes against women, rather than neutral ones.

- In Conclusion, it may be said that while the SC decision is welcome such that it broaden the scope of domestic violence, we must make sure that its provisions balance the rights of the victims and the relatives so that they are not unfairly implicated, especially minors who may not be aware of what they are doing.

18. In spite of its usefulness as a tool of transparency and accountability, the RTI Act needs to be amended as it is being widely misused, especially to blackmail public functionaries. Critically examine.

- The RTI Act has completed nearly 10 years and has been hailed as ushering in transparency and accountability.

- However, cases of misuse have arisen:

(a) Recent instances of subjecting an officer who is honest to harassment over RTI disclosures is wasteful — an officer simply does her duty and cannot be unfairly penalised.

(b) The less RTI application fee (or free for BPL) means that anyone can seek information. This sometimes increases the burden on administrative departments.

(c) Many officers fear to take

difficult decisions because they  
fear RTI scrutiny that may  
frame them. An officer  
(d) cannot be penalised for  
bad decisions — she can only  
be penalised for malefide  
actions and decisions.

However, despite the challenges,  
the RTI has ushered in an era  
of openness and transparency. It has  
opened up the doors for the  
common public.

Some of the amendments can  
be:

- (a) pecuniary liability for  
frivolous RTI applications
- (b) Name and shame  
publicly the repeated - RTI  
filers who create trouble  
for honest officers.

(C) Uphold good professional practices for honest discharge of public duty, so that honest officers do not get intimidated unnecessarily.

(D) Disclose all important decisions on websites so that one need not spend time replying to RTI queries on the same matter.

19. The transgender community has been among one of the most marginalized communities in India. Discuss. How does the Transgender Persons (Protection of Rights) Bill 2016 seek to protect transgenders from discrimination and address the problems faced by them?

- The SC in NALSA case upheld the "Third Gender" and legalised the Conditions of transgenders.
- The Community has long been subjected to:
  - unequal access to education
  - poor health access
  - Police brutality
  - Economic backwardness
  - hated and prejudice
- They have lived in the periphery of our society and have never been treated as equals.
- The SC said that reading Articles 14 (equality), 19 (expression) and 21 (right to life with dignity) together, the transgenders have faced discrimination and have not been given their due share as citizens.

- Be it economic opportunities or the weaker sections or access to civil - political rights, they have been living as secondary citizens.
- Thus, the Bill seeks to alleviate their conditions
  - ↳ Reservation in jobs and access to education
  - ↳ Discrimination in public and private institutions is not allowed.
  - ↳ Nothing cannot be denied a house, a job or a seat in an educational institution on the grounds of their gender
- The SC in NALSA had said that all government forms should include the third gender.

- Recently, Kochi Metro had hired transgender clerks, but now they have been denied housing.
- Most of them live in sheds, unsafe communities where they are subjected to physical and sexual exploitation and often, even the authorities like the police do not listen to their struggles.
- Thus, the SC decision backed by a legislation is a welcome step.

20. Though the Forest Rights Act 2006 tries to undo the historic injustice done to the forest dweller and tribals, it has been argued that it is being misused. Critically analyse.

- The Forest Rights Act seeks to undo the historic injustice to the tribals and give them access to small, minor - forest produce and consider them as equal partners to the protection of forests.
- ~~As~~ One of the safeguards in the law is that the Gram Sabha has to be consulted before any major decision is taken, including on rehabilitation.
- However, ~~Many~~ <sup>Many</sup> cases of misuse have arisen:
  - (a) The senior-most members of tribal clan or forest-dwellers, ~~the~~ part of Gram Sabha have sided with the vested interests and business lobbies

and thus, they do not protect the interests of tribals.

(b) Densification of Certain  
Resource-rich forests so that  
the Act is inapplicable  
(c) the Act is not included under  
the purview of the National Green  
Tribunal (NGT), so no quick  
and efficient remedy for violation  
other than going to the Courts.

(d) Public Consultation is a  
sham and often, tribals and  
forest dwellers' voices are not  
heard.

— It is unfortunate that a law  
meant to protect the tribals and  
dwellers has been turned on its  
head for the benefit of the  
business groups and vested  
interests.

(P.T.O.)

- The SC in many cases, including the Niyamgiri Case has held that tribal rights over natural resources has to be protected.
- Historically, they have been the guardians of our forests and we must not alienate them from the development process.