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TARGET MAINS 2022

CURRENT AFFAIRS

GOVERNANCE-2

- By Anubhav Saransh

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Topics under discussion

1. All-India Judicial Services
2. Good Governance Index
3. Right to Recall
4. Corruption Perception Index
5. Internet Shutdowns

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All-India Judicial Services

Art 312 → RS → auth. Parl.

Law Comm 1958, 78, 86

SC → 1992

Shetty '1996

UPA - 2012

NDA - 2020

1976 → AIS Act

Poor condition → Pendency 4.2 cr.

Art 233 → DJ

234 → SPSC

24280 → Vacancy (5000) 68%

Infra

toilets 46% → 26% → 16%

Advantages

- Vacancies ✓ UPSC → attracts best talent
- Pendency ✓
- Fresh national talent
- Strengthening the judicial system

All-India Judicial Services

States ⇒ X
HCs ⇒ X

Disadvantages

- ✓ Compromises federalism
- Language barrier IAS IPS
- Social customs-culture argument
- Affect the promotional avenues for lower judiciary

Way Forward

deliberations
→ Infra
→ ↑ in pay
→ promotional avenues

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All-India Judicial Services

Practice Question

312

Q. Creating a new All-India Judicial Service is the need of the hour to reform the lower judiciary. Analyse.

Adv: Chall: Way forward

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Good Governance Index → 10 sectors 58 indicators

- Prepared by – Department of Administrative Reforms and Public Grievances (MoP, PG, P)
- Biannual exercise
- Latest Index – 2021

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Forest cover

Sex ratio unempl

EoDB

egovc.

mgovc.

Conviction rate, police personnel

IMR
TFR
MMR

GDP growth rate,

ODF, portable drink water

Retention rate

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Good Governance Index

- States & UTs are divided into four groups:
  - Other States: A → 10 states (Mah, AP, Tel, TN, Guj ...
  - Other States: B → 8 states (UP, Bihar, Raj, MP, WB...
  - North-East and Hill States
  - Union Territories

Good Governance Index

Rankings

- Other States:
  - Group A: Gujarat > Mah > Goa
  - Group B: Madhya Pradesh > Raj > Chatt.
- North-East & Hill States:
  - Himachal Pradesh
- Union Territories:
  - NCT of Delhi

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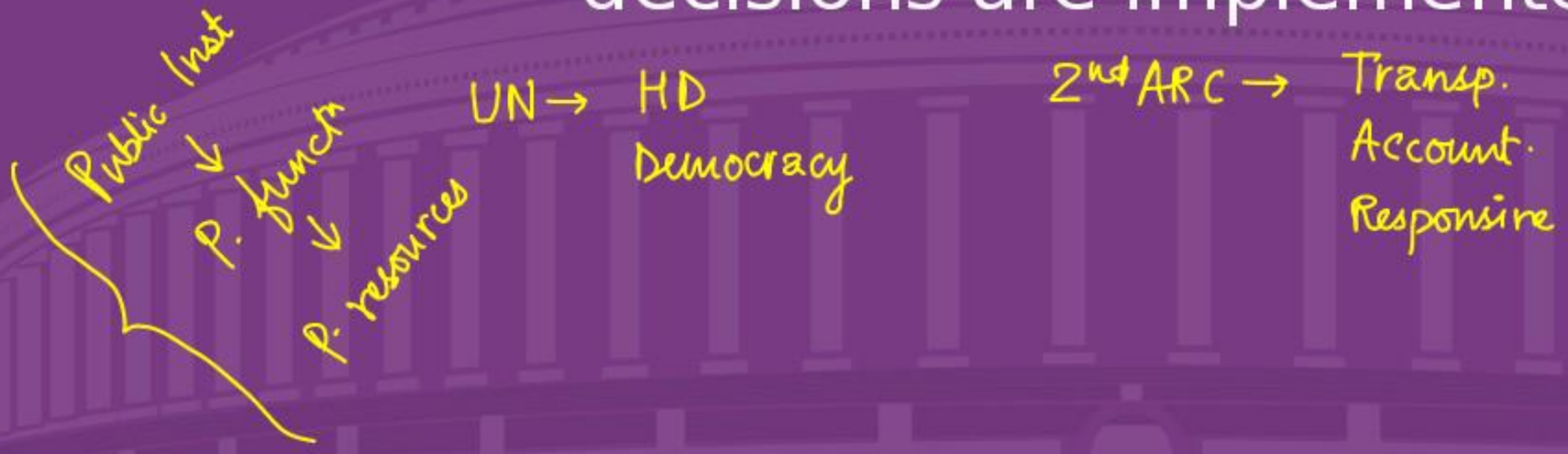
25th Dec

Good Governance Index

Definition:

Process of decision-making and the process by which decisions are implemented



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Good Governance Index

SMART
Simple
Moral
Acc.
Responsive
Transp.

Characteristics:

1. Participatory
2. Consensus oriented
3. Accountable
4. Transparent
5. Responsive
6. Effective and efficient
7. Equitable and inclusive
8. Rule of law

Free & fair elect^{n}
Ethical conduct
Innovat^{n}, open to change
Sustain. → Long-term orientat^{n}
Cultural diversity

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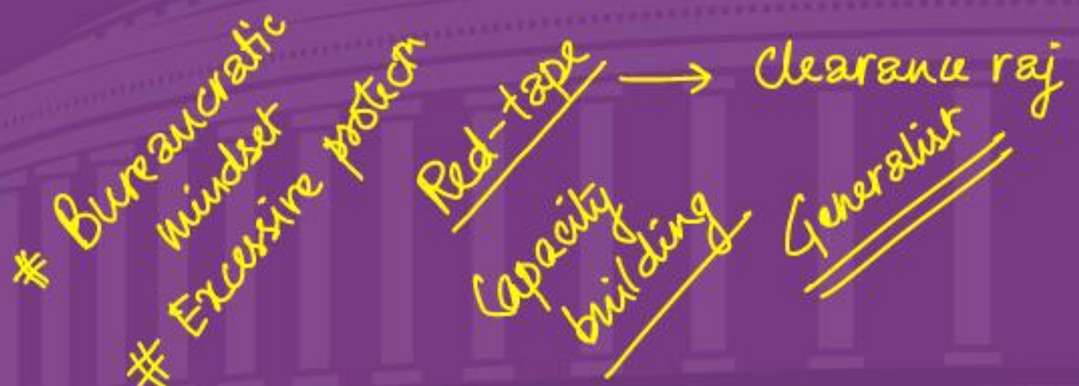
Good Governance Index

Practice Question

Q. What is Good Governance? What are the challenges in delivering Good Governance in the country?



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Right to Recall

A → 2019-24
2022

Definition:

- Power of electorate to remove elected officials before end of tenure.

voter

IAC

USA → 19 states
Switzerland
UK
Venezuela
Canada

✓ LSG
MP, Raj, Haryana

JPN → 1974
Janta → 1977
VF → 1989

Right to Recall

Advantages

Constant

'undoing a wrong'

- Accountability
- Improves trust
- Monitoring performance
- Deterrence against corruption

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Right to Recall

P/P

100

A B C D
26 25 25 24
74%

Y/N

Advantages

- Criteria → measure performance
- Process → sign ? verificatn
- When to initiate 1yr 2yrs
- Populist tendencies
- Instability
- Election fatigue

voting

PM

'seat saving'

apathy

37%

19%

Right to Recall

Practice Question

Q. Implementing the Right to Recall will be a knee-jerk reaction to clean politics and ensuring accountability of our elected representatives. Discuss.

Corruption Perception Index

- Prepared by – Transparency International
- Ranks 180 countries
- Score – 0 to 100

highly corrupt = very clean

CPI '2021 → released in 2022 (Jan.)

Corruption Perception Index

Rankings

- Toppers — Score (88)
  - Denmark = NZ = Finland
- India: 85 (Score = 40)
- Other Countries
  - China: 66; UK: 11; USA: 27
- Worst
  - South Sudan (Score = 12)

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Corruption Perception Index

Implications of Corruption

- Violates Article 14
- Can endanger life
- Creates a sense of hopelessness
- Impacts foreign flow of funds
- Capital flight → 'Brain drain'
- Distorts spending pattern

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Corruption Perception Index

Implications

- Reduces revenue
- Crony capitalism → illegal nexus
- Role of money power in elections
- Compromise on national security → defence
- Rise of extremist ideology 'Maoist'

Corruption Perception Index

Checking Corruption

- Legal Frameworks
- Institutional Frameworks

CBI CVC Jud. Lokpal
CIC ACB CVO Ombudsman

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Corruption Perception Index

Practice Question

Q. Despite numerous institutions and laws in place, India has failed to keep a check on corruption. Discuss reasons for the same and suggest steps that can be taken in this regard.

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Internet Shutdowns

24

#KeepitOn → 931 cases ↓ 74 countries

- Intentionally disruption in access to and the use of information and communications systems online.

- May include
  - Completely blocking connectivity
  - Speed throttling

Internet Shutdowns

Provisions:

- IT Act (2000)
- Sec 144, CrPC (1973)
- Telegraph Act (1885)
- Temporary Suspension of Telecom Services (Public Emergency or Public Service) Rules, 2017

Officials

Internet Shutdowns

Examples/Uses:

- To control hate speech
- Check the spread of protests
- To maintain public order

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Internet Shutdowns

Anuradha Bhasin Case'2020

- Right to access information through internet is a fundamental right under Article 19(1)(a) & 19(1)(g).
  - Speech & Expression
  - → POTB
- This right can still be taken away if there is a genuine threat to public safety or national security.

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Internet Shutdowns

HR
SDG → Goal 9

Impact of shutdowns

- Economic impact
- Social Impact → Health, Educatn, Essential services

Internet Shutdowns

Practice Question

Q. With the rise in protests and political crises in the country, the government has been increasingly resorting to internet shutdowns. What are the rules governing the same? How far do you think is this justified in the context of Fundamental right to freedom of speech and expression?

Way forward