

25/10/2018

Rizwan

PUBLIC ADMINISTRATION TEST-05

— Wagner Well —

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01

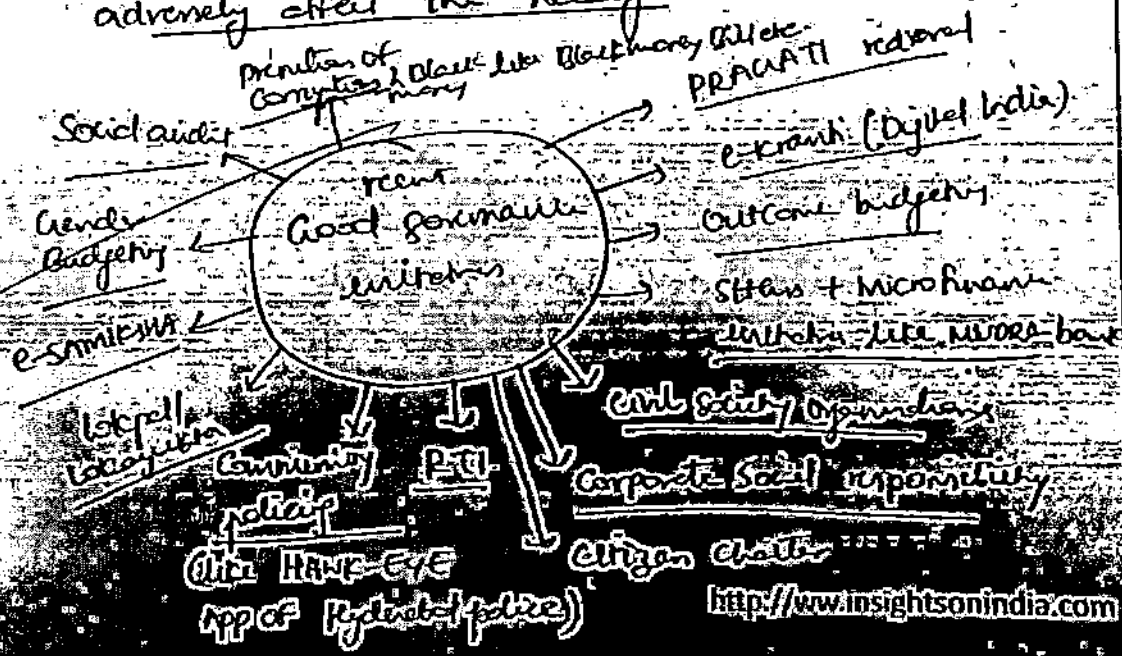
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①

(a)

Good Governance aims at welfare of the people and promote good conditions in the society from institutional point of view. It involves Multi-actor paradigm with central governments, State, market, civil society to play part and current focus of the country is Inclusive growth which is possible through Good governance.

It aims for holistic development of people and anything less will turn as unequal governance development leading to problematic disparities, youth disaster, social problems and corruption in the country. So, less governance will turn as half hearted governance which will adversely affect the needy.



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(4)

(02)

There has been multitude of efforts made from multiple actors and it should be of some magnitude otherwise neglected things would eliminate the good ones.

for eg:- Corruption, ^{if neglected} will hurt the people if he focus on job employment for youth. So, there should be complex ^{good} governance not less.

With India aspiring to become a Emerging global leader, it needs support from people, administration, private players, civil society organisation and international affairs in establishing good governance. It is the need of the hour to overcome the current problems and move to bright future.

1 (b)

Government of India Act, 1935 provided for dyarchy at Centre with provision of lists of Subjects under Reserved, Transferred and Shared Subjects which is basis for the current federal structure with union list, state list and concurrent list in for division of power.

It provides for Bi-cameral

legislature in Centre ^{& some states} and it is basis for our
current parliamentary and State Assemblies.

Q3

Govt, 1935 provided for provincial
autonomy and local governments as a part of
the transferred subjects to provinces is framework
for our current day Panchayat raj & urban local
bodies. It led to 3-tier system of governments
in the country.

Though the act did not come into effect
at that time, it helped in drafting of the
constitution by providing structure to the new
government with provision like President and Governors
at heads of respective branches.

Thus, Govt Act 1935 had helped as foundation
to our current day federalism.

India follows Quasi federal features with
foundation of constitution aimed at "Indestructible
union of destructible states" with powers to

Centre to protect in time of crisis.
Constitution

1) The Emergency provision in constitution
under national emergency and President
rule in state takes away the power of state
to Centre. Centre Govt legislate for the country
in national emergency and direct powers
deputate to specific authority in state emergency.

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(24)

2) Centre has various subjects under Union list like Defence, external affairs, Communications etc which are critical for country as a whole and it makes it not felt if any such issue occurs in states.

3) It can act in states domain in case of security to railways and law & order machinery failure derived from Constitution.

Statutory :-

4) Various bodies like CBI, CVC, National disaster management authority etc act in case of crisis in states. It provides for central paramilitary forces to be deployed in public order failure of states.

Non-Statutory :-

5) National development Council can be convened in case of inter state disputes for solving with Centre as main role. Recent NITI Aayog can also help in assisting the states in need of expansion of their economies and crisis if they need.

Thus, Centre had many arrangements to show its presence felt but all these are ensured to protect the state and help in bringing unity of country.

(2)

41. Policies require rational orientation etc.
Administrative talent of a Minister is how (05)
the political minister makes use of the services
of the administration in framing the policies.
Administration helps in policy making, legislation,
answering to parliamentary questions and
provides knowledge to the minister to decide
on policies which can be helpful when interacting
with people. So ministers need to make use
of the administration which will help in
his daily activities and success.

For eg.
↓
Minister needs to
Supervise,
Control,
Coordinate,
also get into
intelligence
gather information
to politicians

A better use of administration would
put checks on the administration thus eliminating
the Russian unbalanced policy and would
bring development. His success would depend
on how he uses him. For eg. - A minister
working in defence must make use of national
security advisors knowledge and say if
he doesn't use it will affect his portfolio
and fame. A rapport with administration
with political neutrality of administration
would help in efficient administration and

There are various functions that are performed within the Ministry which are administrative in nature.

(e)

Prime Minister office has been commanding power and influence since independence on various leadership styles of prime Ministers.

(06)

It had acquired more influence during regimes of Indira Gandhi, Rajiv Gandhi, Atal Bihari Vajpayee and recent PM Narendra Modi with PMO commanding more influence in government functioning. It assists prime minister in his work and helps him as per his liking. For eg:- PMO handled defence & diplomatic relations during Indira Gandhi period and it managed Bangladesh war also.

However, as PMO gains more power there are concerns which can be danger to democracy. Concerns are :-

1) A more powerful PMO will override the decision of Cabinet and inputs from ministers thus hurting the valid proposals of popularly elected ministers. It would act as obstacle rather than contributor.

For eg:- It has said PMO now focusing more on technology and did not emphasis more on security and food security. It focused by previous government.

possible
2) A PMO undermines the role of Cabinet Secretary who is crisis manager and has better understanding of Cabinet and government functioning. (07)

3) A strong PMO would negate the career of other ministers which would be lost due to the disability of PM.

4) Centralisation would always be problematic as there is always chance of going against people's need as 'PMO' in a way plays role of party and prime minister in power to promote/sustain his rule.

Thus, PMO despite salvation to PM, it would be dangerous to democracy but current PMO has rightly been focusing on development of people with new initiatives like Jan Dhan Yojana, Swachh Bharat Abhiyan etc and it is not People oriented.

Debate / discussions / coalition / needs of the

(4)

(8)

(a)

Finance Commission is quasi judicial body which is formed every five years. It is a constitutional body with experts and Judicial members to advise the government on finance front.

Its functions are

- 1) To provide 'Grant-in-aid' principles to devolve finances from Centre to State governments and help in increasing the revenues of the Consolidated fund of Country
- 2) It helps in providing Grant-in-aid principles to local bodies and promote steps to ^{increase revenue of} Consolidated fund of state to devolve to local bodies
- 3) Any matter as advised by president.

Until recently, with existence of planning commission (PC) its powers are ^{limited to} ~~max~~ statutory grants and 'PC' taking the discretionary grants of states which has max influence on the financial aspects like Special State funds, Central sector programs and infrastructure projects etc. As PC involved in planning and ~~discretionary grants~~ ^{with the power of Finance Commission} its powers have been reduced in influence.

It depends on the Executive's discretion to accept its recommendation but Planning Commission, with its major influence, undermines its role. (09)

But, the current abolition of planning Commission had given more strength to FC's recommendation in financial matters. It has been accepted by current government. But as it is always not binding, ~~there is~~ there is always chance that executive doesn't abide by it.

Feasibility :-

1) The current government wants to improve on welfare programs and 14th FC wants fiscal effective fiscal deficit to 0% in next few years. This is concern for government as finance is not the only criteria and development is a major criteria.

2) It is good that FC's recommendations are not binding otherwise it will affect fiscal deficit & government programs.

3) FC with expert body is difficult to consider all aspects of government thus could not address complex solution to problems.

4) It just recommends with no monetary mechanism and reasons for which executive doesn't accept the recommendations. This is a concern which needs to be focused.

① 12% Vertical devolution to states

② Horizontal devolution based on Census (2001, 2011), Area, Fiscal distance, forest.

③ Grant-in-aid to Local bodies with performance based (90:10 for PPLS & 80:20 for ULBs)

④ Direct management

⑤ Public utilities

⑥ Pilot program proper

⑦ GST

Good

11/2

for example: - 14th FC wants new set of disaster to be added in NDMA domain. But it is difficult for executive to implement it as it needs states opinion & desirability also matters in disaster management

(10)

Though FC's recommendations are not binding, they would definitely help the executive in one or the other way and helps in reforms of government like ^{revenue} expenditure management, devising of CSS schemes, power reforms, etc. all influenced from it.

(5)

Kautilya's Arthashastra is a ancient treatise on Indian administration. out of the seven prabhak, he gave utmost importance to 'Kosha' which is more than army. So, he focused on revenue generation. His initiatives are -

6

1) He has focused on revenue generation from agriculture, livestock and trade with proper mechanism to collect taxes with machinery like officials, Samhath, Crop, Upagopt, village headmen, etc.

2) He focused on Budget preparation with extracts under Samhath

3) He has provided various embellishments to check corruption as well as it affects the revenue of the state. ①

4) Health is important and it is basis for 'Yogakshema' and conquests of the country. So he focused on streamlining of administration. Promotions are given to those who increase state revenue.

5) Health generation needs officer who cleared 'Arthpeda' who can effectively be loyal to increase revenue.

Thus, Kautilya used incentives of state for all contributors to increase revenue.

(C) Mughal Administration is a Centralised rule with focus on initiatives like 'Manabdai system', 'Jagirdari system', 'Todar Mal Bandobast system' etc.

But there is an element of decentralised rule with each manabdar heads the Jagirdar who collect taxes from paragana and revenues based on different types of land. But this is not inclusive decentralised rather Parochial Individualism.

1) It is a new Tax Collection from villages with no focus on Health, Development of village.

2) There is no innovation and no mechanism to monitor and question leading to stagnation in the society. It is a reason why people did not learn in the rule.
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3) Decentralised rule focus on the tax and revenue and limited people's participation.

There is no 'Yojakshema' in the rule with king, families and whims ruled the country.

4) It has a homogeneous Manabdar system in the country but focused more on cavalry leading to rivalry & rebellions in people. There is no ^{effective} focus on welfare of people.

All these have added to lack of protests or attacks from public during British Conquest. This inefficiency had led to colonialism.

Modern Structure of Administration - legacy of Mughals

There are few features inherited and inspired the current day administration.

1) Land revenue administration 'Todar Mal' is basis for current day agricultural tax on produce in different areas.

2) Administration features like selection based on merit, performance as criteria for promotion, Hierarchy is visible in current civil services examination and annual performance rating.

3) King being a prime coordinator is a inspiration for trust of people in prime minister as a prime coordinator. King Com do no thing and trust followed him.

4) Mughal Administration focused on Army and it is centered around it. It is followed in our defense expenditure in every year budget. (13)

6) There are instances where religious element is not ^{influenced} included by in kings act with Akbar's abolition of Jizya Tax, pilgrim tax etc. This is visible in Indian secularism with state giving Haj subsidies to minorities etc.

Thus, Mughal Administration definitely has some imprints on current day Administration

Solution - B

5
6 Both Kautilya and Machiavelli focused on 'king'. Machiavelli emphasized on power of king and how to rule & sustain the kingdom but Kautilya along with duties of king focused on 'yogakshema' and ^{almost all} practical aspects of administration.

But, Weber says Machiavelli is harmless because king in 'Prince' is focused on how to rule. But Kautilya has taken negative steps like extreme punishments but inhuman punishment to further his

21/2

Kingdoms. He has also used spies to ensure security in administration, which is considered unethical in some aspects.

Machiavelli focused more on positive aspects and rejects ^{mixture of} politics and ethics.

End justifies the means.

you claim comment, not necessary conclusion

So, Machiavelli did not reject ethics but avoided unethical action which Kautilya has justified that unethical actions are against foreign rulers not on his own people.

Therefore, Kautilya appears right in his action of king and he wants to promote 'Yogakshema' at any cost which Machiavelli might have led Weber to think it as harmful.

⑥

Kautilya's 'Dandanik' is to ensure clean administration with focus on 'Yogakshema'. It is essential to bring order and welfare of people.

1) King is considered as no wrong doer. It is moral responsibility of king to act in good will otherwise denied heaven. So, he need to act for welfare of people.

2) He has provided for various tests to ensure clean administration like Dharmopadhis, Arthopadhis, Bhayopadhis, Samgrahopadhis to select officers at

indication this will ensure clean administration

3) He says 'It is difficult to detect whether ⁽¹⁵⁾
fish in water drinks water or not. He proposed
40 kinds of embellishments to check corruption.

There are harsh punishment like imprisonment
etc. (It is found in provision of Corruption Act, 1988)

4) King with knowledge on law is ⁱⁿ better position
to ensure lawful administration with self restraint.
There are 'spies' to check the administration.

Then Kautilya's Dandaneti has moral responsibility
of King and pend provision to ensure clean
administration on others ✓

(d)

Eva Etzioni says Bureaucracy has double
bind nature and it can threaten the
bureaucracy and several precaution need to
be taken to eliminate this nature ✓

1) There needs to be proper checks and
regulation to ensure accountability of administration
otherwise state would turn as 'overdeveloped'

State (by Gunnar Myrdal) so, recent initiatives
like P.T.I., CAG, Social audit, citizen charter etc
are needed.

2) Bureaucracy need to be made representative
participatory democratic so that it will
promote democracy.

(If govt. Community policy, liberalisation etc.)
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3) There needs to be emphasis on removing negative aspects which is promoted by post modern theories (decentralisation)

(16)

There needs to be 'Code of Conduct' and Code of ethics to be implemented

for e.g.:- Second etc recommends 'Code of Conduct' and ethical values for civil servants

4) There need to be non-state actors for effective checks on administration as promoted by Hamza Alavi in order to remove abuses

for e.g.:- civil society organisation & social auditors etc would help.

Bureaucracy need to be made instrumental to protect democracy with promotion of political neutrality & performance accountability.

(e)

The preamble of the Constitution focus emphasised on 'Socialism' as a goal. It is provided for

State Control in providing equal rights in society in

general. But, India follows Neoliberal

Solidarity that focuses on Equity & Equality

with the initiatives after LPG reform

there is a mixed economy and reduction

of state role is consistent with both

market & capitalism playing a key role.

the development of Country. But the
goals of Socialism is same not the
means proposed by initial Socialist Ideals of post
Independence. (17)

Therefore, it would be wise to
continue the 'Socialism' as a word in preamble
as our goals are still in the process of
achieving like Inclusive growth focused not,
functioning of railways and poverty programs etc.
It is ^{better to} rather focus on implementation of
equality and equity in society rather than
amending preamble.

(2)

(a)

With the states focusing on competitive
federalism now a days, it is a definitely
a essential ^{and easy} for political leadership of state
to bring good governance as they are the
real implementers and know the reality of
the state.

Good Governance focuses on the
welfare of people to focus with multiple
stakeholders like markets and society
and state playing significant role.

There has been such instances in Country.

Case study: - Telangana State

1) Ganyadar pelli is
best governance state village
which is a model village
that won many awards:-

Good Governance attributes
Transparency
Accountability
Openness
People participation
Integrity
Productivity
People's empowerment
Rule of law

2) → People participation is encouraged widely with
Each member as a part of different Committee
in Health, Education, Agriculture etc. This
Community led development led to proper
Monitoring of government schemes and social
audit. This led to accountability of government
machinery to people as there are regular
meetings on progress of the schemes.

Technology is promoted with water
ATMs used with a card to get regular
drinking water. This user charges are spent
on water treatment. Each citizen is provided
a Bank account with subsidies and cash
payments directly to account. This brought

people save their earnings and invest on Agriculture.

There is a regular meeting of MLAs with

people on issues of Community led solution

or proposal. It has used IT Centers

government or match play on Mid day

meal Scheme. Also water ration card

etc.

Now, the Village has attraction from foreigners Experts ^{study} to im the best governance practices to other places. (15)

Apart from this, Telangana government has various such initiatives

1) Community level policy with citizen guarantees and safety app for mobile is provided. A new app called 'HawkEye' was launched to help Hyderabad people in this regard. Women security is also included

3) There is a problem of Challan payment of Traffic incidents which is solved by e-Challan initiatives and security during festivals provided by CCTV camera held patrolling vehicles, which are connected to central monitoring system.

4) Also, myction is focused for better water management by Telangana government with 'Mission Kakshya' to improve agricultural water needs

5) State recently conducted Social Survey of people and it is used in formulation of policies for included benefits. There is also right to delivery as service with penalty on Administration for delay to take the service.

Thus, Telangana government has tried to achieve good governance with IT centric approach mostly.

(b)

District Collector plays a vital role in administration of districts and 73rd & 74th amendment act had increased developmental functions on him to his kitty.

District Collector as CTO:-

A) Not needed

1) It is not followed in some states like Rajasthan, Madhya Pradesh with district collector excluded developmental function with Zilla Parishad taking development. Such step will reduce the burden on collector who is overburdened.

Obrolay says 'he has the life of a dog but work of an elephant'.

2) Having District collector excluded, it will lead to Zilla Parishad becoming key development entity, but this will ensure better development as Zilla Parishad having elected element knows people's pulse well.

3) CTO means regular meetings are needed and district collector would lose important connections with people. He is seen as fatherly figure ~~factor~~ which would lose its sheen.

B) Need of CTO

1) Development involves various departments and District collector, lack of coordination with other departments.

would be ^{be} ~~remitted~~. It will affect the course of Zilla Parishad's developmental programs. (21)

2) District Collector in some states is a member of Zilla Parishad and he attends meeting and shares his views which are important. But this is still not enough as having collector as CEO will give direction and general ideas.

3) With Technology Centered governance and collector key player in Sarva Aardram from yojana in bringing model villages, District Collector is very important for contemporary needs who can't be ignored.

Despite of these arguments, there has been demand for district officer pave way for District Development Officer instead (as per Second AEC) which can be explored with District Collector as a member of development board really be benefited. So, District Collector should not be moved away from developmental programs.

The Cabinet is highest decision making body and it takes vital role in policy decisions. It oversees the policy formulation, implementation and takes views of all ministers and brings consensus in policy making.

for example - Vote of thanks for department in parliament leading to cabinet decision - Important decisions in policy making

reflected in final policy. This shows
Cabinet role is vital in modern time.

(22)

It involves differences and its
decision is binding on individual ministers.
This is a concern as some views of the
individual ministers are ignored and not taken
into action affecting the policy.

For eg:- Concerns of Environment Ministry or
Environment impact assessment for some projects
are ignored in lieu of fast project approach.

So, Cabinet cannot be omnipotent
Media, for all issues and it is affecting the same
e-gov. policies of government. Till last year, there
was Empowered Group of Ministers (EGMs) set
up for fast decision and it led to policy
paralysis in various cases. With EGMs removed,
Cabinet needs to learn from such drawbacks
and focus on proper co-ordination.

With current
Government focusing on 'Maximum
Governance & Minimum Government', the importance
of Cabinet is enlarged and they need to act
with all ministers and reduce the intervention.
2. try to follow Pöhl's concept of Integration
rather.

For eg:- recent government programs like
e-SAMIKSHA helps Cabinet in monitoring
of programs thus brings coordination between

There are
numerous
mechanisms
↓
Legislative
Scrutiny,
Media,

4

These
Control the
Cabinet.

Ministers who are not part of cabinet as well.

(23)

Therefore, Cabinet is vital role player but cannot be solution to every problems and exist at all places.

(6)

(a)

India follows quasi-federal features in government. Its federal features are :-

- a) Rigid Constitution
- b) division of lists like union, state & concurrent
- c) Centre & State government
- d) Independent Judiciary
- e) Written Constitution

India has faced multitude of challenges during its independence & Indian Model of federalism was adopted to achieve the regional disparities and bring uniform development. It has significant impact on the country.

1) Indian States have Multiple challenges which are different to each other and federalism tried to eliminate them.

for e.g. - Special provisions under Art 371 are provided for ethnic tribal areas of Nagaland, Employment provisions for Andhra Pradesh, representation of people.

assembly for small states like Orissa, Sikkim etc

(24)

This has helped in addressing State specific demands and multiple issues.

2) Financial devolution ~~is~~ is done as per State Capacity and backwardness. Finance Commission plays an active role in removing the backward regions like Fiscal Income distance parameter & Area of State, population etc as parameters.

3) There are multiple issues like State ~~border~~ issues ^{in Northeast} & Terrorism in Jammu & Kashmir. It tried to integrate these regions by federal provisions under Special treatment like Article 370 for J&K.

4) There are Judicial mechanisms to resolve disputes between States & Center under Original writ provisions of Supreme Court; Inter State water disputes ^{Act}; Inter State Councils to ease the tensions between diverse States.

5) The Constitution provides for States to legislate on State & Concurrent list for addressing semantic issues of States as per their needs for e.g. Agriculture & public order in under state list to help States make acts to address multiple & varied sectors of Country.

6) This federation tried to manage diverse issues, multiplying of regions

Socio-cultural
integration
managing
the
diversities

demands, plurality of sections of people like old age, Tribals, Children etc in constitutional provisions under fundamental rights

(25)

It has definitely managed well with separate states carved since independence with 29 states now and special provisions for union territories.

It has also provided mechanism by non-statutory bodies like NDCs, NITI aay etc to promote resolve federal issues.

Thus, Indian federalism has plethora of issues to be managed and it is doing well.

(6)

District Collector (ICS officer) has played vital role with multitude of responsibilities.

1) During British, he is entrusted with collection of land revenue function and he takes care of Zamindari Land revenue system (Permanent Settlement) to be implemented and British gets sufficient revenue.

2) ICS officer is considered as Horse Carriage Officer who visits the districts and he plays key role in security British establishment in country.

3) He's acquired additional responsibility of law order with Indian Police Act 1861 & CrP Act 1861 and Indian Evidence Act with magistrate public order in district.

4) He is seen as problem solver and people approach him for other grievances. as He is also enthusiast with regulatory function like mob control, implementation of government acts, Education Schemes under woods despatch, press monitoring under vernacular press act etc. He is said to be government's eye & tongue as British rule is maintained by him.

After the British provisions to entry of Indian in civil services, there has been concern over British administration and patriotism for country which is well managed by Indian officers ^{with neutrality}. They have to be trained in vernacular languages as well for reach of people.

Thus, Ramsay Macdonald is right in saying Collector was the British's eye & tongue.

(C)

Resolution of 1870 and 1882 paved way for decentralisation in country with local self government. Lord Mayo's 1870 resolution provided for devolution of some subjects like Health, Education etc to local self government.

but the major impact is due by Lord Ripon (1880) who

is considered father of local self government.

Till then, it was government for Indians by British. Various acts. It brought new life of government by Indians.

Rippon resolution

- 1) provided for financial decentralisation
- 2) reduction of official element and increase of elected element
- 3) provided for head of local government with elected element with official elements as members also

All these are done so as to bring confidence that Indians can rule themselves. Surely there can be better provision of services if grass root levels can manage themselves.

With this initiative, there are various such local governments now setup. In Montagu-chelmsford 1919, provincial government got local governments as transferred subject and

one of the Commission - Pargal Commission on decentralisation advocated for three-tier

government structure similar to present

day system. This has become a basis for

local self government post independence.

Thus, resolution of 1901-1912 laid

framework for Indian local self P21 system.

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