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PREFACE

Dear students,

I am delighted to present this book to Administrative Services students and am grateful for the tremendous efforts of the experts to make this book authentic, relevant and updated. My heartfelt of gratitude for the efforts of the technical team to make this book useful and easy.

In the end, I am open to the creative suggestions and ideas from all the hard-working students. If there is any scope of any kind of issue or mistake in this book or in its delivery, then I stand with the students.

Wishing all the students a bright future!

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Topic: Indian Polity–Panchayati Raj

Below is a screenshot of GS2 syllabus from the **Official BPSC Mains syllabus**

पत्र- 2 में भारतीय राज्य व्यवस्था से संबंधित खंड में भारत की (तथा बिहार की) राजनीतिक व्यवस्था से संबंधित प्रश्न होंगे। भारतीय अर्थ व्यवस्था और भारत तथा बिहार के भूगोल से संबंधित खंड में भारत की योजना और भारत के भौतिक, आर्थिक और सामाजिक भूगोल से संबंधित प्रश्न पूछे जाएँगे। भारत के विकास में विज्ञान और प्रौद्योगिकी के महत्व और प्रभाव से संबंधित तीसरे खंड में ऐसे प्रश्न पूछे जाएँगे, जो भारत तथा बिहार में विज्ञान और प्रौद्योगिकी के महत्व के बारे में उम्मीदवार की जानकारी की परीक्षा करे। इनमें प्रायोगिक पक्ष पर बल दिया जाएगा।

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4. Mention the objectives and characteristics of Panchayati Raj in India.

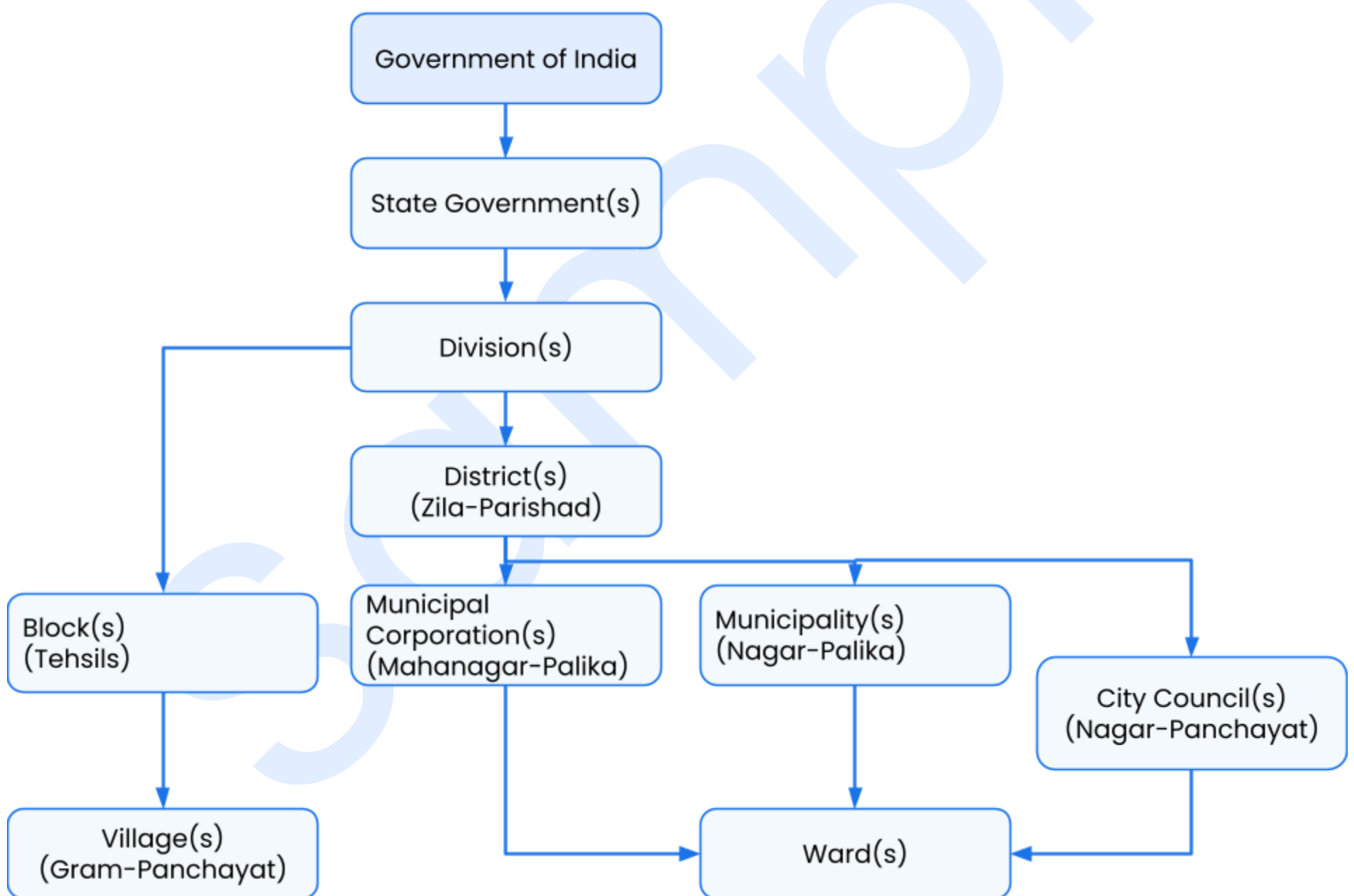
i) In 73rd and 74th Constitution amendments, the functioning of Rural and Urban Local Bodies has inspired life. Critically comment.

Note:

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Analysis:

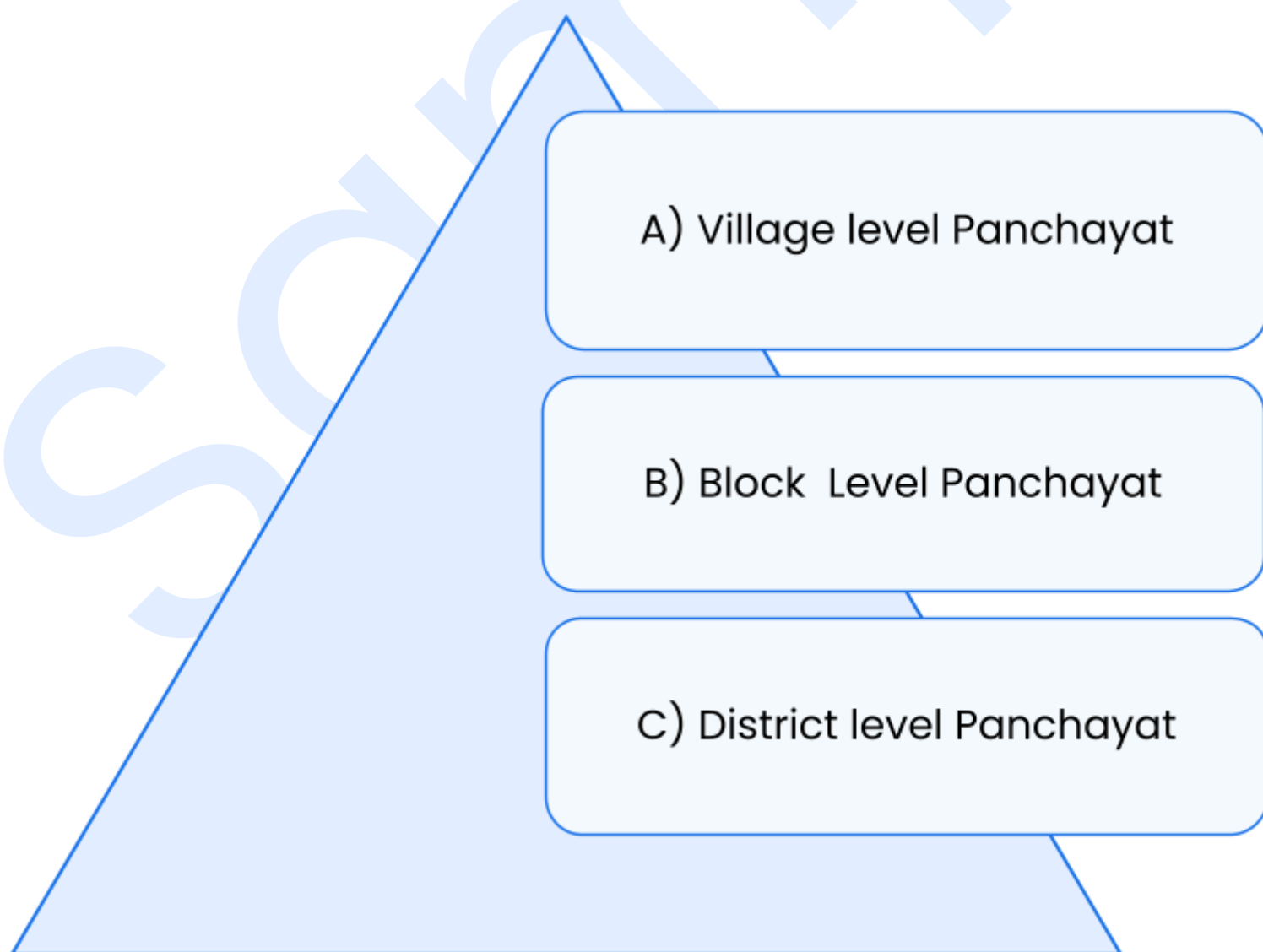
Administrative Structure of India





Panchayat has been one of the basic arrangements of Indian society. As we all know, Mahatma Gandhi also advocated in favour of decentralization in the administrative system. 73rd and 74th amendments have worked to reduce the distance between the Government of India and the public. These amendments brought the public closer to the government, which has also been successful in improving the lifestyle of the people.

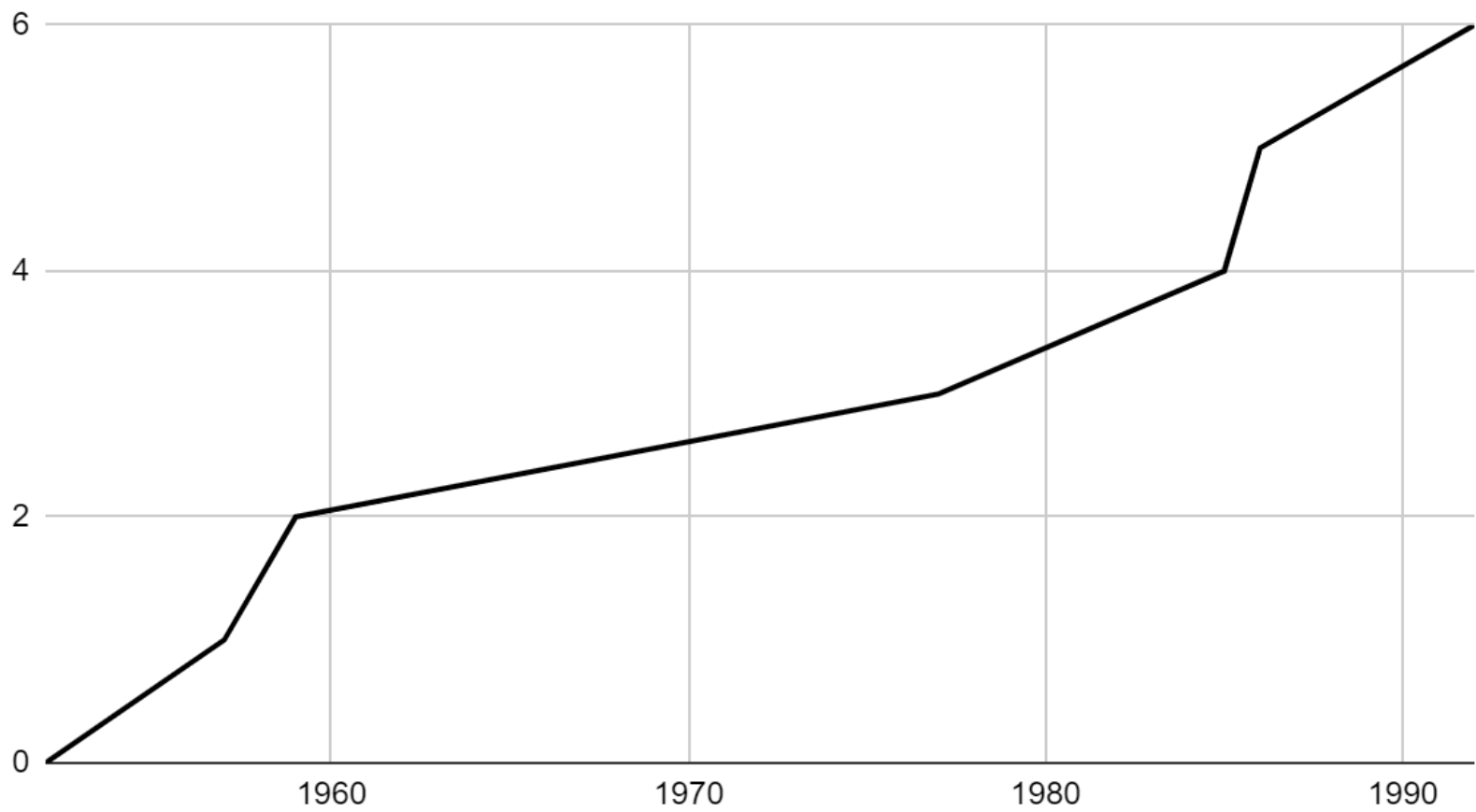
Year 2018 marks the 25th anniversary of the historic 73rd and 74th amendments to the Constitution of India that conferred constitutional status to local self governments in rural and urban areas and strengthened democracy at grass root levels. Prior to these amendments only states were recognized as sub-national entities while Union, State and Concurrent lists identified the domains of governance, policy making and legislation.



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Timeline of Panchayati Raj Institutions in India:





Timeline of Panchayati Raj

- 1952:** Community development program started.
- 1957:** Balwant Rai Mehta committee recommended a Three-level Panchayati Raj system at local level on a regular basis.
- 1959:** Panchayati Raj system was first adopted in Nagaur district of Rajasthan.
- 1977:** Ashok Mehta committee recommended a Two-tier system in Panchayati raj system. But, it could not be implemented.
- 1985:** GVK Rao committee recommended strengthening the Zila Parishads.
- 1986:** LM Singhvi committee recommended strengthening the Gram Sabha, regular elections of Panchayati Raj and constitutional status to them.
- 1992:** 73rd and 74th Amendments Acts were passed and implemented in 1993.
- 1993:** After the 73rd Constitutional Amendment, the Bihar Panchayat Raj Act, 1993 was enacted, repealing the earlier Panchayat Raj Acts.
- 2006:** Bihar Panchayati Raj Act 2006 provides 50 percent reservation to women.

- Both the 73rd amendment (for panchayats at village level) and 74th amendment (for local administration in the urban areas) are milestones in decentralization of power in India. They increased

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people's participation in governance and made the third tier of administration (after central and state levels) stronger and more effective.

- The demands for participation of local residents living within villages and towns in decision making has been raised since India gained independence in 1947.

- Amendments: To address the social, economic and political problems of the society, an elaborate procedure to amend the Constitution exists under Article 368 that includes three categories:

1. **First category:** Excluded from the purview of Article 368, it requires a simple majority in the Parliament. Example: Delimitation of constituencies.

2. **Second category:** Requires a prescribed 'special majority' in the Parliament. Example: Fundamental Rights

3. **Third category:** Requires ratification by $\frac{1}{2}$ of the states by a simple majority in addition to a special majority of the Parliament. Examples: 73rd and 74th amendments, election of the President, etc.

- Thus, originally Indian Constitution had a preamble, 395 articles, 22 parts, 8 schedules and currently it has a preamble, 25 parts, 448 articles, 12 schedules, 5 appendices and 101 amendments. The 101st amendment, 2016 commenced on 1 July 2017 introduced the Goods and Services Tax.

- Holding local body elections became a constitutional obligation by these amendments.

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- 74th amendment of 1992: It was passed by Parliament in December 1992 and came into force on 1 June 1993 adding Part IX A (Articles 243-P to 243-ZG) and 12th schedule in the Constitution.
- The 74th amendment provided a uniform law for all the municipalities in the nation. They were intended to become independent units of self-governance.
- Article 243-Q: (Constitution of Municipalities)
 1. **Nagar Panchayat**: In areas of transition from rural to urban area.
 2. **Municipal Council**: For smaller urban areas (Tier-II town and population > 1 lakh).
 3. **Municipal Corporation**: For larger urban areas (In general, population > 1 million) like in Guwahati, Patna, etc.
- Article 243R: (Composition of Municipalities) All of its members are directly elected by the people of the Municipal area which is divided into territorial constituencies (wards).
- Article 243W: Powers, authorities and responsibilities of municipalities which includes urban planning, financial and social development, etc.
- Article 243 Y: Constitution of Finance Commission which will recommend in relation to sharing of finances between state and municipality and determine grant in aids.
- Article 243-ZA: State Election Commission (independent of Election Commission of India) conducts election for every Municipal Corporation (term of 5 years).

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- 73rd amendment of 1992: It came into force on 24 April 1993 adding Part-IX (Articles 243 to 243 O) and 11th Schedule in the Indian Constitution. It gave a constitutional status to the Panchayati Raj institutions and also a practical shape to Article 40.
- Article 40: Based on Gandhian ideology, this Directive Principles of State Policy requires the state to organize village panchayats and endow them with the necessary powers and authority.

Bihar Panchayat Raj Act:-

After the 73rd Constitutional Amendment, the Bihar Panchayat Raj Act, 1993 was enacted, repealing the earlier Panchayat Raj Acts. It included all the provisions of the 73rd Constitution. In addition to these provisions, the concept of town court was included in this act. Along with this, reservation was given to women and scheduled castes and scheduled tribes in the reservation. Along with this, provision of reservation was also made for the castes of the most backward classes on the basis of population.

The Bihar government requested the State Election Commission to conduct Panchayat elections in **2001**. About 1,37,000 panchayat representatives were elected in this election. Later, the Nitish Kumar government made a provision of **50 percent reservation**

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for women at all levels, and a maximum of **20% reservation for extremely backward classes** at all levels. For this, the **Bihar Panchayat Raj Ordinance 2006** was made, repealing the old Act, which was implemented as the **Bihar Panchayat Raj Act, 2006**.

Main posts and their work:-

1. Mukhiya: The chief representative of the village panchayat. Mukhiya is the main worker who controls the Gram Sabha, Gram Panchayat members and permanent committees.

2. Ward Members:- Gram Panchayat is divided into many wards, a member is elected from each ward, who is called ward member. It is their job to bring the problem of the ward to the chief.

3. Panchayat Samiti Member: All the Pradhans of the Gram Panchayat within the block area are the members of Panchayat Samiti. The elected members of the Lok-Sabha and the State Legislature belonging to the block or any part of it or the members of the Rajya Sabha residing in that block-all are ex-officio members of the Panchayat Samiti. Panchayat Samiti is an intermediate level Panchayat, which acts as a link between the Gram Panchayat and the Zilla Parishad.

4. Zilla Parishad Members: The chairmen of all the Panchayat Samitis under the district are the ex officio members of Zila Parishad. The parishad is headed by a president and a vice-president. The deputy chief executive officer from the General Administration department at district level is ex-officio secretary of

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Zila Parishad. Zilla Parishad is the district level organization of the state. On the one hand, the Panchayat acts as the best institution of the samitis and gram panchayats, and on the other hand plays the role of a liaison body for the central and state governments.

5. Sarpanch: A sarpanch or Gram Pradhan or Mukhiya is a decision-maker, elected by the village-level constitutional body of local self-government called the Gram Sabha in India. The provision for the establishment of village court was made in the Bihar Panchayat Raj Act, 1947, which was implemented in 1948. The work of setting up the Panchayat Raj system by connecting the village court with the village panchayat in the whole country was done only in Bihar. One Gram Kachari has been established in each Gram Panchayat.

6. Panch: Just as there are ward members under the head, in the same way panch is also elected in every ward, who together with the sarpanch take over the reins of justice.

Salient Features of the 73rd and 74th Constitution Amendment Acts Panchayats and Municipalities.

1. Basic units of democratic system-Gram Sabhas (villages) and Ward Committees (Municipalities) comprising all the adult members registered as voters.
2. Three-tier system of panchayats at village, intermediate block/taluk/mandal and district levels except in States with population is below 20 lakhs (Article 243B).
3. Seats at all levels to be filled by direct elections [Article 243C (2)].

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4. Seats reserved for Scheduled Castes (SCs) and Scheduled Tribes (STs) and the chairpersons of the Panchayats at all levels also shall be reserved for SCs and STs in proportion to their population.
5. **One-third** of the total number of seats to be reserved for women. **One Third** of the seats reserved for SCs and STs are also reserved for women. One-third offices of chairpersons at all levels reserved for women (Article 243D).
6. Uniform five year term and elections to constitute new bodies to be completed before the expiry of the term. In the event of dissolution, elections compulsorily within six months (Article 243E).
7. Independent Election Commission in each State for superintendence, direction and control of the electoral rolls (Article 243K).
8. Panchayats to prepare plans for economic development and social justice in respect of subjects as devolved by law to the various levels of Panchayats including the subjects as illustrated in Eleventh Schedule (Article 243G).
9. The 74th Amendment provides for a District Planning Committee to consolidate the plans prepared by Panchayats and Municipalities (Article 243ZD).
10. Funds: Budgetary allocation from State Governments, share of revenue of certain taxes, collection and retention of the revenue it raises, Central Government programmes and grants, Union Finance Commission grants (Article 243H).

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11. Establish a Finance Commission in each State to determine the principles on the basis of which adequate financial resources would be ensured for panchayats and municipalities (Article 243I).

Conclusion:

If we would see our dream of Panchayat Raj, i.e., true democracy realized, we would regard the humblest and lowest Indian as being equally the ruler of India with the tallest in the land.

– Mahatma Gandhi

73rd and 74th Amendments provided a broad guideline to the states for organising the governance of urban local bodies and rural bodies. It ensures regular election, devolution of finances, authority to collect tax and some regular functions to such local bodies. They are a step towards realising Mahatma Gandhi's dream of 'Gram Swaraj'.

Note:

• Mindplan's "Mains notes" aim is to help students write HIGH-SCORING topper standard answers that are:

 To-the-point + strategized + diagrammatic

 Not an iota more than required

 Not an iota less than required

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Topic: Science & Technology–Cyber Crime

Below is a screenshot of GS1 syllabus from the **Official BPSC Mains syllabus**

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7. साइबर अपराध

ii. What do you understand from Cyber Crime ? Give details of the measures taken by the Government of India for its security from Cyber Crime.

Note:

This is for sample purposes only. More details are available in [Mindplan.in](https://www.mindplan.in) BPSC Mains Notes on this topic.

The Internet is a medium through which people and companies can connect from one end of the world to the other. Technological advancement has made man dependent on every form of the Internet. The easy access to the Internet has made everything available in just one place.

Social networking, online purchasing, exchange of information, gaming, online studies, online jobs, everything that humans can imagine about is possible by the internet.

The Internet is used in every area in today's era. Along with the growing benefits of the internet, a frightening issue like cyber crime has emerged. Cybercrime is committed in different ways. Until a few years ago there was not much awareness about this. In India, and in other foreign countries, cyber crime incidents and rates are increasing everyday.



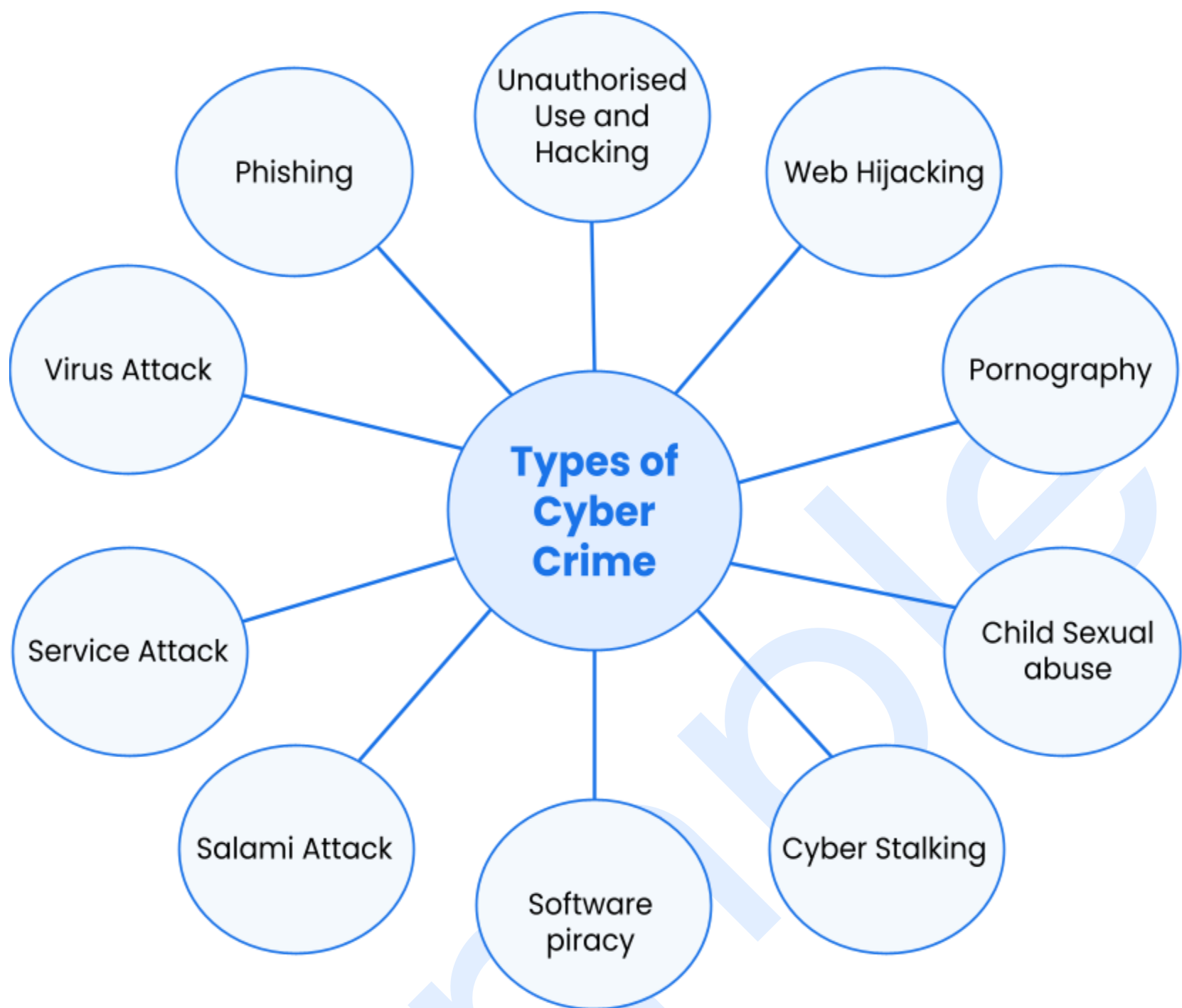
What is cybercrime?

Cybercrime is any criminal activity that involves a computer, networked device or a network. While most cybercrimes are carried out in order to generate profit for the cybercriminals, some cyber crimes are carried out against computers or devices directly to damage or disable them, while others use computers or networks to spread malware, illegal information, images or other materials. Some cyber crimes do both – i.e., target computers to infect them with viruses, which are then spread to other machines and, sometimes, entire networks.

Cybercrime has been classified in two ways:

- First, a crime in which computers are used as targets.
- Second, a crime in which the computer is used as a weapon.

Types of cyber crime are:



Unauthorised Use and Hacking

Unauthorised use is a crime in which unlawful use of a computer is done without the permission of the owner of the computer. Hacking is a crime in which the computer system is harmed by illegal intrusion.

Web hijacking

This is a crime in which illegal control of a person's website is taken. Thus, the owner of the website loses control and important information on that website.

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Pornography

This is a crime in which sexual acts are posted online, people are harassed sexually and exploited.

Child sexual abuse

The issue of sexual abuse with children can be seen on a large scale on the Internet. Small children are easy prey in such criminal cases. Since computers are present in the house, children's reach has become very easy for the internet. Porn content is easily available on the Internet. Criminals (paedophiles) contact these children online, talk and increase friendship, so that they can win their self-confidence and thereafter exploit them.

Cyber stalking

This is a crime by which a person is repeatedly victimised with harassment. The victim is stalked, harassed through calls, tampering with property. After stalking, it is intended to harm the victim physically and mentally. Stalkers (criminals) aim to collect sensitive information of the victim and exploit them in the future.

Software piracy

This is a crime in which an illegal copy of the copyrighted program is distributed. This includes crime, such as succumbing to infringement, trademark infringement, theft of computer source code etc.

Salami attack

This is a method of financial crime. The thug is so small that it is very difficult to get hold of, for example, if a bank worker rips just Rs 5 from every account holder's bank account every month, the criminal

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will have enough amount of money to be collected at the end of the month, without the account holder getting to know about the theft.

Service attack

This is a crime, in which the victim's network is filled with unauthorised traffic and messages. All this is done intentionally to torture the victim.

Virus attack

Viruses are programs that have the ability to infect other computer programs and spread their copies into other programs. These are malicious software that attach itself to any other software or harm the computer. Trojan Horse, Time Bomb, Logic Bomb, Rabbit etc., are examples of malicious software.

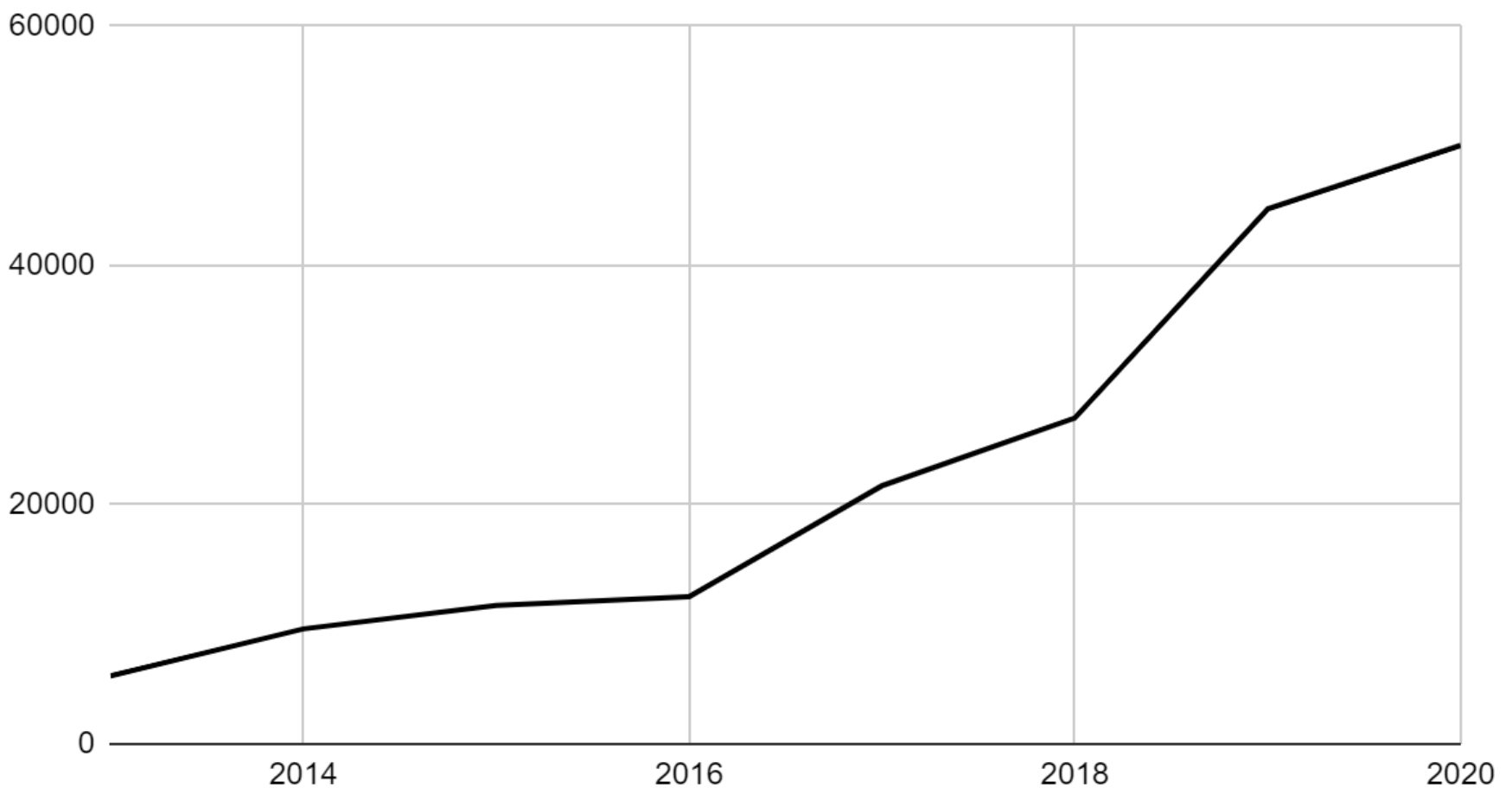
Phishing

This is a crime in which the victim is emailed, called or messaged by unauthorised individuals or firms, which claim that it has been sent by an established enterprise. Eventually they gather confidential or personal information from the victim, and harm them in future.



Increasing status of cyber crime

Cyber Crimes Reports in India



According to the National Crime Records Bureau (NCRB), there has been an increase of more than 11 percent in cyber crime cases in the year 2022, the figure has been gathered from different states of the country. Most criminals arrested in cybercrime were found to be 18 to 30 years old.

Measures to prevent cyber crime

Computer users can adopt various techniques to prevent cyber crime

- Computer users should use a firewall to protect their computer from hackers.
- Computer users should install anti-virus software such as McAfee or Norton Antivirus.

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- Cyber experts have advised that users should purchase only on secure websites. Users should never give sensitive information to strangers such as their credit card information.
- Users should develop strong passwords on their accounts, ie, include letters and numbers in the password, and continuously update password and login details.
- Keep track of children and limit their use of the Internet.
- Check the security settings of Facebook, Twitter, YouTube and be careful.
- Keep information safe to avoid hacking. Use encryption for most sensitive files or financial records, create regular back-ups for all important information, and store it in another location.
- Users should be alert when using the public Wi-Fi hotspot. Avoid operating financial transactions on these networks.
- Users should be careful when giving personal information such as name, address, phone number or financial information on the Internet. Make sure websites are safe.
- All things should be intelligently analysed before clicking on a link or an unknown origin file. Do not open any suspicious email in Inbox. Check the source of the message. If there is any doubt, verify the source. Never respond to emails that ask them to verify the information or confirm the user's password.

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Measures taken by the Government of India to avoid cyber crime:

- In India, the Information Technology Act 2000 was passed. Along with its provisions the provisions of the Indian Penal Code are adequate for handling cyber crimes. Under this there is a provision of imprisonment for two years and penalties.
- National Cyber Security Policy 2013 was released, according to which the government constituted the National High-level Information Infrastructure Centre for the protection of highly sensitive information.
- The Computer Emergency Response Team was established by the Government, which is a national level model agency for computer security.
- Government launched Information Security Education and Awareness Project
- Indian Cyber Crime Coordination Centre was established
- publicity at regular interval on prevention of cyber crime and cyber safety tips through various videos/GIFs initiated on various platforms as under:-
 - Twitter - <https://twitter.com/Cyberdost>
 - Facebook - <https://www.facebook.com/CyberDost/4C>
 - Instagram - <https://www.instagram.com/cyberdosti4c>
 - Telegram - <https://t.me/cyberdosti4c>
- Establishment of National Critical Information Infrastructure Protection Centre (NCIIPC) for protection of critical information infrastructure in the country.

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- All organisations providing digital services have been mandated to report cyber security incidents to CERT-In expeditiously.
- Cyber Swachhta Kendra (Botnet Cleaning and Malware Analysis Centre) has been launched for providing detection of malicious programmes and free tools to remove such programmes.
- Issue of alerts and advisories regarding cyber threats and counter-measures by CERT-In.
- Issue of guidelines for Chief Information Security Officers (CISOs) regarding their key roles and responsibilities for securing applications / infrastructure and compliance.
- Provision for audit of the government websites and applications prior to their hosting, and thereafter at regular intervals.
- Empanelment of security auditing organisations to support and audit implementation of Information Security Best Practices.
- Formulation of Crisis Management Plan for countering cyber attacks and cyber terrorism.
- Conducting cyber security mock drills and exercises regularly to enable assessment of cyber security posture and preparedness of organisations in Government and critical sectors.
- Conducting regular training programmes for network / system administrators and Chief Information Security Officers (CISOs) of Government and critical sector organisations regarding securing the IT infrastructure and mitigating cyber attacks.

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Conclusion:

In short, cyber crime is evolving as a serious threat. Governments, police departments and intelligence units around the world have started reacting against cyber crime. There are several attempts at international level to curb cross border cyber threats. Indian Police has started a special cyber cell across the country and has started educating people to help them save themselves from such crimes. Today every person is opposing cyber crimes at their level. The most important step towards prevention of cyber crime is cyber education.

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