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Answer the following questions in about 150 words each:

1. **Examine the influence of the Indian independence movement, colonial legacy, and social diversity on the framing of the Indian Constitution. Assess how its fundamental principles have contributed to the socio-political landscape of modern India. 10 Marks**

Introduction

The Indian Constitution, adopted on 26th January 1950, stands as a testament to the country's struggle for independence and its commitment to a democratic and inclusive society. Its formulation was significantly influenced by historical, social, and political factors that shaped the nation's trajectory.

Body

Influence of the Indian Independence Movement

- The fervor of the Indian independence movement, spearheaded by leaders like Mahatma Gandhi, Jawaharlal Nehru, and B.R. Ambedkar, laid the foundation for the democratic principles enshrined in the Constitution.
- The struggle for freedom emphasized the importance of equality, liberty, and justice, which found expression in the fundamental rights and directive principles of state policy.

Colonial Legacy and Constitutional Design

- The colonial legacy, marked by a long history of British rule, left an indelible imprint on the Indian Constitution.
- For example, the influence of the Montagu-Chelmsford Reforms of 1919 and the Government of India Act 1935 can be seen in the provisions related to federalism and the structure of the executive and legislative branches.
- The introduction of parliamentary democracy, rule of law, and an independent judiciary was a direct consequence of British governance.
- However, the Constitution sought to rectify the colonial past by ensuring safeguards against exploitation and discrimination, as evidenced by provisions for the protection of minority rights and the abolishment of untouchability.

Integration of Social Diversity

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- The Indian Constitution's accommodation of the nation's diverse social fabric is evident in its provisions for affirmative action and reservations for marginalized communities.
- The inclusion of special provisions for scheduled castes, scheduled tribes, and other backward classes aimed to address historical injustices and foster social equality.
- Moreover, the recognition of cultural and educational rights for religious and linguistic minorities has facilitated the preservation of India's diverse heritage and fostered a sense of unity amidst pluralism.

Relevance and Adaptability of the Indian Constitution in the Present Context

- **Upholding Democratic Values:** Despite the evolving challenges, the Indian Constitution has stood the test of time, serving as a bulwark for democracy. Its emphasis on the separation of powers, fundamental rights, and an independent judiciary remains crucial in upholding democratic values in contemporary India.
- **Addressing Socio-Political Challenges**: The Constitution's flexibility has allowed for amendments and reinterpretations to tackle modern socio-political challenges. The judiciary's dynamic interpretation of fundamental rights has facilitated the expansion of individual freedoms, leading to landmark judgments promoting gender equality, environmental protection, and LGBTQ+ rights.
- **Sustaining Social Harmony:** The Constitution's commitment to secularism and pluralism has played a pivotal role in fostering social harmony in a diverse society. Its provisions for religious freedom and the prohibition of discrimination based on religion have helped maintain peace and coexistence among different religious communities.

Conclusion

In conclusion, the Indian Constitution, shaped by historical, social, and political factors, remains a dynamic document that continues to guide India's journey as a democratic and diverse nation. Its resilience and adaptability are crucial in addressing contemporary challenges while upholding the values of justice, liberty, equality, and fraternity.

2. **How does the recent amendment to the Odisha Lokayukta Act in 2022 affect its role in ensuring transparency and accountability in the state's governance? 10 Marks**

Introduction

The recent amendment to the Odisha Lokayukta Act has garnered attention as it grants the anti-corruption watchdog the authority to exercise powers under the Contempt of Courts Act, 1971. This

development has sparked debates regarding its potential impact on the institution's effectiveness in combating corruption and promoting transparency within the state's governance framework.

Body

Features of the Odisha Lokayukta Act 2014

- The Act allows for the establishment of a Lokayukta, serving as an independent anti-corruption ombudsman with jurisdiction to investigate allegations of corruption against public functionaries.
- It provides the Lokayukta with the power to conduct inquiries into corruption allegations, including those against Chief Ministers, Ministers, Members of the Legislative Assembly, and other public servants.
- The Act empowers the Lokayukta with the authority to conduct preliminary inquiries, issue orders for investigations, and provide legal assistance to individuals facing complaints.

Implications of the Amendment

- Empowering the Lokayukta with Contempt of Courts Act powers may help enforce compliance with its directives and orders, ensuring greater accountability among government officials.
- However, concerns have been raised about the potential misuse of these powers, which could hinder public scrutiny and criticism of the Lokayukta's decisions, leading to a lack of transparency in its functioning.

Significance of the Lokayukta Institution

- The establishment of the Lokayukta serves as a vital mechanism for addressing corruption within the government and public administration, fostering a culture of integrity and ethical conduct.
- By providing a platform for citizens to voice their concerns and grievances against corrupt practices, the Lokayukta plays a crucial role in upholding the principles of good governance and accountability.

Ensuring Autonomy and Effectiveness

- Safeguarding the autonomy of the Lokayukta is imperative to prevent any undue influence or interference from the government or other vested interests, thereby upholding its credibility as an independent anti-corruption ombudsman.

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- Striking a balance between accountability and the rule of law is essential, necessitating the establishment of transparent mechanisms for overseeing the Lokayukta's actions and decisions to prevent any potential misuse of power.

Conclusion

While the recent amendment to the Odisha Lokayukta Act reflects an attempt to strengthen the institution's authority, there exist valid concerns about the potential ramifications for transparency and accountability. Therefore, it is crucial to ensure that the Lokayukta continues to function as an independent and effective body, fostering a culture of integrity and ethical governance within the state of Odisha.

3. **Structural and process inadequacies, evidenced by delays in resolving inter-state water disputes like the Cauvery and Godavari river conflicts, have hindered effective dispute resolution in India. Comment. 10 Marks**

Introduction:

Inter-state water disputes in India have been a persistent challenge, often leading to conflicts between states over the sharing of water resources. The Constitution of India, under Article 262(1), empowers the Parliament to provide for the adjudication of such disputes. The Inter-State Water Disputes Act, 1956, enables the central government to constitute water disputes tribunals for resolving water-related conflicts. However, despite these constitutional provisions and the establishment of tribunals, inter-state water disputes continue to persist.

Body:

Structural Inadequacies:

- Ad-hoc Constitution of Tribunals:
  - The absence of a permanent tribunal dedicated to resolving water disputes has hindered the timely resolution of conflicts.
  - One example of the ad-hoc constitution of water disputes tribunals is the Cauvery Water Disputes Tribunal. The tribunal was formed in 1990 to resolve the dispute between the states of Karnataka, Tamil Nadu, Kerala, and Puducherry. It took around two decades for it to pass its final order but the issue lingers.
- Ambiguity in Division of Powers:

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- o Water, including water supplies, irrigation, canals, drainage, and embankments, is a matter enumerated in Entry 17 of the State List (List II) of the Seventh Schedule.
- o The sharing of the Krishna River between the states of Andhra Pradesh, Telangana, and Karnataka highlights the challenges arising from the ambiguity in the division of powers..

Process Inadequacies:

- Delay in Passing Awards:
  - o In the case of Godavari water dispute, the request was made in 1962, but the tribunal was constituted in 1968 and the award was given in 1979 which was published in the Gazette in 1980.
- Delay in the Constitution of Tribunals:
  - o The delay in constituting the Mahadayi Water Disputes Tribunal to resolve the water dispute between the states of Karnataka and Goa has further exacerbated the conflict.
- Judicial Review and Protracted Litigation: The involvement of the judiciary through judicial review has introduced additional layers of complexity and protracted litigation in resolving water disputes.
- The Inter-State River Water Disputes Amendment Bill, 2019: This bill has been pending.

Conclusion:

In conclusion, the challenges and failures of the constitutional mechanisms and inter-state water disputes tribunals in resolving water disputes can be attributed to structural and process inadequacies. To address these issues and ensure effective resolution of inter-state water disputes, concrete solutions must be implemented, including the establishment of permanent water disputes tribunals, clarity in the division of powers, timely resolution, mediation and negotiation, public participation and awareness, and legislative reforms. These measures can help streamline the resolution process and foster sustainable water resource management across states.

4. **Examine the Indian constitutional provisions in comparison to the federal system in Germany, emphasizing the distinctive features of federalism, judicial review, and legislative powers. 10 Marks**

Introduction

India and Germany, as federal republics, exhibit unique constitutional provisions governing federalism, judicial review, and legislative powers. While India embraces a quasi-federal structure with

a strong unitary bias, Germany maintains a strict federal system, allocating significant autonomy to its federal states (Länder) in legislative and administrative affairs.

Body

Federalism

- India's quasi-federal setup grants the central government authority over states on specific matters, leading to a unitary bias.
- On the other hand, Germany's federal structure ensures substantial autonomy to its federal states, allowing them more independence in legislative and administrative affairs.

Judicial Review

- In India, the Supreme Court wields the power of judicial review, enabling it to nullify laws conflicting with the Constitution.
- High Courts also address cases related to fundamental rights violations.
- In contrast, the Federal Constitutional Court in Germany holds the authority of judicial review, ensuring the conformity of laws with the Basic Law (Grundgesetz).

Legislative Powers

- India's Parliament possesses the authority to legislate on subjects outlined in the Union List, Concurrent List, and residuary powers, granting the central government extensive legislative jurisdiction.
- Conversely, Germany grants significant legislative powers to the federal states, particularly concerning education, culture, and policing, emphasizing a more decentralized legislative framework.

Conclusion

The differing federal structures of India and Germany significantly impact the balance of power between the central government and the states, the judiciary's role in upholding constitutional principles, and the efficiency of governance in addressing regional and national concerns. While India's quasi-federal system seeks to balance regional autonomy with central authority, Germany's decentralized federalism prioritizes the independence of its federal states, reflecting the countries' distinct historical and political contexts.

5. **Explain the salient features of the Mediation Act, 2023 and its potential implications for reducing judicial backlog and fostering alternative dispute resolution methods in India. 10 Marks**
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Mediation serves as a voluntary, impartial process where a neutral mediator facilitates disputing parties to achieve a mutually agreeable settlement. The Mediation Act, 2023, recently passed in the Indian Parliament, aims to promote this alternative method of dispute resolution, particularly institutional mediation, while also establishing a mechanism for enforcing mediated settlement agreements.

Body

Key Features of the Mediation Act, 2023

- **Pre-litigation Mediation:** Mandates attempts at settling civil or commercial disputes through mediation before approaching courts or certain tribunals.
- **Disputes Excluded from Mediation:** Specifies certain disputes, such as those involving minors or criminal prosecutions, as unfit for mediation, with provisions for the central government to revise the list.
- **Applicability:** Governs mediations involving solely domestic parties, those involving at least one foreign party in commercial disputes, and those agreements indicating compliance with the Act.
- **Mediation Process:** Ensures confidentiality within a 180-day timeframe (extendable by mutual consent), allowing withdrawal after two sessions.
- **Mediators:** Allows appointment by parties or mediation service providers, mandating the disclosure of any conflict of interest that could compromise their impartiality.
- **Mediation Council of India:** Establishes a council comprising various members responsible for registering mediators and recognizing mediation service providers and institutes.
- **Mediated Settlement Agreement:** Renders mediated settlement agreements, excluding community mediation, as final, binding, and enforceable, subject to specific challenge grounds.
- **Community Mediation:** Facilitates community mediation for resolving disputes impacting the peace and harmony of local residents, conducted by a panel of three mediators.

Possible implications

- **Case Pendency Resolution:** With over 4.7 crore pending cases in the Indian judicial system, mediation offers a tested alternative for conflict resolution, as advocated by the Mediation and Conciliation Project Committee of the Supreme Court of India.
- **Requirement of Dedicated Legislation:** Despite existing provisions in various statutes, the absence of a dedicated mediation law hinders the development of mediation practices, contrasting the standalone legislation in countries such as Australia, Singapore, and Italy.

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- **Mediation for Justice and Social Change:** Emphasizes the efficacy of mediation in delivering cost-effective and just resolutions that align with societal norms and constitutional values, fostering social harmony and information exchange.
- **Aspiration for International Mediation Leadership:** Citing India's signatory status to the Singapore Convention on Mediation since 2019, the enactment of domestic and international mediation laws would bolster the country's reputation as an International Mediation Hub, aligned with global standards.

Conclusion

The Mediation Act, 2023, marks a significant step towards institutionalizing mediation as an effective means of dispute resolution in India. By emphasizing pre-litigation mediation, providing guidelines for the mediation process, and establishing the Mediation Council of India, the Act sets the groundwork for a robust mediation framework. As India endeavors to reduce its case backlog and improve access to justice, the Act's provisions align with the global trend towards promoting mediation as a preferred method for resolving disputes, ensuring fair and timely justice delivery while fostering social harmony and legal cooperation.

Answer the following questions in about 250 words each:

6. **What are the key challenges faced in the implementation of the PESA Act in Odisha's Scheduled Areas, and what measures can be undertaken to enhance its effectiveness and ensure the protection of tribal communities' rights? 20 Marks**

Introduction

The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996, commonly known as PESA Act, was enacted to empower the Gram Sabhas in the Scheduled Areas. This Act aimed to ensure self-governance and protect the traditional rights of tribal communities residing in these regions. In Odisha, the PESA Act has been operational since 1997, with several amendments made to the state's Panchayat laws to accommodate its provisions.

Implementation of PESA in Odisha

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- Amendments to Panchayat Laws: Odisha made necessary amendments to its Panchayat laws in 1997 in accordance with the provisions of PESA, ensuring effective implementation within the Scheduled Areas.
- Gram Sabhas' Empowerment: The Act has empowered Gram Sabhas in various ways, including the regulation of local markets, prevention of land alienation, and control over minor forest produce and water bodies. Additionally, it has granted control over the sale and consumption of intoxicants and money lending to the Scheduled Tribes.
- Reserved Seats and Elections: The state has reserved 50% of the seats for Scheduled Tribes in the Gram Panchayats. The election process in these areas has been aligned with the provisions of the PESA Act, ensuring representation for tribal communities in local governance.

Challenges in Implementation

- Ambiguity in Village Demarcation: The absence of clear criteria for constituting a village in Scheduled Areas poses challenges in demarcating villages as per the provisions of PESA, leading to implementation difficulties.
- Absence of Notified PESA Rules: The absence of specific PESA Rules in Odisha has led to a lack of clear guidelines for the effective execution of the Act, creating hurdles in its comprehensive implementation.

Way Forward

- Clarity on Village Demarcation: There is a need to establish clear and definitive criteria for the constitution of villages within the Scheduled Areas, in line with the PESA Act's provisions.
- Notification of PESA Rules: The State Government should focus on formulating and notifying comprehensive PESA Rules that can provide a detailed framework for the smooth and effective implementation of the Act.
- Capacity Building and Infrastructure Development: Extensive training programs for elected representatives and administrative support should be organized, focusing on enhancing governance, improving infrastructure, and addressing key socio-economic concerns in the Scheduled Areas.

Conclusion

The successful implementation of the PESA Act in Odisha requires a clear demarcation of villages, the establishment of well-defined PESA Rules, and comprehensive capacity-building initiatives. Addressing these challenges and focusing on the key objectives of the Act will pave the way for

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effective governance and the protection of the rights of tribal communities in the Scheduled Areas of Odisha.

7. Examine the recommendations of the 2nd ARC in the context of the evolving role of civil services as the cornerstone of Indian democracy. 20 Marks

Introduction

The 2nd Administrative Reforms Commission (ARC) recognized the pivotal role of civil services in preserving the democratic fabric of India, calling for a revamp of the administrative structure to align with the changing needs of the country's diverse and dynamic democracy.

Body

Observations

Governance Paradigm and Processes:

- The 2nd ARC observed that the Indian civil services tend to prioritize adherence to internal processes over focusing on delivering tangible results.
- The report highlighted the existence of complex and over-centralized policy structures, creating bottlenecks in decision-making processes within the civil services.
- It also pointed out that the hierarchical structures and numerous layers of decision-making often hinder the effective and timely execution of policies and programs.

Challenges of Change Management:

- The commission noted that the civil services face significant challenges in adapting to the rapid economic, technological, and social changes witnessed in the country.
- It emphasized the resistance to change within the civil services, often attributed to the entrenched interests and privileges of the existing bureaucratic framework.

Decentralization and Local Governance:

- The 2nd ARC expressed concerns regarding the slow progress in the effective implementation of the 73rd and 74th Constitutional Amendments, which aim to empower local governments.
- It highlighted the limited devolution of powers to local governments, leading to a situation where local bodies function more as extensions of central and state authorities rather than as independent democratic institutions.

Role of Non-State Actors:

- The report acknowledged the increasing role of civil society organizations and the private sector in various aspects of governance previously considered the exclusive domain of the public sector.
- It emphasized the importance of civil servants recognizing these non-state actors as partners in the governance process, necessitating a shift from a traditional top-down approach to a more collaborative and participatory model of governance.

Recommendations

Reforming Education and Recruitment:

- The commission recommended the establishment of a National Institute of Public Administration offering specialized degree programs in governance and management.
- It proposed restructuring the Civil Services Examination to broaden the pool of eligible candidates and encourage applicants from diverse academic backgrounds.

Streamlining Examination Processes:

- The 2nd ARC suggested conducting the Preliminary and Main Examinations together over a few consecutive days to streamline the examination cycle.
- It recommended a common examination for the induction of officers from the State Civil Services into the prestigious Indian Administrative Service (IAS).

Capacity Building and Training:

- The commission emphasized the necessity of mandatory training at the induction and mid-career stages for all civil servants to enhance their skills and adaptability.
- It underscored the need for strengthening the National Training Policy by including experts in the governance sector and ensuring rigorous implementation and monitoring of training programs.

Emphasizing Accountability and Transparency:

- The 2nd ARC proposed streamlining disciplinary proceedings within the civil services, suggesting mandatory consultation with the Union Public Service Commission (UPSC) in cases involving potential dismissal or removal of government officials.
- It encouraged civil servants to pursue higher academic qualifications and engage in research activities to foster a culture of transparency, accountability, and continuous learning within the bureaucratic framework.

Conclusion

The observations and recommendations of the 2nd ARC underscore the evolving role of civil services as the linchpin of Indian democracy. They emphasize the need for a more responsive, inclusive, and accountable administrative framework that can effectively address the contemporary challenges posed by a rapidly changing socio-political landscape. Implementing these recommendations would not only enhance the efficiency and effectiveness of the civil services but also reinforce their critical role in upholding the democratic values enshrined in the Indian Constitution.

8. **Discuss the concept of e-governance, highlighting its significance beyond the mere adoption of technological advancements. Elaborate on the critical role played by the 'use value' of information in the context of e-governance implementation. 20 Marks**

Introduction

E-governance, a fundamental aspect of modern governance, refers to the utilization of information and communication technologies (ICTs) to transform the functioning of government systems. Beyond the mere integration of technological tools, e-governance encapsulates transparency, citizen engagement, efficiency, and resource optimization. This transformative approach redefines the relationship between the government and its constituents, emphasizing open communication, streamlined services, and enhanced accountability.

Body

Significance beyond Technological Advancements

- **Transparency and Accountability:** E-governance fosters transparency, empowering citizens to access information and hold governments accountable. For instance, Sweden's 'Allemansrätt' or the Right of Public Access allows citizens to roam freely in the countryside and access private land, promoting transparency in land use. Similarly, Estonia's e-governance model ensures transparency through the X-Road platform, enabling secure data exchange between governmental and private sector organizations.
- **Citizen Engagement and Participation:** E-governance encourages active citizen engagement by facilitating direct participation in decision-making processes. India's 'MyGov' platform enables citizens to contribute to governance by sharing their ideas and feedback on various initiatives. The United Kingdom's 'Gov.uk' portal allows citizens to engage with the government, providing feedback on public services, fostering a culture of collaboration and inclusivity.

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- **Efficiency and Service Delivery:** E-governance enhances the efficiency of government operations by streamlining service delivery through digital platforms. India's 'Digital India' initiative has transformed service delivery mechanisms, providing citizens with online access to various governmental services such as income tax filing and passport applications. Singapore's 'eCitizen' portal allows citizens to access a wide range of government services conveniently, reducing the need for physical interactions and paperwork.
- **Cost Savings and Resource Optimization:** E-governance leads to cost savings by optimizing resources and reducing administrative overheads. South Korea's 'e-National Procurement System' has streamlined public procurement processes, resulting in cost savings and increased efficiency. Rwanda's 'Irembo' platform has digitized various government services, leading to resource optimization and improved fiscal management.

'Use Value' of Information:

The 'use value' of information in the context of e-governance implementation plays a critical role in several key aspects:

- **Informed Decision-Making:** For example, the Singapore government leverages data from various sources to analyze traffic patterns and make informed decisions regarding urban planning and transportation infrastructure development.
- **Tailored Service Delivery:** In India, the government analyzes data on healthcare utilization and demographics to tailor healthcare services, ensuring that specific regions receive appropriate medical resources and facilities based on their needs.
- **Policy Innovation and Evaluation:** Estonia regularly evaluates the impact of its digital governance policies by analyzing data on citizen engagement and usage patterns, allowing the government to continually innovate and improve its e-governance initiatives.
- **Performance Measurement and Accountability:** The United States government uses data analytics to measure the performance of public education initiatives, enabling policymakers to assess the effectiveness of various educational programs and ensure greater accountability in the education sector.

Conclusion

In conclusion, e-governance represents a paradigm shift in governance, transcending technological adoption to prioritize transparency, citizen engagement, efficiency, and cost-effectiveness. With exemplary models from countries like Sweden, Estonia, India, the United Kingdom, Singapore, South Korea, Rwanda, and the United States, e-governance stands as a catalyst for building transparent, participatory, and effective governance systems worldwide. By harnessing the 'use value' of

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information, governments can continue to leverage e-governance to foster sustainable development and inclusive governance practices.

9. **What are the constitutional provisions and functions associated with the State Legislative Councils in India? Provide recent examples of the dissolution of State Legislative Councils and the reasons behind their abolition. 20 Marks**

Introduction

India's legislative structure encompasses a bicameral system, reflecting the presence of both the Lok Sabha (House of the People) and the Rajya Sabha (Council of States) at the national level. Similarly, at the state level, the Vidhan Sabha (Legislative Assembly) serves as the counterpart of the Lok Sabha, whereas the Vidhan Parishad (Legislative Council) corresponds to the Rajya Sabha. Currently, six Indian States have Legislative Councils:

1. Andhra Pradesh Legislative Council
2. Bihar Legislative Council
3. Karnataka Legislative Council
4. Maharashtra Legislative Council
5. Telangana Legislative Council
6. Uttar Pradesh Legislative Council

Body

Constitutional Provisions for Legislative Council

- **Article 169:** This article grants the Parliament the authority to establish or abolish a Legislative Council in a state, provided that the State Legislative Assembly passes a resolution with a majority of the total membership of the Assembly and a majority of not less than two-thirds of the members present and voting.
- **Article 171:** This article regulates the composition of the Legislative Council, stipulating that the total number of members should not exceed one-third of the total members in the corresponding Legislative Assembly, with a minimum limit of 40 members.
- **Article 172 (2):** This clause designates the Legislative Council as a perpetual body that is not subject to dissolution. It further specifies that one-third of its members shall retire every second year, ensuring a continual turnover within the Council.

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- **Article 182:** According to this article, members of the Legislative Council are responsible for electing two individuals from the Council to serve as the Chairman and Deputy Chairman, respectively.

Functions

- *Check against Hasty Legislation:* Second chambers in the states act as a safeguard against impulsive and ill-considered legislation initiated and passed by the lower houses.
- *Check on Despotic Tendencies of Lower Chamber:* Imposing a check on any autocratic tendencies that might arise in the lower chambers.
- *Accommodation of Election-Shy Talent:* Providing a platform for experienced and sober individuals who are averse to the demands of electoral campaigning and party politics, thereby enriching the legislative process.
- *Initiation of Non-Controversial Bills in Upper Chambers:* Allowing non-controversial bills to commence their legislative journey in the Councils, reducing the burden on the lower House and enabling a focused approach to more critical measures.
- *Thorough Discussion by Seasoned Members:* Promoting high-quality, dispassionate debates among more mature and seasoned members, fostering a thorough analysis of the merits and drawbacks of proposed legislation.

Recent Dissolutions of State Legislative Councils

As of now, 8 Indian States have abolished their State Legislative Councils owing to several different reasons.

1. **Tamil Nadu and the Debate over Redundancy:**
The abolition of the Tamil Nadu State Legislative Council in 1986 was prompted by concerns over redundancy, where the Council's role was perceived as duplicative, leading to inefficiencies in the legislative process. Criticisms of the Council being an unnecessary financial burden and a platform for defeated political candidates to maintain influence contributed to the decision for its abolition.

2. **Andhra Pradesh's Struggle with Council's Role:**
The Andhra Pradesh Legislative Council was formed in 1958 through a resolution passed by the Andhra Pradesh Legislative assembly in this regard. It was abolished in 1980 on the ground of being unnecessary, unrepresentative to the population of Andhra Pradesh, and a great burden to the Andhra Pradesh State Budget.

3. **Jammu and Kashmir's Legislative Council Abolition:**

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The Legislative Council of Jammu and Kashmir was abolished on October 16th, 2021 due to the reorganization of the State into two new territories. The State Legislative Council of Jammu and Kashmir was abolished through the provisions of the Jammu and Kashmir Reorganisation Act, 2019.

Conclusion

Through proactive reforms and a renewed commitment to democratic ideals, State Legislative Councils can emerge as effective avenues for comprehensive legislative deliberation and decision-making, fostering a stronger and more inclusive democratic framework at the state level.

10. How do Article 326 of the Indian Constitution and the Representation of the People Act, 1950 and 1951, contribute to ensuring fair and transparent electoral processes in India? 20 Marks

Introduction

The Indian Constitution, recognizing the importance of free and fair elections, includes Part XV (Articles 324-329) and empowers the Election Commission of India to ensure the conduct of elections in a free, fair, and impartial manner. It also grants authority to Parliament to enact laws to regulate the electoral process. The given legislations and constitutional provisions establish the foundation for fair, transparent, and inclusive electoral processes.

Body

Article 326 of the Constitution:

Promoting Universal Adult Suffrage

- Ensures the right to vote for all citizens above 18 years, irrespective of socio-economic or educational backgrounds.
- Facilitates inclusivity and equal participation in the democratic process, empowering individuals to express their will through voting.

Enhancing Democratic Representation

- Forms the bedrock of democratic representation by enabling citizens to choose their representatives.

- Ensures accountability of elected officials to the electorate, thereby fostering a more responsive and responsible governance structure.

Representation of the People Act, 1950:

Ensuring Fair Allocation of Seats

- Guides the fair distribution of seats in legislative bodies, ensuring proportional representation and regional balance.
- Prevents underrepresentation or overrepresentation of specific regions, thereby promoting equitable political participation across the country.

Facilitating Delimitation of Constituencies

- Establishes procedures for the delineation of constituencies, considering population dynamics and demographic changes.
- Ensures balanced representation and effective electoral outcomes through the delineation of constituencies based on demographic factors.

Representation of the People Act, 1951:

Enabling Transparent Conduct of Elections

- Provides comprehensive guidelines for the conduct of elections, ensuring transparency, fairness, and the prevention of malpractices.
- Establishes procedures for nomination, polling, counting, and resolution of disputes, fostering a systematic and efficient electoral process.

Upholding Qualification and Disqualification Standards

- Outlines the qualifications necessary for candidates to contest elections, emphasizing criteria such as age, citizenship, and educational qualifications.
- Specifies disqualification criteria, including criminal offenses or financial misconduct, maintaining the integrity of the electoral process and ensuring the suitability of candidates for public office.

Conclusion

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Article 326 of the Constitution and the Representation of the People Act, 1950 and 1951, collectively serve as the pillars of India's electoral system, ensuring the principles of universal suffrage, democratic representation, fair allocation and delimitation of seats, and transparent conduct of elections. Upholding values of inclusivity, transparency, and accountability, these provisions and acts collectively shape the conduct of elections, fostering a vibrant and robust democratic process in India.