

74, 75, 78.

Two schools of thought / 2 approaches towards understanding the positⁿ of PM.

1. Traditional school. →

Primus Inter Pares - Morley

Inte-stella Luna minoris - Vernon.

(moon among stars)

America - singular executive - Pres.

India - plural executive - PM

PM is the effective boss. ⇒

parliamentary govt - prime-ministerial govt.

not in consonance

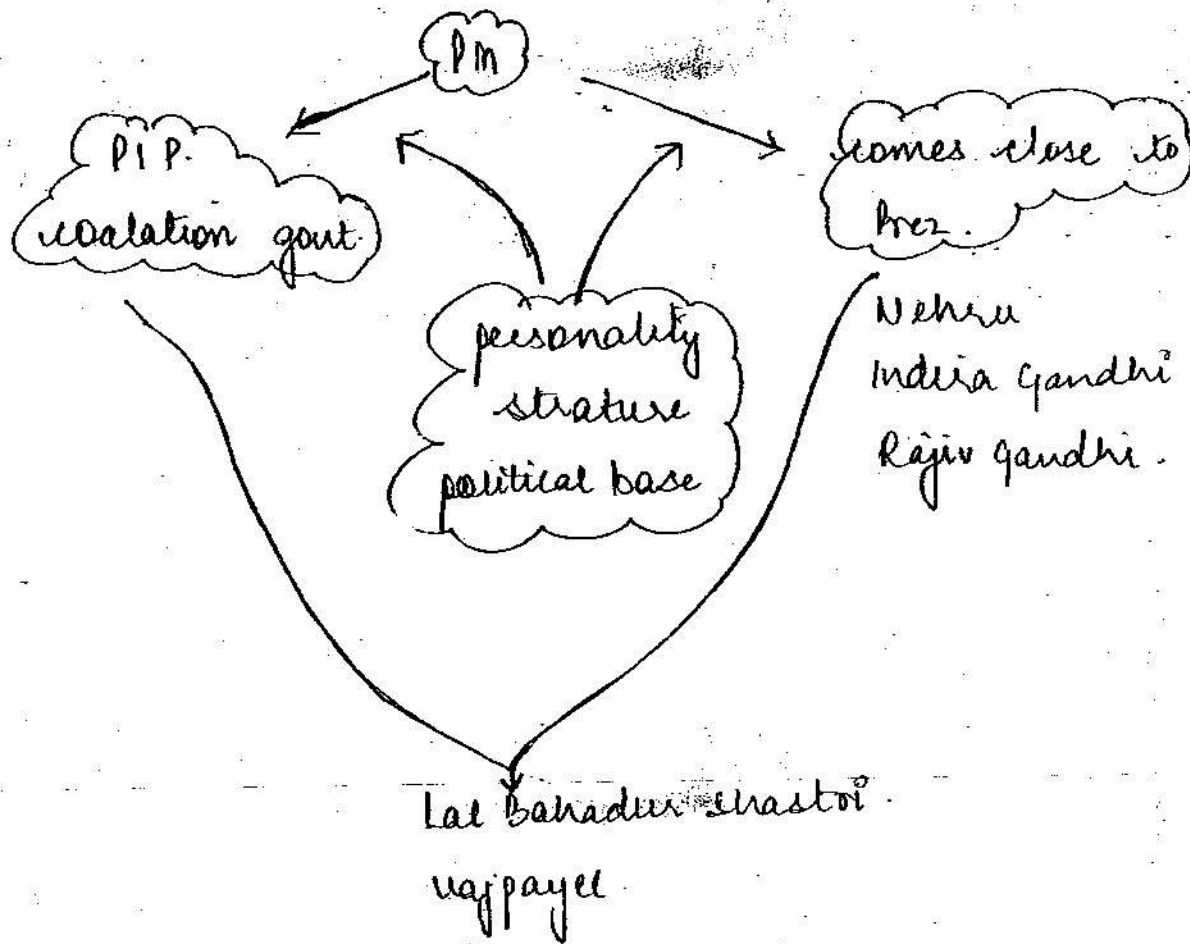
with the reality i.e. of →

Trend - Presidentialisation of a PM.

Factors behind the emergence of prime ministerial govt.

1. He appoints, dismisses, reshuffles.
2. Death or resignation dissolves the com.
3. He is the chairman of com and the cabinet.
4. He is generally the tallest leader in the pol. party and often in the country which naturally strengthens his positⁿ.
5. Generally he is also the president of his pol party.
6. Chief representative of the govt.
7. Leader of the house.

8. Chairperson of several high profile bodies -
Planning comis, NDC, Disaster mgmt council.
9. Generally holds several portfolios -
- planning, personell, space, atomic energy.
10. Rules of business requires certain matters to be decided at the level of PM.



Role of the PM

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① PM vis a vis (in relation) the President - PM is apptd by Prez.
Cm reality the Prez is nominated by PM but the opposite is =ly true.

PM is the principle link b/w Prez 'n' govt - Art 78.

② PM vis a vis the com and cabinet
appoints, dismisses, allocates portfolios.
decides the agenda of cabinet meetings.
death or resignatⁿ dissolves com.

Leski "PM is central to the birth of com, to its life and to its death"

It is the PM who runs the govt with the aid and advice of com.

It is the PM's privilege to consult any person or persons on any matter he deems fit and his discretion to act without consultaⁿ.

Inner circle / Inner cabinet / Kitchen cabinet (I.C.) / Grand council of Indian Republic - Lal B. Shastri / Nehruvian Brigade - Rajiv Gandhi.

Grand Council - PM, cab min, influential m's, imp members of cwent.

depends on PM whom he chooses to give him advice.

PM vis-a-vis the Parliament

- leader of the house
- determines the dates of summoning, prorogation, dissolution
- decides the agenda of par. sessions in consultation with presiding officers.
- makes imp policy announcements of govt in his capacity as chief spokesman of govt in parliament.
- nominated members chosen on his advice.
- plays a mediatory role in case of disputes / deadlocks b/w the 2 houses of parliament

giving PM a safe constituency - Amethi, Rai Bareilly.
more accepted as a leader - Manmohan S. is not.

If PM is from LS this would help him to cement his position.

A minister has to take to oaths - of secrecy
- of office.

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6 Int member bills were passed during the PM ship of Pt-Nehru
PM should attend par debates relating to some critical
and complex issues.

PM accountability towards PM should not be in vacuum.
he should be seen as responsible.

I. Gandhi - very active participator of the question hour.

R. Gandhi - came to power with a backing of 2/3rd members
of L-sabha, so he chose to ignore par proceedings.

1st PM to set bad precedents - R. Gandhi.

Narsimha Rao - used to be present in debates

Mannabhai - shiest PM to appear before par.

May 2009 - UPA II Aug 25 - 2010 - PM's 6th appearance in par
not been able to develop an intimate relatⁿ with par.

• even if the decisions are forced on par by extra
constitutional bodies (NAC) (co-ordinatⁿ comt) even then
par holds PM for misdoings.

Jurists - Interests of govt's survival cannot be placed
before the admⁿ of the country.

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PM should draw a lakshman rekha of a co-alition regime.

If he cannot do so, he should step down.

JPC - can dig up such truths which can shake the govt. - media and so too active political competition has increased.

4. PM vis-a-vis a political party

PM - legislature party (congress MPs)

PM - party organisation outside the legislature → CWC headed by President

can remove PM if he deviates from the party agenda - by instructing CLP to vote out the PM.

to ensure smooth conduct of par. business. PM needs to maintain co-ordinal relations with LP.

1935 - provincial autonomy:

→ pre-independence - party organisation outside dominated the govt. (1937-39)

→ after independence - CWC Pres - B. Kripalani

said that - still all issues - should be referred

3

next CWC prez - PD Tandon - conflict again - 1951 removed. 69
Nehru combined the positions of CWC prez and PM
stepped down in 1954
Nehru helped generate a congress mind - to look
towards PM for guidance.
After 1954 his personal liegals were made CWC prez.

Mrs I. Gandhi.

Kamraj brought I. Gandhi to the forefront after Nehru died.
Kamraj was the most influential leader at that time.
Kamraj appointed Nijalingappa as CWC prez.
1969 - Faridabad session - Nijalingappa gave a speech
contrary to the govt.

CWC for the 1st time asked C/P to vote out I. Gandhi,
but C/P ignored the CWC and supported I. Gandhi
she then combined the office of CWC and PM.

I. Gandhi and Varadachari Rao continued the tradition,
New split.

PM and The People

PM leader of majority party
leader of nation

People often vote for the party's candidate for PM ship
and this immensely strengthens the position of PM.

PM and international affairs

chief representative of the country in the international arena.

Nehru - NSM, Indira Gandhi.

Rajiv Gandhi - disarmament plan to UNGA.

Manmohan Singh - only economist in G-20.

If the PM is internationally accepted this helps
in cementing his position domestically.

→ P.K. Gujral - Gujral doctrine - 1 step forward.

Nayyar - Bus diplomacy

Manmohan - out of the box diplomacy

Gun boat diplomacy

PM as real executive

2 categories of functions:

① Political - obtaining and retaining legislative support for his policies.

to provide leadership to the nation

② Administrative functions - PDS & CORP.

Planning as chairperson of planning comms, cabinet WBC

organisation - decides no. nomenclature and jurisdiction of each ministry and dept., decides the composition, authority and functions of standing and adhoc coms.

Staffing appointments, dismisses, reshuffle, allocation of portfolios.

role to play in selecting CM's in states where his party is in power.

As the chairperson of AEC approves of several key appointments in govt (pol and admn)

Directives - the continuous task of making decisions and embodying them in specific or general instructions as the chief ex PM regularly issues several

directives, orders, proclamations, instructions etc.

Above all PM is a co-ordinating functionary par-excellence.

Reporting ARC-1 suggested that PM should meet ministers individually or in groups i.e. every month to discuss progress in implementation of progs, policies and projects.

PM should meet individually or in groups, secys of imp ministries once in 2 months.

Ministers write to PM at convenient intervals to keep him informed of major decisions.

Budgeting - sound financial mgmt of the country is an imp and complicated duty of PM.

PM - steward of the nation's purse

to assist PM in framing financial mgmt policies

Factors affecting the position of PM.

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- Position of legislature party in LS.
- Position / stature of PM in his political party.
- Ideological divides / convergence with coalition partners.
- Congress coalition with biggest opponents of liberalisation.
- Longevity of tenure.
- Leadership potential of PM.
- Overall party discipline.
- General image of the PM. (man of unimpeachable integrity) no case of corruption - Man Mohan S - domicile of AS.
- Quo varanto was applied for.

PM of Yesterday.

PM of today

more dominant on account
of a long era of 1 party
dominance.

major role in choice of CM's.

not so today.

discretion in choosing his
LOM

heavily hedged bound,
curtailed today

working env - simpler

highly complex

powers w.r.t to 352, 356.
could be mis used

weakened

longevity of tenure - long

declining

council of min - small

large. makes co-ordination
difficult.

R. Gandhi wanted to take India rapidly to 21st century
most of the agricultural missions came during
him time.

autocratic tendencies.

dismissed more ministers than I.C. and Nehru
put together.

BSP Bajli Sadak laani issues, - to be addressed.

Bread and road

Cabinet Secretariat

75

split system → policy making (head quarters)
→ policy execution (field)

ministry → policy making - secretariat
→ policy execution - subordinate agencies
advisory agencies.

policy making unit of every ministry is khas secretariat.

All organisations of all depts & ministries put together - central secretariat.

ministry
secretary

A.S.

J.S.

D.S.

V.S.

Role of PM's secretary is not categorically defined.

Cabinet secretariat is not a part of central secretariat

It supports, provides assistance to

cabinet, PMO.

C. Sectⁿ was 1st set up in Britain in 1960 by PM

Lloyd George and Sir Maurice Hankey was the 1st cabinet secy.

1

cabinet secretariat in India owes its origin to Lord Mellington who in 1935 appointed Sir Bolt Cooper at the secy to the ex council of the Viceroy in 1946 an office has council secy^t came into existence which later grew into Cab Sec^t.

Long has characterised the cab sec^t since its inception depending upon:

- 1) attitude / orientaⁿ of PM
- 2) ~~our~~ requirements of the process and expanding role of union govt.

In 1948 an economic and statistical co-ordinaⁿ unit was set up in cab sec^t in 1954 an on m longⁿ and methods division was setup on the recommendaⁿ of 1st Appleby report- 1953 - public admⁿ in India, report of a survey.

2nd report- 1956 - re-examinaⁿ of India's admⁿ sys with sp^t reference to admⁿ of PSU's.

- recordings of minutes (eight synopses)
- circulation of minutes.
- entertains objection to minutes → PM → final compilation of minutes.

- 2) The Cab Sect is the custodian of papers of cab meetings.
- 3) watches over the implementⁿ of cabinet decisions.
- 4) deals with cases in which a minister wants decision by the cabinet.
- 5) deals with proposals to modify or reverse a decision taken previously by the cabinet.
- 6) ensures that cabinet functions on the basis of collective responsibility. It would not be wrong to say that sound functioning of cab depends critically on cab sect.

Rules of business.

December 3 2010

Responsible for proper implementation of Govt transacⁿ of business rules. Govt allocatⁿ of business rules - 1961

Facilitates smooth transacⁿ of business in ministries and depts by ensuring strict adherence to these rules

To make modifications in these rules.

Chief co-ordinating agency of the union govt:

1. assists in decision making in govt by removing difficulties, resolving disputes, overcoming delays,

Cmt on disputes - set up by S.C. to settle disputes b/w depts inter se, PSU inter se, Dept-PSU.

through co-ordination of policy process, co-ordinatⁿ of admⁿ action.

i. The cmt mechanism often gives rise to new policy proposals.

iii. co-ordinates b/w ministries in crisis situations.

iv. It ensures that Pres, vice-pres. and ministers are kept in form of major activities, all ministries and depts. by means of monthly summaries

In 1962 an emergency wing was created to provide 77 secretarial assistance to the emergency comt. of cab in the wake of Indo-China conflict.

In 1964 On M dev was shifted out of cab sect.

In 1965 a discrete general of rehabilitaⁿ was set up only to be shifted out in 1966.

Further at different points of time several independent ministries and dept were set up originally in cab sect. dept of electronics, dept of sci and industrial research, dept of personell, dept of ocean dev.

Organisatⁿ of the Cab Sect

It consists of 3 wings:

- 1) The main civil wing or secretariat - this provides secretarial assistance to cab and its comts and also deals with rules of business.
- 2) The military wing - offers secretarial services to the defence comts of cab, the nat. security council and certain other bodies dealing with defence matters.

11. Intelligence wing - RAW (Research and analysis wing) besides the (I-Gandhi - relations and welfare wing) etc aspects.

Besides the cab secretariat consists of

- National authority chemicals weapons convention ← India's commitments and obligations are being followed or not.

Directorate general on public grievances - independent, non statutory body that entertains public grievances.

Performance mgmt division - designs a state of the art, performance mgmt systems in govt after a comprehensive review of internat^{nal} best practices.

(bench marks)

Role and Functions of Cabinet Sect.

1. To provide secretarial assistance to cab and its cmnts.
 - arrangements of oath taking ceremony.
 - communicates portfolios.
 - agenda of cab meetings is prepared by C.S under direction of PM.
 - circulation of agenda.

under the transactⁿ of biz rules secy of various depts need to keep the cab secy posted on imp developments from time to time.

Miscellaneous Functions

Cab sec^t also deals with:

- a) cases involving legislaⁿ including ordinances
- b) Pres' address to par.
- c) Deals with summoning, proroguing and dissolution.
- d) Cases involving negotiaⁿ with foreign countries.
- e) proposals to appoint public comts of inquiry and their reports.

Inquiry act - 1952. (commission of inquiry act)

Nanavati, Jain comts, Sri Krishna comit

f) cases involving financial implications.

g) proposal to withdraw prosecu^r initiated by Govt.

Cabinet secretary.

11th position in the table of precedence (official pecking order).

1. cab secy is the head of the civil service of the nation and in this capacity he performs the following:

- trouble shooter
- path breaker
- conscious keeper of the civ. service indeed its friend, philosopher and guide. (torch bearer of the norms of conduct in 'sys)
- ensures that the morale of civ. ser. remains high, acts as a buffer b/w the pol and the adm^v element and protects the interest of both.

2. The principle adviser to the PM.

even though the PM has his own principle secy but the role of cab secy is very imp. owing to his position.

serves as the eyes and ears of PM.

→ keeps him posted on all imp developments in ministries

→ informs him about possible conflicts, he is not a spy of PM.

→ exercises on his behalf as to whether PM or

should be free of pol. biases or prejudices

must be capable of working with pol bosses particularly in a colonial regime

must have capacity to mark their differences

should have facility for prob solving.

must see himself not as an investigator or a watch dog but as a general staff functionary whose business is more in helping than in overseeing.

abilities of a civil servant are put to most gruelling test as cab secy.

Appointment and Tenure of cab secy.

→ Pool from which cab secy can be appointed:

chief secy of state

secy to Gov

→ as far as possible the senior most civil ser should be appointed but if supersession becomes necessary then it should be done in a transparent manner that is justified by clear superiority of merit of the appointee.

1988-1996- 8 cab secy.

In 20 years only 2 cab secy had tenure of 3 years.

UPA defence etc secy → min 2 years upto 4 years.

a tenure of atleast 3 years is needed for cab secy.

codified in rules of transaction of business.

N.R. Peltai - 1st cab secy in India.

chandra shekhar - incumbent.

1986 - cab secy - 1 year left he was asked to go back to state cadre - special chief secy and adviser to cm.

shifting out of a cab secy - dishonour to cab secy so he should be allowed to retire.

lean and mean orgn - small, active and vigorous orgn.
known for its competence

govt bodies are leaning or without meaning. (orgn)
all govt are ^{suffering from} affected by Parkinson's Law.

16000 officials in cab secy, desperately in need of down sizing.

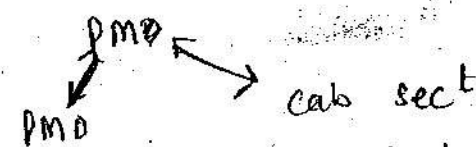
PMO

Institutional support to the PM.

strengthen the machinery already available under the ministries.

set up and strengthen a dedicated support mechanism such as PMO.

ARC1-study team


cannot be bifurcated
areas of overlap.
perform roughly 11 functions.

PMO shouldn't overshadow ministries.

shouldn't interfere in the work of cab sect.

Set up a PMO that would not duplicate the work of ministries, will be concerned with overall issues and should be located in cab sect. (not accepted)

The PMO traces its origin to the office of secy to governor general. It came into being on Aug 15-1947 and was ~~was~~ PM's sect. In 1977 name was changed to PMO.

PMO has been designated as a fullfledged dept.

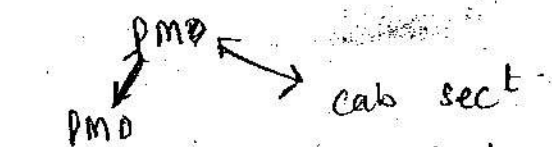
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structure of PMO.

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consists of:

a minister of state to look after PM's portfolio.

principal secy - FKA Nair - advises PM on issues confronting PM.

national security advisor - Shanker Menon.

media advisor - Sanjay

1 additional secy

6 joint secy

2 private secy - schedule of PM, papers presented before PM.

12 directors

scores of other junior officers.

strength of around 500.

PMO also includes an anti-corruption unit and a public wing dealing with grievances.

Functions of PMO.

→ deals with all references which under the rules of business have to come to PM.

→ helps the PM in the discharge of his overall duties as CEO of the nation. This includes maintaining liaison (contact) with union ministers and state govt on matters in which PM is interested.

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help PM in discharge of his duties as the chair person of planning comis and etc.

to deal with pub relatⁿ side of PM's job.

help the PM in dealing with managing depts under his direct charge.

provides assistance to PM in examinaⁿ of cases submitted to him for orders.

PMO acts as the residual legatee w.r.t parliamentary duties / functions.

managing PM's fund. PMO → PM national relief fund.

→ PM national development fund.

→ no budgetary finance / support

→ voluntary donations.

PMO is not responsible for functions devolving upon the PM as the head of the cabinet.

The above is merely a modest descriptⁿ of PMO's duties. its real role, position and authority depends to a large extent on the position, stature and style of functioning of PM:-

PMO is the youngest unit in union govt which has often tended to emerge as the tallest.

PMO in Britain since its inception has maintained a very low profile.

working of PMO.

1. Nehru.

→ HVR Iyengar - P. secy

→ Nehru didn't believe in a strong PMO

→ he downgraded the post of P. secy to the level of J. secy to bring out the pre-eminence of Lab. secy.

→ size of the PMO was very small.

2. Lal B. Shastri -

PMO received a boost

LK Jha was ap as P. secy - his powerful and dynamic personality raised the stature of PMS. PMS was designated as a full fledged dept and instructions were issued to all ministries to keep PMS in picture in

- all imp matters -

soon LK Jha came to be k/as super secy

3. I. Gandhi

had limited experience of admⁿ and politics was to set herself as the leader of party as well as the govt.

the emergence of a strong PMO was inevitable
it was also a reflect of her personality and sense
of insecurity that she wanted a strong body personally
loyal to her.

In 1967 she was sent to participate in the deliberations
of NPT instead of MEA.

PN Haksar replaced LK Jha in 1969 under him the
PMO grew to such an extent as to become an independent
ex-officio. PMO processed everything from intelligence
reports to appointments to positions as low as undersecretary
in the secretariat. Policy making cells were setup in
PMO. Most domestic and foreign policies began to
take shape in PMO and ministries were reduced
to the status of post offices.

The structure of PMO can be gauged from ^{the fact} that
the entire planning and execution of 1971 Pak war
was done at PMO.

Nationalisation of banks - 1969. ← PMO.

Indus Waters Act. - 1971 26th AA

Hakkar also brought in the Garibi Hatao prog and made socialism a fashionable slogan in the country. Hakkar was replaced by P. N. Bhargava - 1974 emergency was announced and PMS became the font and focus of all power during emergency. Under I. Gandhi PMS became a nat policy making body with cab sect acting as its enforcement arm.

4) M. Desai

P. Secy - V. Shankar

tried to reduce PMS to its Nehru time existence.

he entrusted the PMS of its policy making cells.

changed the nomenclature to PMO.

connotes.

sect - policy making body as PMO was not a policy making body, to symbolically convey this msg the

name was changed

5. P. N. Bhargava - P. Secy India Gandhi of 1980's was a PMO mellowed down version of India of 1970's. Thus even though the profile of PMO started rising it didn't attain the dizzy heights it has reached in 1970's.

Rajiv Gandhi
P. Secy - B. Seshmukh was appointed immediately after
his retirement & ~~that~~ indicated as to where the
real power lies.

PMO's profile rose again.
It is said about Rajiv that he was in a hurry to
take India in 21st century, thus PMO became very
active on economic reforms and sci and tech fronts
during Rajiv era. PMO has govt of 40%.

PMOs under NP Singh, Gopala, Chandrashekar, Gupthal,
weak PM's

products of unstable coalitions
this reflected on the PMO in the form of reduced
profile and visibility.

Vajpayee - Brijesh Mishra - the NSA and P. Secy he
combined these positions.

PMO reflected stature and personality of Vajpayee
and displayed tendencies which were a blend
of firmness and caution. Though leading a

- Walaⁿ govt Vajpayee did strengthen the PMO professionally

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Cseru and it. afs but didn't allow it to become a monster.

Mannohan Singh.

JN Dixit.

TRA Nair.

Profile of PMO is now very reduced on ac of following factors.

1. Regure / Problems of coalition govt format
2. style of PM which is given to consensus and reconciliation.
3. outside influences - NAC., congress pres.
UPA-2. outside support by left.

Pg 35 - 2, 3, 4, 6

Pg 36 PMO - 1, 2, 3, 4, 5.

PMO is the salvation for the PM.

Dec 62010

1) on account of increasing complexity of govt.

→ size of yester years budget was smaller than the revenue deficit of today (RE-R-receipts)

2) problems of co-ordinatⁿ are becoming more complex ∴ PMO it has to play supportive role.

3) country is facing innumerable probs on many fronts - Internat. situaⁿ is getting more serious. Even the fact that PM is ideally responsible for everything his eagerness to ensure sound policy making and implementatⁿ necessitate a strong PMO.

4) in many countries office of head of govt is a powerful one and it is ∴ useful to deal with them at the level of a strong PMO.

5) shorter tenure of cabinet secretaries.

In words of PN Dhar: "increasing complexity of govt which makes the PM deal with contenders of power and deal with socio economic and political complexities at home and abroad cannot be dealt by him with the

help of his lab/cab sect without a group of

specialised adviser on the pattern of ^{us treas} ~~us~~ ^{her} executives as
office".

It should work in a manner that does not encroach/
(usurp) over the domain of cabinet sect.

shouldn't over shadow minis.

Inc its profile on the basis of its expertise.

should work thru' the sys and not try to bypass it.

Central Secretariat

97

India is Westminster but not quite white hall.
but not even completely Westminster, electⁿ of Pres. It
should be called eastminster.

Pattern of working is different.

England → sect is responsible for policy making and execuⁿ
but in India there is a split system - ^(inference) separation of
policy making and implementation as in Sweden.

Mo and Cab Sect outside
do not have field agencies

Cen Sect

collectivity of all HQ of all
ministries - ^{at} field agencies.

Directorate - field agency.

Secretariat - policy. HQ.

↓
office of a minister.

• HQ organisation

• policy making agencies.

States → Mantralaya.

Adm is based on 3 pillars. (sect^l system of governance)

① Minister

to translate
will of people
into action.

Provides will.

② Secretary

advises the min
how the will
can be given the
shape of a policy
and how to

implement

(BRAIN)

③ HOD (heads directorate)

head of field agencies.
(LIMBS)

execute the policy.
policy proposals.

→ Directors

50

3
HOB forests is Khas - chief conservator of forests.

o'cy focus more on rules and less on goals.

democracy and G.G are in conflict.

↓
come for short tenure of CbV ser - 30-40 yrs period.

politics is about power.

HOB's - technical experts.

specialised functionary of a specific dept.

adv. of split system.

→ specialisation is respective roles.

→ disinterested advice to the minister.

→ govt wide thinking is brought to bear on policy issues as the sect works on the principle of collective responsibility.

policy making → cerebral exercise.

→ p-making requires freedom from operational involvement.

→ fair evaluation (unbiased) of implementation
secy will do the evaluation.

→ it facilitates delegation of authority.

Functions of the Sect.

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It is the body thru' which the union goes on operating and is the nodal agency for implementation of union subjects.

① Policy making. (iii)

- provides the relevant data, statistics, material for p. making
- advises as to what is ~~the~~ appropriate ~~advice~~, provides value judgements
- undertakes sectoral planning and prog formulaⁿ
- helps in co-ordinaⁿ and interpretaⁿ of policies
- evaluates the implementaⁿ of policies and secures subsequent modificaⁿ in policy if required.

② Legislative functions.

- preparing draft legislation.
- preparing ans. to pary questions
- delegated legislation.
- propoⁿ, executⁿ and control of budget and expenditure
- supervision and control of implementaⁿ
- serves as an institutionalised memory, lends consistency to governance, examines issues and cases

in light of past precedents

• It is the clearing house of govt decisions.

cross referencing

under interdepartmental clearances w- ordinaⁿ.

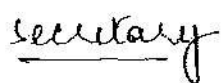
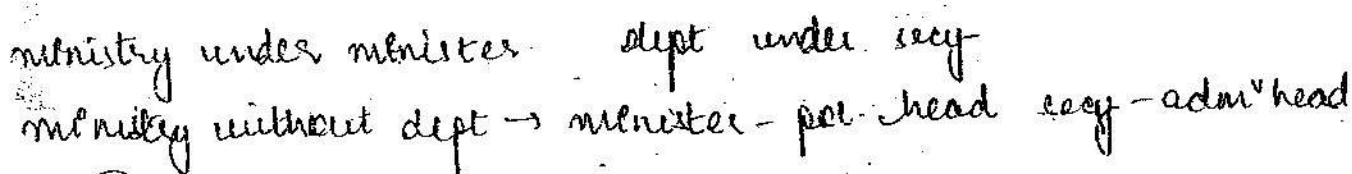
adjustments etc

• serves as a channel of communication with states and
with cen^l and statutory bodies.

• to provide guidance and directions to exst bodies.

• initiating measures for greater personell skill in
both sec^t and the field. (admⁿ improvement,
training, skills, capacity building)

sec^t system lends balance by securing
consistency, institutionalised memory and continuity
to admⁿ and as an instiⁿ it is indispensable to
the functioning of govt.



- principle advisor to the minister.
- The adm^v head of the ministry / dept.
- represents the ministry before parliamentary committees.
- shouldn't / doesn't concern himself with routine matters as he is a policy advisor.
- appointed out of a panel prepared for the post, rigorous screening takes place at the highest level in which DPPs, cabinet secret and the PMO are involved. For up to individual ministries a secy name is approved by ACC and then finally assented to by the PM.
- Powers of the secy are clarified by standing orders.

equivalent with the minister.

central staffing scheme.
systematic arrangement for filling up the higher level posts / positions in central sector.

All India services.

group A - states central services.

operates on ~~some~~ ^{posts excluding} senior central services which have been
enclosed to group A and seats reserved for
those being promoted from local officers.

TENURES.

U. secy 3 yrs

A. secy 4 yrs.

Director 5 yrs.

Jt. secy 5 yrs.

Additional secy 4 yrs.

Secy - no fixed tenure. (3-5 yrs generally)

↓ tenure of secy at center are longer than at states.

there is greater admin^y continuity in the upper
echelons ^{in C'govt.} as opposed to state govt.

Acc to ARC-1 the role of a secy is that of a
co-ordinator, policy guide, reviewer, and evaluator.

Special secy.

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overstaffing at upper level - Top heavy

such positions have been set up in sect much to the dismay of civil servants and experts.

(Chaglin)

They have no uniform responsibilities / status or charge
such positions reflect the top heavy and over staffed nature of cent. Sect.

Additional secy. Joint secy.

cheap secy or glorified deputy secy.

Director

not much diff. from dep secy but placed above him
ly created to prevent stagnation of officers.

Deputy secy.

someone who deputises on behalf of secy.

significant erosion of dep. secy powers wr of appointment of joint and additional secy.

Under secy

1st decision making level.

act on incoming communication begins at this level.

not many powers are actually given to him.

Job - summary
draft.

individuals with good communication skills were appointed in the contemporary scenario the role has become underemphasised.

office / section - below the transitory cadre - kinds of passage - is the permanent office on the η of which depends the η of office.

clerical section officer.
consists of assistants, stenographers, USC, LSC etc.

Functions of the office

- To see that all papers coming in correspondence are properly arranged and pages.
- To verify facts.
- To point out laws, rules and supply other relevant facts and figures concerning the case.
- Indicate the precedents and the statutory or customary procedure to dispose off the case.
- Recommend the course of action.
- To indicate points requiring decision.
- To link fresh receipts (papers) with previous

documents.

Tenure system.

Dec 7 2010.

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initiated in 1905 by L. Curzon.

fixed period for which a person is employed.

to ensure policy making at cent sect level is in intimate contact with ground level.

"India may be governed from DL or SH but it is admin^{ed} from the plains." L. Curzon.

Macmillan Smith Cmt - 1919.

Simon Comm. 1927.

Wheeler Cmt. 1936.

Maxwell Cmt 1937.

AHC-I 1966.

all supported
tenure system.

Advantages of tenure system.

→ prevents an officer from becoming stale.
→ provides intimacy with ground realities which is reflected in policy making at the cen sect level.

→ helps in getting rid of incompetent officers.

ALL INDIA SERVICES →

recruited, trained and managed by central govt but have an obligatⁿ to serve both centre and state govt.

→ steady and wholesome (+ve) influence on the working of federal system.

§-4

- 7
- AIS and tenure sys is repugnant to ^{ideal} federal sys but has a true influence on the working of federal setup. (as tenure system is based on rotation of AIS)
 - This sys is as such regd as violative of strict federalism.
 - Thru this sys the states and center are mutually made aware of each other's problems and approaches towards addressing them.
 - most officers are promised a chance to work at the sec^t and the field thus doing away with the creatⁿ of 2 camps of haves and have nots.
 - is indicative of and strengthens the adm^v unity of the country.
 - helps in strengthening the independence of civil services.

Arguments against tenure system.

- Does not foster specialisation. (against IAS in particular)
- "Days of IAS are numbered now" biggest casualty in tenure sys. acquitⁿ spilly against the role profile of IAS.

Raison D'être - Reason for existence.

principle reason for creatⁿ of tenure system.

- field exp is not very essential for the type of work being undertaken by con. sect.
- policy making itself has become a specialised area requiring sustained focus
- T. exp strengthens the office at the expense of the officer.
(SAJDU) babu's are the most powerful officers
daftaries - in section officers.
 - have permanence, they have more knowledge about the working than the officers.

Problems of tenure system.

- Stay of officers is protracted i.e. unduly long, they tend to overstay their tenure.
- 1st since beginning was seen as an outdoor service.
- 1st an essentially outdoor service has virtually become a sect. service.

24 State cadres
3 joint

- Tussle b/w center and state w.r. to deputation, states are generally unwilling to part with their best officers.

- people from center are not welcomed they when come back are given backyard postings.
- problems in judging merit of civ. ser. 'cos of ministerial setups as b/n union and states are diff (at 6, pet n gas) where even ^{similar} ministers are found their role is variable
- the scope of tenure sys has whittled down. (no. of positions open to tenure sys are declining)
- at no time was this sys applicable to the entire govt.
 - * The foreign and par. affairs dept.
 - * India audit and accounts dept n/ by CAG
 - * Post n telegraph.
 - * customs n IT were notable exceptions to T.S even during Ber. period.
- (In eco ser, in statistical ser), several specialists recruited by central govt are not subject to T.S.

Problems of the central secretariat

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C-sect looking like a typically pampered child

Impacted by Parkinson's law.

	1900	2001
Secy.	7	141
Add. Secy	N/A	107
Jt. Secy.	1	511
Director.	N/A	628
U-Secy.	9	1363

Retrenchment - is needed.
pink slipping a person.

↑
Disguised unemp. in Govt.

Less work more people.

KP Geetha Krishnan Cmt -
expenditure reforms cmt.

→ taken up infertile work.

1. depts have been created in response to inc in govt work but also to accomodate inc^{ing} no of ministerial aspirants.

earlier Govt could be accomodate in North and South block but now spread across all states.

most of the development works are placed in state list

" C-govt responsible for no less than 2000 items of work even though states have been made

responsible for most of deval and regulatory work

3
I. 1/3rd of cent sect staff is engaged in work of house keeping type of works.

6th pay comes - group > posts should be removed.

II. Sect is responsible for policymaking, if it engages itself in policy execution - it is the violaⁿ of func rules.

it has picked up significant amt of original (implement) work.

III. It is fully confessed in sect circles that 20% of total secretarial work can be readily passed onto field officers.

IV. Some of the work taken up by cent sect legitimately falls within jurisdicⁿ of states

3. High degree of departmental thinking violating the thinking of collective responsibility.

4. Empire building tendencies, inflate the size of ministries increase staff.

5. Dominance of the office.

6. Given rise to file dealing approach / tendency.

7. System has broken down practically.

+ sect process is dilatory and time consuming.

9. Delays and redtape is 1^{ly} on a/c of tendency to over consult, over co-ordinate and postpone decisions.
10. Challenges of govt are increasing, becoming more dynamic in response to the changing nature of govt activities - many and varied challenges - need capacity building which is inadequate.
11. Too many depts and ministries with conflicting jurisdictions and poor efforts at integration and co-ordination.
12. Division of work into ministries at the central level is illogical. Creatⁿ of agencies and ministries is an prerogative of the executive.
13. Extended hierarchy with too many levels - leads to delays and has generated tendency of reverse delegation. (tendency to avoid taking decisions to avoid risk of a wrong decisions)
14. Absence of team work both within depts and b/w departments.
15. Fragmentation of work; overdivision / overfragmentaⁿ results in decreased efficiency.

like by 4th Post master general, envelopes (glue)

Suggestions for improvement

Redtape and delay

ARC 1 its observations on redtape and delay:

1. atleast 4-5 levels are generally involved in the disposal of any case.
2. tendency of reverse delegaⁿ. excessive fine noting causing delay, obscuratⁿ of the issue and diffusion of responsibility.
↓
issue becomes confused
↓
difficult to hold people accountable

⇒ Recomendaⁿ - Introducⁿ of desk officer system.

also has the Atachi sys, The cell system or actⁿ oriented system.

It stands for Best officer system.
It stands for a sys. in which the initial level of considerⁿ of any issue (LDC) should be send directly to the officer rather than office.

• Why should this sys be introduced - to avoid excessive notings, red tape and delays

- checks the humiliatⁿ felt by HOD's.
- the work of govt has become more complex than beyond the comprehension of clerks and assistants.
- increasing politicisatⁿ of civ ser. at lower levels (leading resort to strikes, hartals etc) thus it is not too much safe to put reliance on lower level staff.
- this sys facilitates fixing of responsibility for delay and disposal of cases.
- can help in down sizing admⁿ.

Desk office sys. was introduced in central govt in 1973 in selected ministries. and each desk consisting of 2 officers under secy and section officer.

```

      ↓                ↓
    Joint secy      Deputy secy
  
```

This system was only partly successful because of poor incentivisatⁿ of desk officers (RTI also facing similar problems)

Oppositⁿ from staff unions who saw it as an attempt to downgrade the importance of lower staff and as a precursor (prelude) to retrenchment. Thus the govt. was compelled to go slow.

Record keeping, memory function of the sect
tended to suffer.

ARC II

1. Each dept. shud lay down a detailed scheme of delegatⁿ at all levels so that decision making takes place at the most appropriate level. The scheme shud be reviewed periodically and audited regularly. The audit shud ensure that the delegated auth. is actually exercised.

2. No of levels thru' which a file passes for decision making shouldnt exceed 3.

- in case ministers approval is req. file shud be initiated by Dep secy or director concerned.

- Cases req. secy's approval shud go thru' 2 levels only V-Secy and director.

3. Depts shud build an electronic data base of decisions that are likely to be used as precedents.

(digitalisatⁿ of pub. records)

2) To improve decision making w.r.t policy making. Dec 820 115

promoting scientific decision making process.

→ strengthen technobureaucracy and techniques of b'g

I Design emp roles to specialists.

II Introduce lateral entry prog. (induction from outside).
eg adhar.

vert. entry: promotion

Heta. cnt, Hagh. cnt, ARC-II.

↓
domainisaⁿ 10-15 yrs of service, IAs must be asked to choose a domain as -

III specialise the generalists.

IV improve pub. policy sci awareness, knowledge and applicaⁿ among civ servants.

ARC I suggested - setting up of policy advisory cnts in all ministeries.

→ recast the allocation of business rules to make them more focus on goals and outcomes of each ministry and department.

Focus
outlay → output → outcomes.

(physical asset) (Impact)

7
allocation of business rules must provide statement of mission of the dept. followed by list of objectives and functions.

each dept. should introduce a sys. of policy evaluation to be carried out at the end of prescribed periods. all relevant policies should be updated in light of such findings.

3. Promoting an incentivising performance. Act. anticipated British legacy archive.
Performance related incentive scheme.
6th pay comm. recommendⁿ - introductⁿ of this should be implemented.

Act system must be modified, if not eliminated all together. (Annual confidential report - Act).

4. checking undue encroachment on the states domain
ARC I - listed the following functions to be performed by union govt ministers dealing with state list subjects:

→ providing initiative and leadership and serving as a clearing house of info w.r.t

good pracs. best practices both from within and

outside the country.

- drawing up a nat plan for dev of key sectors.
- conducting research but confining it to matters which are beyond the research resources of the state
- conducting training progs of foundational nature: training of trainers, planners etc.
- taking initiatives in evaluaⁿ of progs
- providing a forum for states representatives for exchange of ideas
- co-ordinatⁿ that can only be effected at the level of centre
- maintaining relations with internat and foreign organisations

5. Rationalising the functions of GOI

ARC II: union govt should only focus on following functions

(A)

- I → Defence → internat relations → national security
- Justice and rule of law

II Human dev thru' access to good quality educatⁿ and health to all citizens

- III infrastructure and sustainable natural resource dev.
- IV social secu. and social justice
- V macroeco mgmt and national eco-planning
- VI framing nat. policies wrt various sectors of socio-eco development.

(B) Follow the principle of subsidiarity to the hilt.
Principle of subsidiarity should be followed to decentralise functions to state and local govt.

(C) subjects that are closely related even though they are housed under different ministries must be integrated under a single institutional setup.

DRSC - Dept related standing cmt - 24 cmts.

membs - 24 LS 10 RC.

Model of DRSC should be used as a template to redraw the structure of ministries.

(D) Flatter organisations should be conceived and developed.

6. Rationalising govt staff.

Arc II:

The no. of civil posts in govt increased from 17-37 lakhs (1957) to 43.51 lakhs in 1995.

street bu'g - level which deals with people.

we need to downsize the bu'g at the top levels.

top heavy, skewed pattern.

street level bu'g - under staffed.

enhancement of staff support at the lower levels.

7. Adequate emphasis on capacity building and training of civ. servants.

OST - on job training.

1996 - national training policy.

an imp. reform which ~~does not~~ needs immediate implementation.

change is taking place but at a much faster pace.

addressing the strain (sour relations / estrangement) b/n secretariat and the field agencies.

Contemporary changes in functioning of C^t S^t.

1. operationalisaⁿ of key citizen centric relations: RTI, citizen charter prog, social audit.

citizen charter prog
a list of commitments by govt agencies to public

2. contractual appointments - increasing trend.
eg. economists in finance mbr. months before budget
3. emergence of PPP.
4. regulatory authority now been given autonomous regulatory bodies - TRAI,
5. emerging focus on fiscal discipline.

Fiscal resp and budget mgmt act - FRBM-2003.

govt should reduce FD below 3% of GDP.

6. appointment of specialists is getting encouraged.
7. setting up of new ministries in emergent specialised areas.

eg - ministry for corporate affairs.

ministry for overseas affairs.

ministry for small and med scale enterp.

ministry for minority affairs.

DIRECTORATES (field organisations) (Executive Agencies)

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Forms of executive agencies

1. → PSU - corporations (100% govt. owned). - est under separate laws.
companies. (joint stock co's. min. stake 51%).
est. under co. law.
can be 100% govt. owned.

RBI - 1st corporation to be setup. RBI Act - 1934.

2. → co-operative society

3. → departmental undertaking - secretariat is responsible for implementation.
eg: railway ministry
railway board is a part of R. min.
ordnance factories - under MoF finance.
post and telegraph board - part of dept. of post.

4. → PPP venture. floated thru' special purpose vehicle (SPV) for operationalising PPP.

most of the exe agencies set up are attached or subordinate offices & as Directorates

green rev → red... suicides, indebtedness
co-op has failed, but it has to succeed for agr improvement.

Secretariat Directorate Relationship.

2 wheels of admⁿ set up, both these wheels need to be properly aligned for the smooth running of admⁿ coach

PROBLEMS

1. S.T. displays an expansionist attitude and has arrogated to itself func^{ns} which legitimately belong to D.T.
2. Frequent interference in decision making in field thus crippling the initiative of field functionaries also violates the principle of split up.
3. inadequate delegatⁿ of powers. Pr of subsidiarity not followed.
4. The absurdity/anachronism of subjecting specialist advice to generalist scrutiny.
5. Field views not adequately represented before the ministry leading to a communicatⁿ gap.
6. Token participatⁿ of field in policy formulatⁿ.
policy output of S.T. will suffer. morale of field functionaries will suffer.

- policy implementer will suffer.
- 7. Blaming attitude of ST for policy failures.
- 8. superiority complex of ST, it behaves like govt.

Addressing The Estrangement

A The status quo approach - principles of split sys should be maintained, don't change it, ensure adherence to the principles of split sys. i.e:

- (a) Policy making funcⁿ of ST implementer - ex agency
- (b) Subject to the rules governing conditions of services, the HOB should have the fullest control over the personell working under him.
- (c) ST should provide common service and undertake house keeping activities w/ directorate.

ARC II: ST should conc. on the following:

- a. policy analysis and policy making
- b. planning and making strategic decisions (long term)

Friendship turning into relationship

- c. budgeting and parliamentary work.
- d. monitoring the implementer of policies.
- e. appointment of key personell. (in field)

f. co-ordination and interaction

Arguments against the split system.

1. Dual processing of policy proposals causes delays.
2. Lower levels of ST are ill suited for scrutiny of specialist proposals.
3. split sys. is inequalitarian in outlook as it makes the directorates feel like inferior entities that are far removed from a charmed circle.

B. Building bridges approach | Bridging the gulf approach.

- a. HOD given an ex-officio secretariat status
textile comis. is ex-officio Joint Secy in ministry of tex.

ADVANTAGES: • HOD can take decisions on behalf of ST

- Dual scrutiny of proposals can be avoided.
- HOD would be more closely involved in policy process better implementation.

PROBLEMS: • violation of fundamental principle of split system.

- Short term considerations may overwhelm longterm strategic considerations.
- increased burden may lead to poor policy making and implementation.

- Govt. may be deprived of balanced and objective scrutiny. 125

Dec 9 2010

③ Amalgamate the directorate with the secretariat

- railway board (RT) under ministry
- Integrated attached office (IO) with ministry
- would permit continuous contact b/w ST & RTs..
- would expedite the sancⁿ of schemes and policy proposal
- In general ARC was opposed to amalgamaⁿ but suggested that it could be done in case of those ministries which are v^ly engaged in developmental activities
- common office, common file approach.

AGENCIATION

FLAWS IN THE CONVENTIONAL PARADIGM OF IMPLEMENTATION

(Directorate model)

1. Inadequate delegatⁿ - If subsidiarity not followed.
2. Policy parameters are not clearly defined vague, ambiguous
3. Standards and goals are not clearly est.
4. Unwarranted interference in field activities by HQ
5. Redtape and Delay
6. Dissatisfacⁿ of citizens.

7. Entire system is largely bureaucratic

8. The same bio setup is used for practically all implementⁿ activities (The DT)

9. Economic growth compromised.

The trend nowadays worldwide is of agencification i.e. extensive use of self contained Quasi autonomous bodies. Infact Africa has been the corner stone of public service reform around the world since 1980's.

Africa began in UK in 1980's by mid 1990's 2/3rd of the CEO's of these agencies were recruited on the basis of open competⁿ and over half of them worked outside civ ser. and most CEOs have been given term contracts.

N.Z. - Africa was started thru' the enactment of 2 laws: The State sector act - 1988 and The Public finance Act 1989.

Japan - Africa began in 2001. Independent adminⁿ institutes - Japanese executive agencies.

ADVANTAGES OF AGENCIFICATION

1. Clarity and focus on specified tasks.
2. Fosters a culture of service delivery.
3. Keeps in empowerment of frontline staff (S.I.B. cy)
4. Greater accountability and openness.

- 5 contextually appropriate structures and process are used as opposed to the standardised BLC str.
- 6 promotes innovative thinking
- 7. Better risk management
- 8. Greater tendency to expose problems then keeping them hidden

Africaⁿ has been a success in UK and elsewhere.

MC-II recommended Africaⁿ model for ex. agencies in India, such agency would carry out the operational responsibilities of govt within policy and resource framework set by govt. It has recommended the signing of MoU's with agencies.

Parliament

Parliamentary system of government.

always a distinct drawn b/w
figure and defects heads.

executive is a part of legislature. 2) ministers are not a part
of legislature.
ministers are MP's first.

Direct democracy possible in small jurisdictions
at grass root level.

we have representative b'g

3) accountability of govt is
secured thru responsibility
on day to day basis,
on a sustained and continuous
basis.

Pres. nominates.
app to key pos'tns is subject
to senate's approval.
3) accountability can only
be secured after a set
period of 4 yrs.
(after set gaps).

4) less stability

4) more stability in prezal
form of govt.

5) less likelihood of dictatorship

5) more/greater risk of
dictatorship

successful only in US & France.

6) not limited field of choice in
selecting com.

6) much wider choice.

Prime ministerial Parliamentary · Presidential system ·

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1) Minimises ex- legislative deadlocks.

2) head of govt may not always be the recognised leader of masses 3) definitely so in P'sal sys of govt.

4) P'sal position depends on no. games. 5) Greater focus on governance. Focus is more on politics than on governance.

POSITIVE IMPLICATIONS OF P'RY FORM OF GOVT.

1) Legis can more effectively control the ex-ec machinery thru' ministerial responsibility which is secured on a continuous basis and is applicable not only to broader issues but even to specifics of admⁿ.

2) Continuous accountability of pol. ex- keeps it on its toes. Censure motion, Question hour.

3) Less deadlocks b/w legis and ex-.

4) Authoritarian tendency is checked in p'ry form of govt as the ex- is a plural body and decision making is collective.

5) Promotes participatory decision making enabling the accomodⁿ of diverse interests in society.

- 3
- 5) Better mgmt of governance as it is a multi-member body

Negative Implications of Parliamentary Government

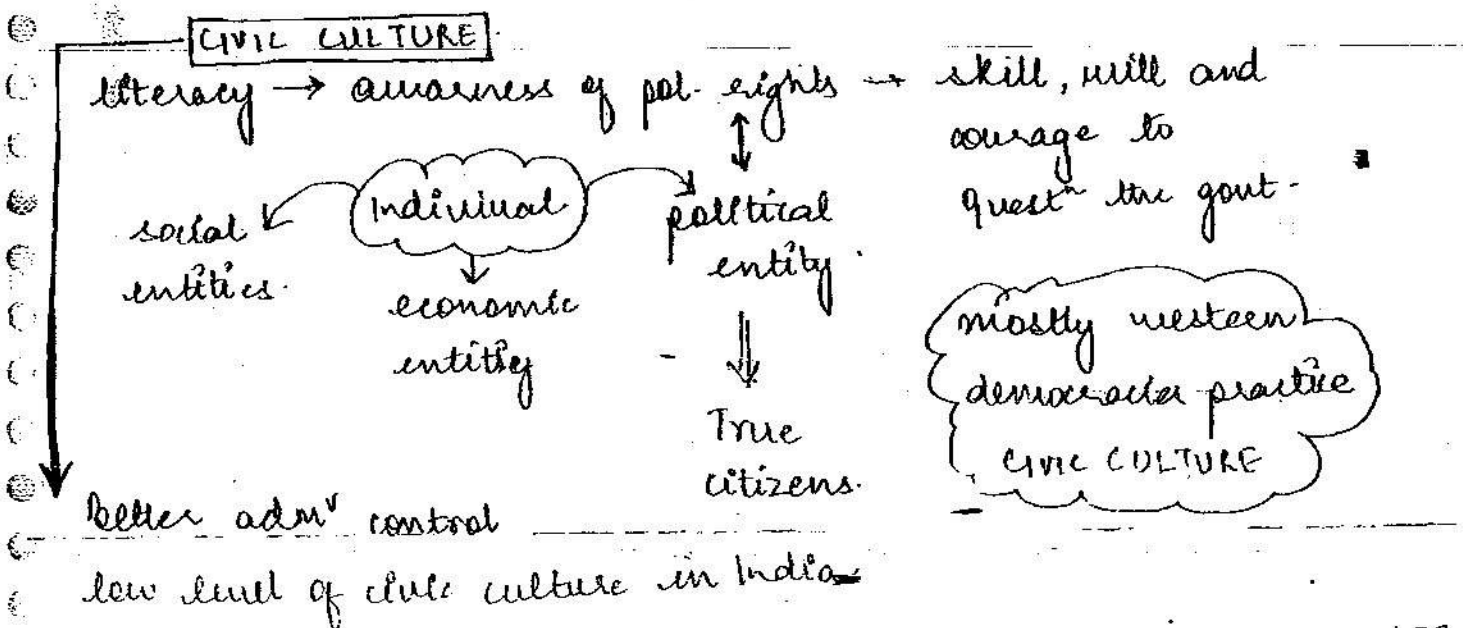
- 1) Factor of instability leads to formⁿ of weak govt generally viewed as weak govt
- 2) Frequent mid term electn wastage of time and money.
- 3) Can lead to strengthening of civil services on account of instability.
- 4) Problems of consensus building all the more difficult in consensus govt.
- 5) creates dilemmas of action for govt.
- 6) delays in policy making, delays in decision making.
- 7) P^{ry} govt tends to throw either too strong or too weak PM's.
- 8) Bal. b/n ex^e and legis. is disturbed with the former leading the later.
- 9) It encourages opportunistic defects leading to fragmentⁿ of polity.
- 10) frequent reshuffles have ~~adverse~~ ^{adverse} implications.
- 11) ~~implicaⁿ~~ ^{implicaⁿ} from minister ~~secy~~ ^{secy} relation.
- problems in continuity of policies and progr.

- 11) Problems in taking hard and difficult decisions. 131
- 12) Parliamentary govt is more vulnerable to external pressures.
- 13) Greater chance of criminalisation and corruption in parliamentary system of govt. (Game of nos. from some constituencies only people with criminal background can win elections, so party incorporates such people to reach the magic no.) Elections in India are won by money and muscle.

Why did framers choose parliamentary govt?

1. Factors of diversity and heterogeneity as:

- Any govt gives space for accommodation of diverse interests and helps in securing ^{insecurity} interests of minority.
- continuous accountability - choice b/w stability and efficacy we chose the later.



Low Level of civic culture.

People lack skill and the will to quesⁿ and control govt, par could do it on their behalf

lesser tendency to degenerate into dictatorships.

Tatu Vanhanen - Index of Democratisation

under achievers par sys.

16%

pres. sys.

55%

we vote Thailand.

ON DEMOCRATIC NORMS underachievers

Factor of continuity

a) experience of parly govt. in british raj.

b) Nehru cmt report - 1928 - endorsed parly form of govt.

c) Sir Tej Bahadur Sapru cmt - 1944 (to resolve communal quesⁿ after failure of Gandhi- Jinnah talks) recommended

parly form of govt.

Fast pace development was the need of hour. we could ill-afford the luxury of ex-legislature deadlocks.

5) welfare - is a multifaceted concept - and in the unique context of Indian reality effective policy responses demand threadbare analysis, debate and accomodation of a variety of viewpoints

which can be best done in parly form of govt.

Functions of Parliament

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- 1) To provide the cab and govt.
 - 2) Leadership recruitment and training functions.
 - 3) legislations - regular powers (amend and enact regular laws).
- constituent power.
 - 4) control of govt - holding it accountable.
 - 5) serves as the link b/w people and govt - representative function.
 - 6) constructive criticism of govt, followed more in breach:
 - thus cab. learns about its errors.
 - gets fresh inputs and advice.
 - nation is apprised (made known) of an alternative point of view.
 - an organ of information.
 - 7) financial control (thru PAC)
 - 8) some judicial functions - removal of vice prez, judges - several other functionaries, SC (no. of judges) act - 1956.
 - 9) decides the no. of judges of SC.
est. a HC for a state, UT or a sharing a HC b/w 2 states.
Delhi only, UT with HC.
- by law
Par. can enhance the jurisdiction of HC and SC

9. Forum to promote national integration.

Dec 10 2010.

Art 102, 103.

Art 191 is analogous to art 102.

MP (prevention of disqualification) Act - 1959.
Amendment - 2005

Still office of profit is not defined.

It cmt on office of profit - If remuneration is compensatory then it's not ODP. Function - advisory or decision making. If decision making then it's office of profit.

If par decides on office of profit - then it's violation of principles of natural justice. *Neome Index In Causa Sui*. This power should be given to election commission. Currently par judges, but the case is referred to electn comis (a neutral body) but as Cn has given the right to the parliament.