

The Chief Election Commissioner

Initially, the commission had only a Chief Election Commissioner. Presently, it consists of a Chief Election Commissioner and two Election Commissioners. The concept of multi-member Commission has been in operation since then, with decision-making power by majority vote.

- The President has the power to select Chief Election Commissioner and Election Commissioners.
- They have tenure of six years, or up to the age of 65 years, whichever is earlier.
- They have the same status and receive pay and perks as available to Judges of the Supreme Court of India.
- The Chief Election Commissioner can be removed from office only through accusation by Parliament.
- Election commissioner or a regional commissioner shall not be removed from office except on the recommendation of the Chief Election Commissioner.
- The Commission has the power to prohibit a candidate who has failed to lodge an account of his election expenses within the time and in the manner set by law.
- The Commission has also the power to remove or reduce the period of such disqualification as also other disqualification under the law.

It is the Election Commissioner's duty:

- To organize and periodically amend electoral rolls and to register all qualified voters.
- To inform the dates & schedules of election and to scrutinize the nomination papers.
- To grant recognition to political parties & allot election symbols to them.
- To act as a court for settling disputes related to granting of recognition to political parties and allotment of election symbol to them.

Electoral Registration Officer– ECI appoints the officer of State or local government as Electoral Registration Officer for the preparation of Electoral rolls for a parliamentary/ assembly constituency.

Task1: Collect facts and information and write about State Election Commissions. (5 Marks)

Ans: State Election Commission, Kolkata was constituted in September 1993 under **Article 243K of the Constitution of India**. State Election Commission has been entrusted with the function of conducting free, fair and impartial elections to the local bodies in the state.

State election commission carries out **activities** related to:

- Preparation of wards / election division as per local bodies rules,
- decision of boundaries and distribution of seats along with preparation of voters list for the local body organizations like Gram Panchayat, Taluka and District Panchayat / Municipality and Municipal Corporation of the state and conducting general / mid-term / bye-elections and supervising them.

For all these functions, the authority is vested in the State Election Commission under Article 243 K under which it has been empowered with Superintendence, Direction and Control of elections of local bodies.

State Election Commissioner of West Bengal:

State Government has appointed Shri S. K. Das, IAS (Retd) as State Election Commissioner

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Women's Commission, Minorities Commission and Human Rights Commission

While Indian women have fought against the patriarchal Indian society and triumphed at many levels, cases of rape, dowry deaths, female infanticide, sexual harassment at workplaces, female illiteracy, and similar problems are still rampant in Indian society. It was in this backdrop that the Committee on the Status of Women in India (CSWI) the establishment of the **National Commission for Women** to fulfill the surveillance functions and to facilitate redressal of grievances and to accelerate the socio-economic development of women.

The Constitution not only grants equality to women but has also made special provisions for ensuring equality. Thus, as per the recommendations of the CSWI and in order to uphold the mandate of the Constitution, in January 1992, the National Commission for Women (NCW), was set up as a statutory body under the National Commission for Women Act, 1990 (Act No. 20 of 1990 of Government of India).

The Act of 1990 under Section 3 provides for the constitution of the commission. This section lays down that the commission will consist of one Chairperson, who is committed to the cause of women, five members from various fields and a member secretary who shall be an expert in the fields of management, organizational structure, sociological movement or a member of the civil service of the Union. All the members of the commission are nominated by the Central Government. Each person holds office for a period of five years or till he attains the age of seventy. At least one member each of the Commission must belong to a Scheduled Caste or

Scheduled Tribe. In addition to the abovementioned members of the Commission, the Commission has the power to set up committees with members from outside the Commission. Broadly speaking the Commission's mandate can be divided under four heads – (a) safeguard of rights of women granted by the constitution and laws, (b) study problems faced by women in the current day and make recommendations to eradicate these problems, (c) evaluating the status of Indian women from time to time and (d) funding and fighting cases related to women's rights violations. (Source: <http://www.legalserviceindia.com/article/I318-National-Commission-ForWomen.html>)

India's **National Human Rights Commission** (NHRC) was created in 1993, as a response to increasing international awareness of human rights, after India entered the global economic arena. While human rights were enshrined in the Indian Constitution, it was the lack of a system to protect and safeguard against exploitation that made it necessary to support charities fighting for children's rights in India. Therefore, the Human Rights Commission in India, armed with a defining intent of protecting human rights, provided a definitive framework to NGOs in India, and other initiatives working in the fields of indigenous human rights.

The National Human Rights Commission in India derives its power from The Protection of Human Rights Act (TPHRA). Its composition enjoys a robust legal fortitude, with a panel that features former judges of the Supreme Court, High Court, and people experienced in human rights policy and execution. It is presided by a retired Chief Justice of India, and Chairpersons of national commissions of key human rights concerns - Minorities, India's Scheduled Classes and Tribes, and Women.

The Functions of the National Human Rights Commission

Legal proceedings

It also can intervene in human rights proceedings, which may be pending before the court. NHRC officials visit jails to inspect living conditions for inmates incarcerated for treatment, reformation or protection.

Instrument of policy

As a body to oversee policy, the NHRC can review and make recommendations in Constitutional and legal safeguards. It can also review international treaties and events that may compromise human rights.

Human rights literacy

The NHRC also serves as the basis of human rights literacy in India, initiating awareness of rights through publications, media channels, seminars etc. Common themes in India's contemporary human rights violation history include labour law, extrajudicial killing, sexual violence and LGBT rights, violence and discrimination against women, children and minorities.

Child rights in India: a vital function of the NHRC

Children's rights apply to the special protection and care that minors under the age of 18 are provided. Based on international legislations, these include right to association with both parents, physical protection, food, free education, healthcare, and legal protection from violence or discrimination. (<https://www.savethechildren.in/articles/functions-of-national-human-rightscommission-in-india>)

Task 1: Write an essay on Religious Minorities in India and explain how the Constitution pledges to safeguard their wellbeing. (10 Marks)

Ans: Concept of Minority in the Indian Constitution

Religious minorities:

While Article 30 and Article 29 of the Constitution do not specify 'minorities' in India, it is classified into religious minorities and linguistic minorities.

Religious Minorities in India:

The basic ground for a community to be nominated as a religious minority is the numerical strength of the community. As India is a multi-religious country, it becomes important for the government to conserve and protect the religious minorities of the country.

Section 2, clause (c) of the National Commission of Minorities Act, declares six communities as minority communities. They are:

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|------------|---|---------|
| Muslims | - | (13.4%) |
| Christians | - | (2.3%) |
| Buddhists | - | (0.8%) |

| | | |
|------------------------------------|---|---------|
| Sikhs | - | (1.9%) |
| Jains and Zoroastrians (Parsis) | - | (0.07%) |

Article 29 and Article 30 of the Indian Constitution:

Both **Article 29** and **Articles 30** guarantee certain rights to the minorities.

Article 29 protects the interests of the minorities by making a provision that any citizen / section of citizens having a distinct language, script or culture have the right to conserve the same. This Article also mandates that no discrimination would be done on the ground of religion, race, caste, language or any of them.

Article 30 of the Indian constitution consists of provisions **that safeguard various rights of the minority community** in the country keeping in mind the **principle of equality** as well.

Article 30(1) says that all minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice.

Article 30(1A) deals with the fixation of the amount for acquisition of property of any educational institution established by minority groups.

Article 30(2) states that the government should not discriminate against any educational institution on the ground that it is under the management of a minority, whether based on religion or language, while giving aid.

Through these Articles the Indian Constitution pledges to safeguard the wellbeing of The Religious Minorities in India.

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Review and Reflections

Write a short essay (not more than 2-3 pages long) on any **THREE** of the following, strictly in your own words. All the references must be duly acknowledged:

1. “India is most populous democracy in world and possesses diversity of cultures”. Explain.

Ans: ***"The emergence of India as the world's largest democracy and perhaps the most vibrant one post the World War-II is indeed exceptional. Part of India's success lies in the historical tradition of people's participation in governance. In that sense, democratic tradition was not completely a foreign one"*** – told Deputy Indian Ambassador to the US, Santosh Jha.

India is a country of various cultures, races, languages and religions. It is a land of Unity in Diversity where 136 crores of people of different walks of life with different live styles and manners live together. They belong to different religions, beliefs and faith in God. In spite of all these diversities, they live together with the bond of humanity and brotherhood. This Unity in Diversity of our country is its aspect that makes it famous all around the world.

Generally, people of my country follow the ancient tradition of leading a peaceful and meaningful life in harmony with the other species and this is what makes us extremely tolerant, and absorbing. People of all religions worship in different ways by following their own rituals and beliefs which represents the freedom in religions, security and social intermixing.

India's linguistic diversity is even more bewildering. There are as many as 1,652 languages and dialects spoken. India has 18 officially recognized languages. Within a decade of India's independence in 1947, the language issue threatened to tear apart the national fabric. Linguistic movements in various parts of the country posed a serious threat to India's unity and integrity. But the issue has been ultimately solved.

Our country is famous for its rich cultural heritages. It is the birthplace of **Hinduism, Buddhism, Jainism, Sikhism, and other religions**. It is

one of the most religiously and ethnically diverse nations in the world, with some of the most deeply religious societies and cultures. Religion plays a central and definitive role in the life of many of its people. India's languages, religions, dance, music, architecture, food and customs differ from place to place within the country.

Ground concepts of dharma and karma. Ahimsa, the philosophy of nonviolence, is an important aspect of native Indian faiths whose most well-known proponent was Mahatma Gandhi, who used civil disobedience to unite India during the Indian independence movement – this philosophy further inspired Martin Luther King Jr. during the American civil rights movement. Foreign-origin religion, including Abrahamic religions, such as Judaism, Christianity and Islam, are also present in India.

It is this varied belief system in India that give rise of growth of various professional area like music, fine arts, drama, dance, theatre, sculptures and more. Religious scriptures are a great source of spiritual wisdom to the people. Unity in Diversity of my country is probably the prime reason that attracts tourism in India to a great level. Being Indian citizen, we should be proud and understand the responsibilities and try to retain its unique features. Thus, Unity in Diversity is the real prosperity and the way to progress in present and future.

2. **Mohandas Karamchand Gandhi: "In a gentle way, you can shake the world."**
Describe some other possible ways in which you think you yourself can 'gently shake' India today.

Ans: Seventy-four years have passed since India became independent. Since 15th August 1947, our country has come a long way in terms of growth and development. "There is no rose without thorn" is rightly said as India has its own sets of problems.

Women's safety is the first point to shake India because till now not every woman in our country is safe in her house or workplace, or society. The women need more government support to enforce the laws such as the **Protection of Women from Domestic Violence Act, 2005**; Dowry Prohibition **Act, 1961**; Indecent Representation

of **Women** (Prohibition) **Act**, 1986; the Sexual Harassment of **Women** at Workplace, properly so that their safety is rooted firm in the minds of fellow citizens.

Corruption free India is the next big topic. It is immensely sad to know that India is highly corrupted. The corruption in India is growing and the ordinary people face the issues and consequences. The peak level of corruption in India is seen during the elections when the ministers, just for the sake of winning, buy peoples' votes either by hook or by crook.

Reformation of the education system is a much-needed issue to be addressed. The Indian Education system just cares in the quantities rather than qualities. This does not inculcate human values in the students. It wants the students to ug up the books and write it down as such. Creativities are seldom appreciated.

The last and the **most major reform** that I would like to bring in India is **Equality** for all and **no to Reservations**. The minorities have had enough of using reservations in each field be it colleges, scholarships, politics and more. The general people are suffering the most. The minorities although being wealthier than the general caste, get so many benefits but the common man has to toil all day, working from dusk till dawn still he receives little to no recognition.

Through all these ideas and taking the necessary steps these will be helpful in '**gently shaking**' India and will definitely help in growth of country as well.

3. **Vallabhbhai Patel: "My only desire is that India should be a good producer and no one...should be hungry, shedding tears for food in the country." What do you think are the best ways to ensure optimizing usages of food in India today? Illustrate your essay with relevant data, facts, tables, or diagrams.**

Ans: India has a mostly healthy dietary tradition that is rapidly being lost to the **westernised homogenized diets** high in refined wheat and rice, meat and dairy. Making small changes to the traditional eating behaviours by promoting healthy alternative nutritional sources such as locally produced millets, seeds and legumes to optimize health.

Most diets in India need some tweaking to cut back on starchy grains, potatoes, and green vegetables and thereby fortifying for the deficiencies such as vitamin B12. The Ideal Food intake should be:

- **Whole grains:** dry 232 gms/day
- **Starchy vegetables:** 50 gms/day
- **Protein:** nearly 15% of daily energy intake.
- **Dairy:** 250 gms/day
- **Vegetables:** 300 gms/day
- **Fruits:** 200 gms/day
- **Sugars:** 8 teaspoons max/ day

The finance ministry and the planning department can play an overarching role by ensuring health programmes are backed up by sufficient resources.

India is the **epicentre** of **global starving crisis**, where at-least **39%** of the country's children still suffer from **starving** and **malnutrition**. One way to address this crisis is through nutritional schemes for pregnant women and infants. While similar programmes exist, the state support to them hasn't been adequate.

To tackle the issue of malnutrition, its imperative that the **rural development**, health and family welfare, agricultural facilities, etc must work together. By coordination, every section of the health workers related to these schemes can ensure that nutrition reaches to the most deprived communities.

Undernutrition among adolescent girls require immediate attention. More than **44%** of Indian girls are **underweight**, that they have a body mass index of less than 18.5. So, the already running schemes should be implemented more effectively.

To make sure that food reaches every corners of the country, necessary steps must be adopted. To take care of this, **assessment** on **nutritional status** should be done more often and the statistics should be compared, so as to find out which part of the population or

which state of India is suffering the most so that immediate help can be provided.

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4. Sarojini Naidu: "Democracy is constructed like an edifice, freedom by freedom, right by right, until it reaches its snapping point.". What does Naidu imply here? What do you think could be the 'snapping point' shaking the foundations of the edifice of democracy?

5. Bhimrao Ambedkar: "Men are mortal. So are ideas. An idea needs propagation as much as a plant needs watering. Otherwise both will wither and die." Discuss three of the most important ideas that India needs to nurture at the present time for the smooth functioning of this large Democracy.