



CBSE and its credibility issues

Relevancy

- ✓ G.S. Paper 2,4
- ✓ CBSE background
- ✓ Current issue and remedy
- ✓ Granting technology to CBSE

Recently:

- ❖ It is the lowest moment in the 55-year-old existence of the Central Board of Secondary Education (CBSE).
- ❖ Recently question papers for few subjects of Class 10 and Class 12 board exams were leaked.

A brief background of CBSE:

- CBSE has assiduously built a great reputation since 1962 as one of the most credible examining bodies in the world.
- Its reputation and conduct explains its expansion from a body that catered initially to the educational needs of students to an agency that has 19,350 schools in India and 211 schools abroad under its ambit.
- The use of NCERT's standardized syllabus and globally acceptable grade point system have enhanced the board's reputation.
- Today, it conducts the Joint Entrance Examination (JEE), which determines admission to IITs and other top engineering colleges.

What is the issue?

- Leak of question papers not only cheats the students but the entire system.
- The perpetrators benefit either a small or a large group from amongst them and gain an unfair advantage over the others.
- Children and parents invest everything because the examinations are a major event in a student's life.

What could be the immediate remedy?

- As per the Board, In the case of Class 12 Economics paper, a repeat examination is to be held throughout the country while the re-examination of the Class 10 Maths paper is being limited to only Delhi, NCR and Haryana.
- Repeat examinations should be held within a week's time in order to mollify the children's examination trauma and better plan the future.
- Holding it a month or two later would subject them to great stress.
- Besides, there are several other tests leading to professional studies, all in the months of May and June.
- We need student-centric solutions.
- Making them administrator-centric or even technology-centric can be counterproductive and unfair to say the least.

What is the way ahead?

Preventing leak of question papers through some age-old methods like:

- Setting multiple papers by unrelated examiners from different places.
- Using encrypted codes.
- Using special sealing techniques, which when broken leave a trail.
- Pro-actively substituting a paper at the hint of trouble and so on.
- Setting multiple papers stored at two to three locations and changing the paper sets at the last minute as a practice.
- Judiciously avoiding paper setters and examiners who either coach at home or outside for a fee.
- Using hexa-decimal mnemonics randomly generated to code and encrypt the papers.
- Bar coding and use of light-sensitive paints that leave a tamper trail.
- All this requires training and a greater understanding of the art of paper setting so that the level of difficulty of each set of papers is assuredly similar.

Using technology:



BRAINY IAS

- The use of technology where paper sets reach various centers through the Internet and are only made available through an encrypted code a few minutes before the examination.
- The requirement for a robust internet system and sufficient bandwidth would be a non-negotiable for the success of this practise.
- A significant reform would be to re-look at the entire paradigm of examinations and assess if the whole or a part of the process can be completely engaged as a proctored online event in the future, as the IT infrastructure ramps up.

Granting autonomy to the CBSE:

- The CBSE is not created by an act of Parliament.
- Its overall controlling authority is vested with the Secretary, School Education and Literacy, Ministry of Human Resource Development (MHRD), Government of India.
- The Board is answerable to its governing body and functions through various committees that are advisory in nature.
- A proposal to make the CBSE autonomous, with a pan-India jurisdiction covering schools affiliated to it, was mooted in 2012.
- But this piece of legislation never saw the light of Parliament.
- If we need a credible system in place, making the CBSE an autonomous body, headed by eminent academics of impeccable reputation and track record, is of utmost importance.

Conclusion:

- As the CBSE focuses on the next step, the agency should not lose sight of the task of fixing accountability.
- This concerns the lives of students who are the future of this country and nobody should be allowed to trivialize this.



Write answer on brainyias.com
Write in real time conditions
Get your answer evaluated by experts.
Artificial intelligence embedded software.
Evaluation of 6 parameters.



CLoud Act & its benefits to India

Relevancy

- ✓ G.S. Paper 2,3
- ✓ Significance of CLOUD Act
- ✓ Present condition and way forward

Recently:

- ❖ Two weeks ago, U.S. President Donald Trump signed the Clarifying Lawful Overseas Use of Data Act (CLOUD Act).

What is the significance of CLOUD Act?

- This law will enable the U.S. government to enter into agreements with like-minded states for cross-border data sharing.
- It will allow law enforcement agencies from these states to directly obtain electronic data, held by communication service providers headquartered in the U.S., to combat crime.
- New Delhi will soon push for an India-U.S. data sharing agreement to serve the interests of its law enforcement.
- Most importantly it will make headway in the global cyber norms conversation.
- Thus data protected in the US servers can now be used by Indian authorities.

Why the data is rendered inaccessible?

1. Data is broken into pieces:

Popular service providers increasingly store electronic communications in the cloud, breaking the data into “shards” and distributing the data across different countries.

2. Companies do not store data locally:

While these companies offer services in India, they do not store the data locally.

3. No law to grant access to foreign law enforcement agencies:

The current U.S. law prohibits service providers from disclosing user data to foreign law enforcement agencies.

What is the present condition?

- The request from Indian law enforcement to American service providers have been on a steady rise.
- Moreover, an Indian law enforcement official needs to access the information of users online conversation for investigation.
- The police needs this information not only for traditional crimes with a cyber element, but also for more complex, transnational investigations.
- Cross-border crimes such as cases of online radicalization would require agents to access data that are stored abroad.

What is the future like?

- With the enactment of the CLOUD Act, an Indian officer for the purposes of an investigation will no longer have to make a request to the U.S. government but can approach the company directly.
- However, to operationalize the new data sharing arrangement through a bilateral agreement, the U.S. establishment has introduced an important caveat.
- The U.S. requires the foreign states to share a common commitment to the rule of law and the protection of privacy and other civil liberties.
- India would be considered to satisfy these requirements based on a determination by the U.S. Attorney General.

What is the way forward?

- India needs to ensure its authorities to collect, retain, use and share data as per an established procedure.
- In addition, Indian laws must provide for electronic data requests to be reviewed by a court or other independent authority.
- As of now, India falls short of these requirements.
- However, with the government looking to legislate on a new data protection law, this can soon change.

BRAINY IAS



Write answer on brainyias.com
Write in real time conditions
Get your answer evaluated by experts.
Artificial intelligence embedded software.
Evaluation of 6 parameters.



Federalism And Its Concerns

Relevancy

- ✓ G.S. Paper 2
- ✓ Concerns of southern states
- ✓ Terms of reference for the 15th FC
- ✓ Is India evolving into a federation of states?
- ✓ Is there a need to reconsider the distribution of powers between the Union and the States?
- ✓ Shift in political and economic power to States

Recently:

- ❖ Federalism is once again the focus of political discourse in India.
- ❖ Karnataka Chief Minister Siddaramaiah unveiled an official state flag last month.
- ❖ Then in a Facebook post on “Regional Identity & Federalism”, he advocated the need for States to have both financial and cultural autonomy.

What are the concerns of the Southern States?

Dependant Northern states:

- Taxing the southern States to spend on the northern States has irked the southern states.

Terms of reference for the 15th Finance Commission:

- The Centre’s direction to use the 2011 Census instead of the 1971 Census for population data has annoyed the southern states.
- As the population in these States has stabilized, the concern is that their share of tax allocation would reduce.

Is India evolving into a federation of states?

- Political scientist Alfred Stepan classified India as a “holding together” as opposed to a “coming together” federation.
- The units of Indian federation have undergone multiple transformations since 1947. This is because Article 3 of the Constitution empowers Parliament to create new States.
- While such a provision can be seen as giving the Union too much power, it has arguably been central to holding India together since it allows the federation to evolve and respond to sub-national aspirations.
- Hence, from a constitutional perspective, it would not be accurate to say that India is moving from a union to a federation of States.

Is there a need to reconsider the distribution of powers between the Union and the States?

Removing article 356

- While the flexible nature of federalism under the Constitution has served India well, the continued existence of provisions such as Article 356 (President’s rule) goes against the grain of federalism.
- Any serious political movement around federalism should question the necessity of retaining such constitutional provisions which are vestiges of colonial rule.

Shift in political and economic power to States

- While some have felt that this trend would reverse after the formation of a Central government with a simple majority for the first time in 25 years, Prime Minister Narendra Modi has sought to assuage such concerns by invoking the idea of “cooperative federalism”.
- The 14th Finance Commission, in 2015, recommended raising the share of States in the divisible pool of Central taxes from 32% to 42%.
- However, beyond this measure, the Centre has not inspired much confidence regarding its commitment to federalism.

Recent Issue with Finance commission

- States such as Karnataka have asserted their linguistic and cultural rights in the wake of the Centre’s interventions such as a promotion of Hindi.
- Skewed terms of reference of FC: Now, the skewed terms of reference for the 15th Finance Commission have brought the south together in making a strong case for fiscal federalism.



BRAINY IAS

- The Commission has been using the 1971 Census for population data to ensure that States that have been successful in family planning are not penalized.
- This came in the wake of the 42nd Amendment to the Constitution which froze the distribution of Lok Sabha seats among States for 25 years, which was extended for another 25 years, in 2001.
- This prudent political compromise is now being tested.

Deepening fault lines

- Federalism is ultimately based on trust between its various constituent units.
- If a set of States perceive that their progress is being penalized, the viability of such a federation comes into question.
- While the southern States contribute to the nation economically, they don't occupy a central space politically and are further marginalized culturally.

Conclusion

Unless the concerns regarding fairness are addressed from constitutional, financial and cultural fronts, the fault lines developing in our federation could deepen further.



BrainyIAS
Key to Crack IAS

Write answer on brainyias.com
Write in real time conditions
Get your answer evaluated by experts.
Artificial intelligence embedded software.
Evaluation of 6 parameters.



Is Indian Judiciary Caste Blind?

Relevancy

- ✓ G.S. Paper 2
- ✓ About SC/ST Atrocities Act and SC's recent verdict
- ✓ Concerns regarding the recent verdict and SC/ST's concerns
- ✓ What needs to be done?

Recently:

- ❖ Supreme Court pointed out that the SC/ST Prevention of Atrocities Act is being rampantly misused.

What is SC/ST prevention of atrocities act?

- The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) PoA Amendment Act, 1989, was introduced to protect the vulnerable sections of the society.
- The Act was amended in 2015 to cover newer forms of discrimination and crimes against Dalits and tribals.

What are the provisions provided by the act?

- Establishment of Exclusive Special Courts and specification of Exclusive Special Public Prosecutors to enable speedy and expeditious disposal of cases.
- Completion of trial of the case filed under POA within two months, from the date of filing of the charge sheet.
- Defining clearly the term willful negligence of public servants at all levels, starting from the registration of complaint, and covering aspects of dereliction of duty under this Act.
- Addition of presumption to the offences if the accused was acquainted with the victim, the court will presume that the accused was aware of the caste or tribal identity of the victim unless proved otherwise.

What is the recent SC verdict on the PoA?

- SC has ruled that Section 18, which bars grant of anticipatory bail to anyone accused of violating its provisions, is not an absolute bar on giving advance bail to those against whom, prima facie, there is no case.
- In addition, the Bench has prohibited the arrest of anyone merely because of a complaint that they had committed an atrocity against a Dalit or a tribal person.
- In respect of public servants, no arrest should be made without the written permission of the official's appointing authority.
- And for private citizens, the Senior Superintendent of Police in the district should approve the arrest.

What are the concerns with SC's move?

- SC claims that the act has not led to an increase in convictions so far and many file cases under this act against higher level bureaucrats to defame them.
- SC also found that 15-16 per cent of atrocity cases meet a premature end at the magistrate's desk without any proper evidence.
- But from Supreme Court's earlier judgments it is evident that SC has failed to establish the prevalence to any degree of abuse of the law.
- It has now taken a single case to make a blanket amendment to the law, which has implications for all atrocity accused and not just public servants.

What are the concerns of the scheduled castes?

- Many surveys prove that in various scenarios a victim needs to face uphill tasks for registering a complaint and the FIRs were also filed in adverse circumstances.
- In many instances the victims are threatened by the authorities from registering a complaint.
- Even after the FIR is registered, the perpetrators, often in connivance with the police tamper with evidence towards weakening the case or coaxing the complainant to withdraw.
- These attempts at intimidation and active obstruction by perpetrators mar the fate of cases in courts too.
- Most upper-dominant castes believe that the Atrocities Act grants them immunity from further retribution.

What needs to be done?



BRAINY IAS

- The judiciary needs to be sensitized to the nature and operation of caste in Indian society if it is to uphold this faith.
- Unraveling the truth in acts of willing and dehumanizing violence, for which there is a seeming tolerance in society, requires an unsparing law.



BrainyIAS
Key to Crack IAS

Write answer on brainyias.com
Write in real time conditions
Get your answer evaluated by experts.
Artificial intelligence embedded software.
Evaluation of 6 parameters.