

UPSC PRELIMS 2018



INDIAN POLITY

Book

LAXMIKANTH

No. of pages

30--> 4

30 pgs reduced to 4 pgs

**EFFECT : Studying time reduces from
1 hours 30 mins to JUST 12 mins**

YOUR BUDDY FOR PRELIMS - LAWXPERTSMV INDIA

LAXMIKANTH : INDIAN POLITY

NON- CONSTITUTIONAL BODIES :

1. Niti Aayog/ Planning Commission.
2. National Development Council.
3. National Human Rights Commission + State Human Rights Commission.
4. Central Information Commission + State Information Commission.
5. Central Vigilance Commission.
6. Central Bureau of Investigation.
7. Lokpal and Lokayuktas

NITI AAYOG /PLANNING COMMISSION

ESTABLISHMENT:

- NITI (National Institution of Transforming India) Replaced PC (on January 1st 2015)
- It is a creature out of **Executive resolution** not by law (statutory) or constitution (constitutional)
- It is a premier policy 'think tank' of Government of India.
- PC – “one-size fits all” approach – redundant + obsolete + cannot make India competitive in Today's Global economy.

RATIONALE :

WHY NITI>

- To keep up with the changes undergone – politically, economically, socially and technologically
- To better serve the needs and aspirations of People of India.
- Holistic approach towards development.
 - ✓ States = equal partners= co-operative federalism
 - ✓ Hub of Resource (internal + external) + repository of good governance best practices + offer strategic expertise to all levels of government
 - ✓ Plugging holes, gaps + bringing together various ministries at centre + state, in the joint pursuit of developmental goals.

COMPOSITION :

- Chairperson (PM) + Governing Council (CMs+ LT. Govs)
- Regional Council - Specific to one state/region for specified tenure.
- Special Invitees : Experts + Specialiss +Practioners - nominated by PM.

Full – Time Organisational Framework :

Chairperson – PM

Vice-chair – Appointed by PM enjoys cabinet minister rank

Members : Full time - rank of minister of state / Part- time : Only 2 from universities / relevant institution in ex-officio capacity on rotation

Ex-officio Members - 4 members Maximum of Union COM to be nominated by PM ;

CEO – for fixed tenure – rank of secretary to GOI

Secretariat : as deemed Necessary.

SPECIALISED WINGS :

1. Research wing – think tank of experts
2. Consultancy wing - Match-maker of expertise and funding of centre and states (with public and private, national and International solution providers)
3. Team India -Consists of Representative from every states and Ministry + permanent platform for National Colloboration .
 - ✓ Ensures every state/ stakes – has continuous voice/stake in NITI
 - ✓ Establishes direct communication between state/ministry with NITI

OBJECTIVES :

- Evolve a shared vision of ‘National development priorities’ + ‘**National agenda**’ for PM + CM
- Foster **Cooperative federalism**
- Develop **credible mechanism** – at village levels + aggregate them at higher levels of Government.
- Ensure **National security**.
- **Special attention to sections of society** – who will not receive economic benefits of progress made.
- Design **strategic +Long-term policy** and Programme framework + Policies.
- **Encourage Partnership** with like-minded thinktank (national + International_
- **Entrepreneurial support system** through national + International collaboration.
- State-of –art **resource centre**.
- Monitor + **Evaluation of Implementation** of programmes.
- Up gradation of **tech + capacity building**.
- Other activities - for further execution of National agenda.

ACCOMPLISHMENT :



- To be “enabler” than “ provider”
- Food security
- Ensure India – as an active player in global commons.
- Leverage to potential of Middle –class
- Leverage India’s pool of entrepreneurial, scientific and Intellectual Human capital
- Incorporate NRI community strength
- Urbanisation

AIMS :

- Realisation of India’s demographic dividend
- Eliminate poverty, ensure life of dignity + self-respect
- No inequalities - based on gender, caste or economical position.
- Integrate village → development process.
- Policy support to 50 Million small business
- Safeguarding environmental + Ecological assets.

GUIDING PRINCIPLES :

1. Antodaya – upliftmen of poor
2. Inclusion – Gender, region, Religion, caste or class
3. Integrate Villages to development
4. Harness demographic dividened
5. Ensure people’s Participation
6. Governance
7. Sustainability.

CRITICISM :

- Fluff /Gimmickry/Cosmetic – of changing of nomenclature /
- Towards unregulated economy
- Dilute Planning process

OFFICES INVOLVED : IAMR (Institute of Applied Manpower research) → renamed as *National Institute of Labour Economic Research and Development(NILER)* for systemic applied human resource planning research process – subordinate office of NITI

National Human Rights Commission + State Human Rights commission

- NHRC : National Human rights commission.
- SHRC : State Human Rights commission – can inquire into violation of HR under LIST II & LIST III of 7th schedule of constitution.

NHRC + SHRC – established through a statute / law of “Protection of Human rights Rights act, 1993 (amended on 2006) , therefore, it is a statutory body.

AIM : Watchdog of HR Including Rights relating to life, liberty, equality, dignity of Individual – in constitution / International Covenants + enforceable by courts.

SPECIFIC OBJECTIVES :

- Strengthen Institutional arrangements for HR issues.
- Look into allegation of excesses + redefine government commitment to protect HR.
- Complement + Strengthen efforts that have already been made in this direction.

REGARDING - REAPPOINTMENT OF MEMBERS – IT IS WRONGLY GIVEN THAT THEY ARE NOT ELIGIBLE - IN LAXMIKANTH'S INDIAN POLITY. 4TH EDITION.

REMOVAL : On grounds of proved misbehaviour and incapacity.

FUNCTIONS OF NHRC + SHRC.

- ✓ Either in suo moto (on its own motion) or petition presented – it can inquire into HR violations allegations / negligency by public servant
- ✓ Intervene in proceedings of court where HR violation alleged.
- ✓ Jail visits
- ✓ R³ : To Research + Revise – constitutional + legal provisions in India / International covenants – for protection of HR and make Recommendations.
- ✓ HR literacy awareness + encourage efforts of NGOs.

WORKING OF COMMISSION : It has powers of civil court + can look into HR violations within one year of its occurrence.

REMEDIES : Payment of compensation / to recommend action against guilt public servant / recommend grant of immediate interim relief to victim / approach SC/ Hs for necessary directions/ orders/ writs.

2006 AMENDMENT :

- ✓ 5 → 3 members in SHRC + Change in qualifications.
- ✓ Strengthening Investigative machinery
- ✓ Power to award compensation
- ✓ Power to visit Jails without intimation to state governments.
- ✓ Enabling transfer of NHRC complaints -- > SHRC
- ✓ Resignation by writing for Chair + mems - to President + Governor
- ✓ Chair of NC for SCs, STs, → members of NHRC.
- ✓ Enabling centre to notify future international covenants.