Indian Administration

(As per CBCS,NEP 2020)
SEMESTER II

POLITICAL SCIENCE

SURYA KUMAR BHUYAN SCHOOL OF SOCIAL SCIENCES

KRISHNA KANTA HANDIQUI STATE OPEN UNIVERSITY

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COURSE INTRODUCTION

The second course of the Second Semester of MA Programme in Political Science of KKHSOU is titled as "Indian Administration". It is designed to help the learners to have a deep understanding of the various dimensions of the Indian Administration. It is supposed that the learners of the Master Degree Programme in Political Science should have thorough knowledge about various aspects of the Administration of the country where he/she resides. Keeping in view of the above, the course begins with the evolution of the Indian administrative system and its features.

The first unit of the course deals with the evolution of the administrative system in India and features of the Indian administrative system. In this unit, a discussion is made about the development of the Indian administrative system from pre to post-colonial period in India. The second unit of the course discusses the structural framework of the civil service in India. In this unit, various dimensions of the All India Services, Central Services and State Services are discussed including their role in running the administration of India. In the third unit, we have discussed the Union and State Public Service Commissions. Through this unit, the learners will become familiar with the structure and functions of the Union and State Public Service Commissions. The fourth unit is related to the powers and functions of the Comptroller and Auditor General of India. The role of the bureaucrats are discussed in the fifth unit. Through this unit, the learners will be able to identify the meaning of Generalist and Specialist Bureaucracy and also to understand the ongoing debate and controversy between the two. The sixth unit deals with the Development Administration in India. This unit is related with the evolution, meaning and functioning of the Development Administration in India. The seventh unit discusses the Indian financial administration. The various aspects of budgetary process in India are elaborately explained hereincluding the ideas and meaning of Performance and Zero-Base budgeting.

Unit eight deals with ideas and concepts of good governance, accountability and commitment. The ideas of e-governance including National e-governance Plan and National e-governance Division are discussed in the ninth tenth. In this unit, the scope,

importance and implications of e-governance are discussed elaborately. The tenth unit deals with another burning issues of India i.e. corruption. Here, detailed discussions are made regarding meaning, definition, causes and remedies of corruption. In unit eleven, the institutions of Ombusdman are explained. In this unit, discussions are made on the institutions of Lok Pal and Lok Ayuktas. The twelfth unit highlights the importance of transparency in administration.In this unit, the Right to Information Act, 2005 is also clearly explained. The thirteenth unit focusses the importance and benefits of people's participation in administration. The fourtheenth unit deals with various aspects of administrative reforms in India namely Appleby Report on Public Administration in India, Gorwala Report on Public Administration and Administrative Reforms Commission.

While going through the units of the block, you will find that the units are further divided into certain sections and sub-sections, wherever necessary, for your better understanding. Besides, in order to give you additional information on certain relevant topics, you will find a category called "LET US KNOW" after the sections in each unit. Another category that has been included at the end of each section of a particular unit is "CHECK YOUR PROGRESS". The purpose of this category is to help you to asses for yourself as to how thoroughly you have understood a particular section. You may then match your answers with "ANSWERS TO CHECK YOUR PROGRESS" given at the end of each unit. The section "FURTHER READING" in each unit contains the names of a few books which you might want to consult if you are interested in learning more elaborately about the concepts discussed in a particular unit. Furthermore, the category called "POSSIBLE QUESTIONS" is intended to give you a hint of the type of questions you are likely to get in the examination.

UNIT 1: THE INDIAN ADMINISTRATIVE SYSTEM: EVOLUTION AND FEATURES

UNIT STRUCTURE

1.1. Learning Objectives
1.2. Introduction
1.3. Evolution of The Indian Administrative System
1.4. Indian Administrative System: Main Features
1.5. Let Us Sum Up
1.6. Further Reading
1.7. Answers to Check Your Progress
1.8. Possible Questions

1.1 LEARNING OBJECTIVES

After going through this unit you will be able to:

- understand the history and development of Indian administrative system
- explain the landmark events and reforms concerning Indian administration
- discuss the impact of British rule on Indian Administration
- describe the main characteristics of Indian administration

1.2 INTRODUCTION

The root of Indian administration can be traced back to the Indus Valley Civilization that is more than 5000 years old. Starting from Kautilya's time, coming through Mughal's period, the present Indian administrative system has impact of British administrative system. In the years down the line, many classics had come, offered in-depth description of power and obligations of king; theories and principles of effective governance and public administration including welfare orientation; unity of command; division of work; coordination; planning, budgeting and accounting; decentralization;

recruitment based on qualifications laid down for each post; paid civil service; hierarchy; and delegation of authority.

1.3 EVOLUTION OF THE INDIAN ADMINISTRATIVE SYSTEM

Indian 'Administration' has passed through various stages of development which is known from the tribal system to the monarchical system of administration. Manu and Kautilya played an important role in the development of Indian administration. The ArthaShastra of kautilya during Mauryan period gave a very first detailed account of the Indian Administrative system. It highlighted the topics like functions of the chief executive, hierarchy, bureaucracy, corruption, local administration, supervisory management, motivation, morale and job description. Kautilya viewed the State as an institutional necessity for human advancement. Thus, Kautilya deals with a proper strategy and system of centralised autocracy with a welfare objective in mind before performing any function by the king and his ministers which may be conceptualised as Welfare State in Modern times.

The Mughal administration was another organised and long lasting administration which contributed a lot towards the development of Indian administration. The main architect of this system was Akbar. During this period, emphasis was given on greater centralisation and a rigid structure. The sovereign was the king who was paternalistic and he had supreme authority over everything. He had a number of ministers and officials to help, advise and assist him in the discharge of his functions. The officials were classified into different grading system that are practiced in the recruitment process of today.

Justice was administered based on the Quranic Law as the Mughal state was a Muslim State. Fatwas were issued when required and ordinances by the emperor. The principles of equity were followed and the Emperor's interpretations only was allowed till the point it did not run contrary to the sacred laws.

The present system of administration in India evolved during the rule of East India Company. This period can be further divided into two phases: Company's rule up to 1857 and under British rule from 1857 till 1947. The East India Company came to India for purely business purposes, but later took over the government of the country. The end of the company rule came in 1858 with the taking over of the government by the British Crown. These are some of the very important evolutionary steps in the administrative history of India. After the death of Aurangzeb in 1707, the Mughal Empire began to disintegrate and the central administration became paralysed. The East India Company took advantage of this situation and established its hold over several parts of the country. The East India Company in the year 1765 secured the Diwani rights of Bengal, Bihar and Orissa, but continued the administrative system of the Mughals. However, the British wanted to reduce the exploitation of the people of these provinces by the 'Zamindars' and other intermediaries. Therefore, they established rapport with the people through their own officers and this led to the establishment, in stages of the modern system of district administration. In 1772 they appointed 'Supervisors' in each bigger district, who were later nominated as 'Collectors' by Warren Hastings in 1772. The Board of Directors of the Company in 1786 directed the Governor-General in Council to place all the districts under Collectors. These collectors were responsible for collection of land revenue, dispensation of civic justice and magisterial work, etc. This office is the most significant one, even today. In the year 1829, Divisional Commissioners were appointed in Bengal to supervise the administration of a group of districts and this was the beginning of the Divisional Commissioner system, which is still in vogue in present states. Four years after receiving the 'Diwani; the conferment of which did not 'ipso facto', make the company a sovereign authority in Bengal, Bihar and Orissa but which led the way to exercise of such authority, it did not make any move in respect of organizing the government which was now in a state of virtual collapse. But from 1769 onwards, the Company started making experiments in this regard. At first, they proved

to be not only ineffectual but also almost disastrous. By 1786, however, it appeared to have groped its way into the right direction. But even then further experiments had to be made to make the structure efficient and well organised and the administration stable and strong. Though the Company had control over some of the Indian provinces, the administration was unstable and not so good. The result was the passing of various Acts by the British Government.

The year 1773 was a landmark in the growth of Indian Administration. Before 1773 there was no central authority in the country. The 1773 Act restricted the powers of the presidencies from making war or treaties without the sanction of the Governor-General in Council. This confirmed the British Parliament's control over East India Company's affairs. The Pitt's India Act of 1784 placed Indian Affairs under the direct control of the British Government by establishing a Board of Control representing the British Cabinet, over the court of Directors. This system remained in operation till 1858 and Company's rule ended with the enactment of the Government of India Act, 1858 and passed on to the Crown. The Board of Control and the Court of Directors, both were abolished and their powers were given to the newly created office of the Secretary of State for India. His office was known as India office which enabled him to discharge his functions smoothly.

- **Portfolio System**

  In 1859 Lord Canning introduced the Portfolio system. According to this innovation, a member of the Council would be appointed in charge of one or more departments of the government by Governor-General and he would issue orders on behalf of the Governor-General- In-Council. The Act of 1861 Section 8 gave statutory recognition to this innovation. Where any other department was concerned, it was also consulted the finance department would advise on matters relating to finance and expenditure, so also the home department for matters relating to the services of the general administration or internal politics. If the concerned department did

not agree, the matter was referred to the Governor-General. Every important matter of any department, as well as where it was proposed to overrule any local (Provincial) government, reference to the Governor-General was necessary. The Portfolio system, in the first place increased efficiency and speed of the government work. Second, the members of the council were recognized as heads of their departments and had greater degree of initiative and responsibility in the working of the departments.

The Act of 1861 enlarged the Executive Council of the Governor General by adding a fifth as the law member and he was given power to conveniently transact the business. This Act tried to render the Executive Government too strong to be handicapped by any expansion of the legislature and restored the legislative powers of the local governments without affecting central control.

- **Local Self-Government**

  In 1688 a corporation in Madras was established. In 1726 Calcutta and Bombay corporations were created. In the Presidencies of Madras and Bombay, ancient village system of rural self-government agency was retained and in the 19th Century, Panchayats received encouragement from district authorities. A further step in the direction of local self-government was taken by Lord Mayo in 1870, popularly known as Mayo Resolution of 1870. As a result New Municipal Acts were passed in various provinces. The next important step was taken during the viceroyalty of Ripon, who has been called the 'father of local self-government in India.' In 1882, the famous Ripon Resolution for local Self Government was issued which continued to influence the development of local government in India, till 1947.

The Act of 1909, popularly known as the Morley-Minto Reforms increased the size of the legislative councils at all levels. They still remained deliberative bodies only. The indirect election system continued but for the first time separate representation was given for the Muslims.

- **Administrative Reforms of 1919**

  The Government of India Act, 1919 introduced the bicameral system and demarcated the central and provincial subjects. The central list consisted of important subjects such as defence, foreign affairs, tariff and customs, railways, post and telegraphs, income tax, currency and coinage, all India services, etc. The Provincial list included local self-government, public health, public works, education, water supply, irrigation, agriculture, land revenue, police, forests, justice, excise & fisheries, etc. The Provincial subjects were further divided into "resolved" and "transferred" subjects. The 'reserved' subject being important, were placed under the charge of counsellors, who along with governor were made responsible to the Secretary of State and the Central legislature. The administration of "transferred" subjects was entrusted to the ministers responsible to the Provincial Legislative Council. The distribution of executive power between the governor-general-in- council and the governor acting on the advice of his ministers responsible to the provincial legislative council was called diarchy. This reform reduced the control of Secretary of State for India, over the central and provincial administration so far as the "transferred" subjects were concerned; but as regards "reserved" subjects, there had been no change.

- **Administrative Reforms of 1935**

  The Government of India Act, 1935 had two basic concepts: one Provincial autonomy and the other, an all India federation. In the structure of the Home Government, some changes were made. The Indian Council was dissolved and to take its place, there was to be a set of advisers to the Secretary of State for India, whose number was fixed between three and six. The Secretary of State had the right to consult these advisers individually or collectively. The Act provided for the introduction of dyarchy at the centre, whereas the system of dyarchy in the provinces, was abolished. The federal executive was made partly responsible to the federal

legislature. The executive councillors were put in charge of defence, external affairs, ecclesiastical affairs and tribal affairs and were responsible to the Governor-General and not to the federal legislature. Under the federal set-up, the subjects were divided into three lists, viz., the Federal, Provincial and Concurrent list. These provisions of the Act at the central level could not be implemented, but at the provincial level, these were introduced in 1937. Inspite of the failure of the federal provisions of the Act, the Government of India continued its working under the provisions of the Act of 1919 with certain modifications, till the Indian Independence Act of 1947 came into force.

1.4 INDIAN ADMINISTRATIVE SYSTEM: MAIN FEATURES

India became independent in August 1947 with the end of the British rule. A new Constitution was framed and adopted on January 26, 1950 and India became a republic. Though Indians were very happy to get rid of the colonial rule, it was soon realised that the governmental system and administrative apparatus developed by the Britishers was capable of meeting all the needs of the country, therefore, the same administrative system was maintained even after independence, of course, with some changes as per the requirements of the time. The current administrative system of India is developed in post 1947, and one can still see a few features as legacy of the British time which are still continuing and no better alternatives are found yet. Indian political system like many other political systems has a well-organized administrative system. The main features of the Indian administrative system are:

- **Legacy of British Administrative System:** After five decades of independence, Indian administrative system still bears the legacies of the British administration. The influence of British administrative system upon Indian administration still continues. It is worth mentioning here that the judicial system, rule of law, bureaucratic

system etc. are the legacy of the British administrative system in India.

After independence, the popular government came to power and the administration was called upon to work hand-in-hand with the elected representatives of the people. Changes were made to adjust the administration to the needs of free and democratic India. However, despite these, the basic pattern of functioning of administration remained similar to the administration of the British era. The transfer of the power from British to Indian govt., partition of the country, refugee problem all combined to put pressure upon the civil service and the administration system had to remain bureaucratic in nature as earlier.

- **Unitarian Federalism:** Blend of Centralisation and Decentralisation: The Indian constitution provides dual administration-central administration and state administration. The constitution effects division of legislative, executive and judicial powers between the state and the centre so that both can exercise their constitutional authority and power over the area of fall within their jurisdiction. The Central govt. exercises legislative and judiciary power over the 97 subjects contained in Union List and the State govt exercises power over the 67 subjects contained in the state list. In the subjects contained in concurrent list both state and central govt can exercise power. However, if dispute exists over concurrent list, the law by central govt precedes over state law. The division of power is made to keep the balance between the central and state govt, however the division weights more in favour of the central govt-the union list is the biggest list, union can exercise power over subjects form state list, union law enjoys primacy over state law in respect of concurrent subjects and also the residuary subjects are in hands of the union. The union government has the capacity to exercise authority over state administration through the governor being the representative of the centre. Moreover the top officials of the state

administration belong to the All India Services (IAS, IPS) which is controlled by the union government in matters of recruitment and conditions of service.

- **Welfare as the objective of the administration:** The constitution of India provides for a welfare polity. The British government were mainly concerned about their own rule, but after independence the welfare of the people became the main goal of the government. To solve the problems of poverty, economic backwardness, hunger, ignorance, diseases etc. planning commission was established and accordingly various steps and measures were taken. Following the Gandhian principle of welfare of all people, rural self government was organised in the form of Panchayati Raj. Free health services, free and compulsory education and similar other welfare measures were initiated. Thus, administration in India was made not only a law and order administration, or regulatory administration but also a welfare administration.
- **Democratic Decentralization:** The Indian administration stands based on democratic principle. It is governed by the representatives of the people. Besides the local self-government in urban areas look after some of the local services and needs of the urban people. Also the Panchayati Raj Institutions working in the village areas are looking after the developmental and community development programmes in rural areas. Decentralisation of power, autonomy of working for local institutions, and democratic organisation are hallmarks of Indian administration system.
- **Independent and active judiciary:** The framers of Indian constitution wanted to establish an independent judiciary that is free from influence of either executive or legislature. Appointments of judges of Supreme Court and High Courts are made by executives with advice of the Chief Justice of Supreme Court. The strict and tough procedure of removal of them also ensures their independence. It has the power to declare any law made by parliament null and void

if it does not conform to the provision and spirit of the constitution. Judiciary also enjoys the judicial review power over the administrative acts.

- **Administrative Specialization:** After independence, the role of the administration has changed and responsibility and function increased. Administration felt the need of new skills and techniques to manage new activities and responsibilities. This resulted in the increased importance of specialists in different spheres of administration i.e. civil, judicial, economic service etc. In the last almost 60 years, the number of technical staffs in administration has increased considerably. However, there also arose the problem of conflict between the generalist and specialist which harm the smooth functioning of the administration in many respects.
- **Administrative Tribunals and System of Administrative Justice:** One exceptional feature of Indian Administration is the increasing power of the administration-not only executive or law making but also semi judicial powers. Administrative tribunals provide the mechanisms for it. Administrative tribunals have become integral part of democracy and they have started to respond to new social needs and goals.
- **Independent or extra administrative Agencies:** Indian constitution provides for a strong union government and the power of the government is vested in the President. This power in reality is used by the Council of ministers headed by the prime minister. Cabinet constituted out of the ministers from council of ministers actually directs and supervises the whole administrative machinery consisted of 43 different ministries. Besides these ministries, there are various independent bodies and commissions which are out of the control of any ministers and free from administrative hierarchy. Many of such independent bodies are created by the constitution and thus enjoy status of constitutional bodies. These bodies play crucial role in governmental affairs. They assist in the regular administrative works.

Being out of the ministerial control also helps them to function in an effective manner.

- **Centralised services:** In India, the civil servants enjoy constitutional protection. Change in the political power does not really affect the status, rights, and privileges of the civil servants. Existence of three kinds of civil services distinguishes Indian administration from the administrative systems of other countries and those are-the All India services, the Central services and the State service. Centralised recruitment is conducted for the first two services while that of the state services are conducted within the state. The all India services are highly respectable and the most important one. They serve both the central and the state. IAS, IPS and IFS are three most important services of this kind. The central services only serve the union government. Central Secretariat Service, Indian Foreign Service, Indian Postal service, Indian Scientific Service, Railway Service are a few central services.The central services are directly connected with the Government of India. They are the permanent bureaucracy of the Indian Government.
- **Economic Administration:** The industrial policy resolution and the five years plan have assigned important place to public sector in the economic and industrial development of India. It also led to increase of government owned and operated business enterprises in the country. Govt. took initiatives in the field of business or industries wherever the need of huge financial and managerial aid were required along with postal and railways which were already in the central list, other public corporation of business nature like Air India, ONGC, LIC, FCI etc. came as part of public sector.
- **Administrative accountability:** In democracy, administration is accountable for its actions. The feature of being accountable to the democratically elected representatives makes the administration in the post independence period different from its pre-independence period. The administration is responsible and answerable to the

representatives of the people. Institutional arrangements exist in centre, state and local levels to investigate the functioning of the administration. All kinds of administrative works are under ministerial, parliamentary and judicial control. Any act or order of the administration can be challenged by the court and if it is found contrary to the constitution, can be declared void. Thus, the rights of the citizens are protected for which the Act like Right to Information Act, 2005 are enacted. With the help of this Act, any citizen can seek information from the government in different fields of administration.

- **Open to reform and Innovation:** Being the administrative system of a developing country, Indian administrative system is open for reformation and up-gradation. The need of fast growth and all round socio-economic and political changes and development of the country necessitated the acceptance of required continuous changes in the administration. This made the Indian administration ready to develop and reform to remain abreast with the changing socio-economic environment.

It is clear from the above that various attempts have been made to improve the functioning of Indian administration. In this regard, various committees and commissions were also appointed to find out the deficiencies and shortcomings and to suggest measures to improve them.



CHECK YOUR PROGRESS

Q 1: Which Act introduced the bicameral system and demarcated the central and provincial subjects?

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Q 2: Who is considered as the father of Local Self Government in India?

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Q 3: What are the Provisions of the Govt. of India Act 1919 related to administrative reforms?

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Q 4: When did the Constitution of India come into force?

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Q 5: 'Indian Administration is Welfare oriented.'-Elaborate.

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1.5 LET US SUM UP

- The Indian administration is one of the oldest administrative systems. It has been influenced by various administrative systems form ancient time till present time.
- Manu and Kautilya played an important role in the development of Indian administration. The ArthaShastra of kautilya during Mauryan period gave a very first detailed account of the Indian Administrative system.
- The Mughal administration was another organised and long lasting administration which contributed a lot towards the development of Indian administration.
- The most crucial period for the growth of Indian administration was the period under East India Company. However, after the company the British Crown took over the control and started ruling India and simultaneously Indian Administration system started getting influenced by it.
- The year 1773 was a landmark in the growth of Indian Administration. Before 1773 there was no central authority in the country.

- Introduction of Portfolio system and Local self government had been two important landmarks in the growth of Indian Administrative system.
- The Government of India act 1919 and 1935 has been important for Indian Administrative system and its development.
- The present system of administration has visible impact of the British Administration and carries federal and welfare character.
- Various attempts have been made to improve the functioning of Indian administration by appointing different committees and commissions to find out the deficiencies and shortcomings and to suggest measures to improve them.



1.6 FURTHER READING

1) Puri, B.N.(1968). History of Indian Administration, Bombay: Bharatiya Bidya Bhavan.
2) Roy, N.C. (1960). The Civil Service in India, Calcutta, Firma K.L. Mukhupadhyay.
3) Misra. B.B. (1970). The Administrative History of India 1834-1947: General Administration, London: OUP.



1.7 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q No 1: The Govt. of India Act 1919.

Ans to Q No 2: Lord Rippon.

Ans to Q No 3:

The Government of India Act, 1919 introduced the bicameral system and demarcated the central and provincial subjects. The central list consisted of important subjects such as defence, foreign affairs, tariff

and customs, railways, post and telegraphs, income tax, currency and coinage, all India services, etc. The Provincial list included local self-government, public health, public works, education, water supply, irrigation, agriculture, land revenue, police, forests, justice, excise & fisheries, etc. The Provincial subjects were further divided into "resolved" and "transferred" subjects. The 'reserved' subject being important, were placed under the charge of counsellors, who along with governor were made responsible to the Secretary of State and the Central legislature. The administration of "transferred" subjects was entrusted to the ministers responsible to the Provincial Legislative Council. The distribution of executive power between the governor-general-in- council and the governor acting on the advice of his ministers responsible to the provincial legislative council was called diarchy. This reform reduced the control of Secretary of State for India, over the central and provincial administration so far as the "transferred" subjects were concerned; but as regards "reserved" subjects, there had been no change.

Ans to Q No 4: 26th January, 1950.

Ans to Q No 5:

The constitution of India provides for a welfare polity. The British government were mainly concerned about their own rule, but after independence the welfare of the people became the main goal of the government. To solve the problems of poverty, economic backwardness, hunger, ignorance, diseases etc planning commission was established and accordingly various steps and measures were taken. Following the Gandhian principle of welfare of all people, rural self government was organised in the form of Panchayati Raj. Free health services, free and compulsory education and similar other welfare measures were initiated. Thus, administration in India was made not only a law and order administration, or regulatory administration but also a welfare administration.



1.8 POSSIBLE QUESTIONS

Q. 1: Trace the evolution and development of the Indian administrative system.

Q. 2: Write a note on the Government of India Act, 1919.

Q. 3: Discuss the important features of the Indian Administration.

Q. 4: Write short notes on-

a) Democratic Decentralisation,

b) Administrative Accountability,

c) Welfare Administration.

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UNIT 2: CIVIL SERVICE IN INDIA: STRUCTURAL FRAMEWORK

UNIT STRUCTURE

2.1 Learning Objectives

2.2 Introduction

2.3 Formation of Indian Civil Service

2.4 Functions and Duties

2.5 Structure of Indian Civil Service

- 2.5.1 All India Services
- 2.5.2 The Central Services
- 2.5.3 State Services

2.6 Let Us Sum Up

2.7 Further Reading

2.8 Answers to Check Your Progress

2.9 Possible Questions

2.1 LEARNING OBJECTIVES

After reading this unit you will be able to:

- describe about the formation of the Indian Civil Service
- know about All India, Central and Sate public services.
- know about the selection processes for different public services.
- explain the role of Kothari Commission in shaping the current selection process of administrative officers.
- understand the role of different services in running the administration of India.
- differentiate between Central and State services.

2.2 INTRODUCTION

The word "Civil Service" coined during the rule of the East India Company. The term civil service came into use first time in the mid of the 19th century. During that period the East India Company called their employees servants and the British rulers decided to hold competitive

examinations to select candidates for higher posts in India. It was called civil to differentiate from the military therefore it had a separate identity. Later in 1854, the British government adopted the practice of holding competitive examinations for filling up posts under the government at home as well, the recruited persons began to be referred to as Civil Servants.

2.3 FORMATION OF INDIAN CIVIL SERVICE

The concept of civil service is one of the enormous contributions of British Government in India. This system was introduced in India by Warren Hastings and modernized by Charles Cornwallis and therefore he is regarded as father of Indian civil service. The term civil service indicates about the administrators who are appointed for implementing the government policies. The origin of civil service lies in the implementation of the Northcote-Trevelyan reform of 1854. British parliament took the initiative and as a result civil service has come to be an integral part of public administration. However, in the wake of the industrial revolution that took place in early 19th century, eminent German sociologist Max Weber had enlightened on the concept of public service where a special category of officers specially trained was needed for the management of industrialized society and subsequently, those trained officials were collectively known as bureaucracy.

The term civil service first initiated to designate those servants of the East India Company who were engaged in mercantile work. Employees of the East India Company were called its servants and those who conducted its trade overseas were called civil servants so as to distinguish them from those whose duties were of a naval or military nature. The Indian Civil Service (ICS) was the highest level of public service and was at the top of the administrative hierarchy in India. The ICS was the steel frame of Indian administration. Most securely till the enforcement of the Government of Indian Act, 1919, the ICS constituted both the government and the administration, combining in itself both the policy-making and administering function, when the 1935 Act came into operation, division of powers had also emerged. However in 1930, the ICS was a group of small elite with a membership of 1014.

2.4 FUNCTIONS AND DUTIES

The civil service plays an important role in the Indian administrative system. It is the permanent, professional and trained executive behind the political executives. In India, the civil services enjoy enormous functions and duties. Among the various functions performed by the civil services today the following may be mentioned briefly.

1. Advice to ministers on all matters of policy formulation or execution.
2. Supervision of all aspects of the governmental schemes and projects.
3. Carry out social services.
4. Tax collection.
5. Keeping accounts etc.

Apart from these duties Civil Servants also perform certain functions-

1. Chief instrument for implementation of government's policy.
2. Transform policies into action.
3. Civil servants of the technical category engaged in various productive and public sector or organizations are rendering useful social and economic service to the people.
4. Today tasks of civil servants are comprehensive and include planning and guidance of the entire economic as well social activities.

From the above mentioned points, the duties and responsibilities of the civil services can be discussed under the following heads:

- **Execution of Government Policies:** The civil service is mainly responsible for the execution of various policies and programme adopted by the government. They also help the political executives in formulating the policies by providing necessary data. After the approval of the legislature, it is the bureaucrats who implement the policies on behalf of the government.
- **Advisory Function:** Advisory function is another important function of the civil service. The ministers are solely dependent upon the advice of the bureaucrats in different matters for running the day to day administration. Even, before taking any final decision or policy, the ministers seek the advice of the civil service.

- **Financial Activities:** Regarding financial activities also the civil servants play an important role. They advise the government in preparing the budget and proposal for taxation. They also collect taxes and settle disputes regarding taxation problems when arise.
- **Keeping of Government Records:** The civil service keeps the government records systematically and supply them when it is sought by the political executives. The government depends upon these records for the continuation and implementation of governmental policies and programme.
- **Building Public Relations:** The civil service builds a strong public relations in the society. They inform the public about the various policies and decisions of the government. Similarly, they also inform about the needs and interests of the people to the government. In this way, they establish a link between the government and the public.

From the above discussion it is clear that the civil service plays an important role in running the administration of India. The success and failure of our administration mainly depends upon the civil servants running the administration. Without their active involvement the political executives cannot implement their policies properly.

2.5 STRUCTURE OF INDIAN CIVIL SERVICE

The Indian constitution has provided for the organization of the civil services in India on the basis of which the parliament of India had made legal framework for organizing the same. All the civil services in India are classified into the following three classifications namely- All India Services, the Central Services and State Civil Services. It is discussed below:

2.5.1 All India Services

As an all India service the IAS is under the joint control of the Centre and the States and its members are divided into state cadres. The ultimate control rests with the Central Government but immediate control is exercised by the State Government to which a member

has been assigned. Article 312 of the constitution of India entrusted the constitutional status to the two pre-existing All India Services (Indian Civil Service i.e IAS) and Indian Police Service i.e. IPS. At present there are three categories of such services. These are- Indian Administrative Service, Indian Police Service and the Indian Forest Service.

- **Examination process:**

  The Examination is administered by the Union Public Service Commission. After preparing a list of successful candidates they submit the list to the Ministry of personnel. The actual appointment letters are issued by the Government and the Union public service commission's role being advisory. In practice, however, the list sent by the Union Public Service Commission is generally accepted by the Government.

The candidates have to appear for an examination in -

(a) Three compulsory subjects- Essay, General English and General knowledge,

(b) Three optional subjects out of over 20 subjects being taught in the Indian Universities,

(c) Two additional subjects out of a list of over 15 subjects being taught at the post graduate level in the Indian Universities.

However the question papers for the preliminary as well as the main examination are in English and Hindi only. Those who qualify in the written part of the main examination are called for the interview, which carries 300 marks. Upper age limit for the civil service examination is 26 and usual relaxation for candidates who belonging to the scheduled Castes and scheduled tribes. Candidates are allowed three chances at the examination without any restriction on the number of chances, subject of course, to the prescribed age limits. The minimum educational qualification for appearing at the main examination continues to be a university degree. The allocation of the candidates to diverse services is prepared on the basis of the main examination and interview, taking into consideration their rank in the final examination and preferences. After selection of the candidates, they are called

probationers. All probationers have compulsorily to go through training- a more correct term would be educational course at Lal Bahadur Shastri National Academy of Administration in Mussoorie (a training school operating under the ministry of Personne). The training programme for the IAS has undergone change since 1969 when the central government introduced what was called a sandwich course. The probationers are required to undergo two spells of training, with an interval of one year between them. The first spell consists of a foundational course and professional training. Its duration is six months. In the foundational course the IAS probationers are joined by probationers of other central services. The idea underlining the foundational course is that officers of the higher services should acquire an understanding of the constitutional, economic and social framework within which they have to function, as these largely determine the policies and programs towards the promotion and execution of which they will have to make their contribution. They should also explain themselves with the machinery of government and the broad principles of public administration. The foundational course is also intended to cover such matters as the rights and obligations of the civil services and the ethics of the profession- objectivity, integrity, morality, etc. After the completion of the foundational course and the first phase of training at the National academy of administration, the IAS probationers are sent for one year of district training in the state to which they have been assigned.

- **Kothari Committee Report on recruitment and selection method:**

  The Kothari Committee recommended regarding the recruitment to the IAS officers and other class I central services. According to them there should be a preliminary screening examination and post training test besides the main civil services examination. The suggestion for a preliminary, objective type test to weed out candidates who are not skilled enough to write the main examination is sound; for it is only through a device like this that the main examination can be made manageable and meaningful.

Nowadays, a large number of candidates take the main test, and obviously it is senseless to administer it to so many when only about 700 are to be selected. Apart from this Kothari Committee had given some recommendation to democratize the examination. The committee recommended a single scheme of recruitment common to the IAS, IPS and non- technical, Class I central services. What it means is that no service is administered a lower test to make it look like a second class service. This is an democratic move and is to be salutation. It is also to be mentioned that the post- selection test is an interview by a selection board constituted by the Union Public Service Commission. The committee thus accords more importance to the interview (carrying 700 marks) than it has now (carrying 400,300 and 200 marks for the Indian foreign service, Indian administrative service and other services respectively). As in all oral type examinations, the element of subjectivity cannot be ruled out in this aspect of the selection process. The committee has also suggested that the candidates for the main examination should be permissible to answer all the papers, except the language one, in any language listed in 8th Schedule of Indian constitution, or English. This, definitely, is a continuation of the official policy first adopted in 1968. However the proportion of candidates choosing to exercise the regional language option has either remained stationary or even declined, never exceeding 18 percent. This is as much ascribable to the inadequate development of the regional languages as to the snob value of English. Also, with uneven development of the regional languages, a broadly uniform level of competence is unlikely if not impossible to attain. Besides, this may set into motion rather subjective and political criteria of evaluation, which has to be strictly guarded against.

- **Implementation of the recommendation of Kothari Committee**

In 1978 December, the Government accepted the proposed examination scheme recommended by the Kothari Committee

as a result the competitive examinations held by the Union Public Service Commission in 1979 and subsequent years marked a significant departure from the pattern hitherto followed. In simple words, the competitive examination for the higher civil service held from 1979 onwards has been based on the new scheme.

- **The salient features of the new scheme are as follows:**

1. There is a single examination for recruitment to the Indian Administrative Service, Indian Foreign Service, Indian police Service and Group A (class I) Central Services.
2. The civil services examination consists of two parts: a qualifying preliminary examination (objective types) and the main examination (written test and interview).
3. The candidates are given the choice to write their papers, other than English and the language papers, in any language mentioned in the eight schedule of the Constitution or in English. However, the question papers, for the preliminary as well as the main examination, will be in English and Hindi only.
4. Only those qualifying in the written test of the main examination are called for the interview, which carries 250 marks.

2.5.2 The Central Services

The Central Services are the direct control of the Central government. Among the leading All India Services, there are two types of services i.e. IAS and IPS and they have enjoyed enormous status and prestige. It is common knowledge that candidates with the highest rank in the combined competitive examinations go to the IAS and IPS, and those with successively lower ranks go to the Central Services. The only exclusion is the Indian Foreign Service, which, though a Central Service, competes with the All- India Services in position and status. There was a time when the candidates with the first twenty or so ranks choose for the Indian Foreign Service. During the past few years, the glamour of the India

Foreign Service has reduced considerably, and it is not the first choice of most of the top- rankers in the combined examination. Nevertheless, among the Central services, the Indian Foreign Service continues to enjoy a distinctive position. The public services of the Central Government consist- i) All- India services ii) Central Services. The former are under the joint control of both the central and state governments. The central services are under the exclusive control of the Centre. Their number has been increasing. It was 30 in 1971, and increased to 49 in 1984, the latest year for which published data is available. Some of them are small in size. For example, Indian Salt Service has strength of 11 and Central legal service has 70 posts. In fact, there are only 20 services with a cadre strength exceeding 500. The central health service has cadre strength of about 3500. The Indian Economic Service and Indian Statistical Service has a total strength of 600 and 500 respectively. Apart from this there are major differences between the All- India Services (IAS and IPS) and the Central Services. It may be mentioned that the actual power enjoyed by the members of a few Central Services is much more formidable than that enjoyed by the members of a few Central Services. Take for instance, the clout of the members of the Indian Revenue Service and even the Indian Audit and Accounts Service. Their discretion in decision- making is substantial and, on occasions, they keep top government servants on tenterhooks. In no way does it mean that they are always more powerful than the IAS or IPS.

All Central service officers work on a tenure system, they are placed in various position like- city/state for three years or so and then move to the Centre or to other states. In fact, a central service officer, by the time he retires, has served in eight to ten or even more states. Thus in contrast to an IAS or IPS officer, who is responsible in a particular state, and who, at the most, works in the Centre for a few years, a central service officer serves in a much larger area of the Indian territory. Though the central service officers are not all -India service officers, the nature of their task and postings make them truly

"all -India" in character. It is the time that the real influence and contribution of the Central services was assessed dispassionately.

Unlike the all India services, the Central Civil Services are under the special control of the Central Government. The civil services of the Central Government comprise established services known as the Central Civil Services as well as civil posts created outside the established services, which constitute the General Central Service. Both the established Central Civil Services and the civil posts are classified in descending order of seniority as class I, class II, Class III and class IV. Recruitment to the Central Services Class I and II are made by the Union Public Service Commission on the basis of the unified all India Civil Service Examination. It has often been pointed out that since the appointing authority is the same, there is no justification for classifying the services into the all India and central services. Though the appointing authority is the same, yet there is a significant difference between the two. Officers of all India services are employed to serve under the central as well as the state governments. Further, the members of IAS can be appointed to any office calling for duties of a general supervisory nature, while the officers of the central services are employed in jobs of specialised nature. Therefore, the distinction can be said to be justified.

- **A list of Central Services:**
  1. Indian Foreign Service.
  2. Indian Postal Service.
  3. Indian P & T Accounts & Finance Service.
  4. Indian Railway Accounts Service.
  5. Indian Railway Traffic Service.
  6. Indian Railway Personal Service.
  7. Indian Defence Accounts Service.
  8. Defence lands & Cantonment Service.
  9. Indian Ordinance factories Service.
  10. Indian Audit and Accounts Service.
  11. Central Information Service.
  12. Indian Income- tax Service.

13. Indian Customs & Central Excise Service.
14. Indian Civil Accounts Service.
15. Central Trade Service.
16. Indian Telecommunication Service.
17. Indian Railway Service of Electrical Engineers.
18. Indian Railway Service of Signal Engineers.
19. Indian Railway Service of Mechanical Engineers.
20. Indian Railway Service of Engineers.
21. Indian Railway Stores Service.
22. Military Engineering Service.
23. Indian Naval Armament Service.
24. Indian Ordinance Factories Service.
25. Central Power Engineering Service.
26. Indian Inspection Service.
27. Indian Supply Service.
28. Central Electrical & Mechanical Engineering Service.
29. Central Engineering Service.
30. Central Water Engineering Service.
31. Central Engineering Service (Roads).
32. Indian Broadcasting (Engs.) Service.
33. Border Roads Engineering Service.
34. Overseas Communication Service.
35. Railway Medical Service.
36. Central Health Service.
37. Indian Ordinance Factories Health Service.
38. Indian Cost Accounts Service.
39. Indian Economic Service.
40. Indian Statistical Service.
41. Defence Research and development Service.
42. Defence Aeronautical Quality Assurance Service.
43. Defence Quality Assurance Service.
44. Central Legal Service.
45. Company Law Board Service.
46. Indian Salt Service.

2.5.3 State Services

For the better administrative convenience, the administrative structure of India is divided into many departments in both the central and state level. The state services include those services and posts which are concerned with the administration of state subjects such as- agriculture, education, forest, health, police etc. The recruitment and service conditions of these services are controlled by the rules under the Act which may be taken by the State legislature. In the absence of legislation, the Governor has been empowered to issue rules and regulations for the said reason.

The IAS, IPS and IFS as well as the State Services take up the higher posts in the State Administration. Commissioners, Secretaries, Chief Secretary etc. are mostly held by IAS officers, while in police administration the posts of DGPs, DIGs, Superintendents are occupied by IPS officers. These higher officers work under the administrative control of the State, frames rules to regulate the service conditions of these personnel.

The State Services like Central Services have been classified into class I, class II, class III and class IV. Members of class I and II services are gazette officers. Class III consists of clerical staff and class IV comprises peons etc. The State normally has the following services:

1. Police Service
2. Judicial Service
3. Educational Service
4. Cooperative Service
5. Forest Service
6. Medical Service
7. Agriculture Service
8. Public Health Service
9. Veterinary Service
10. Service of Engineers

11. Ayurvedic Service
12. Excise Service
13. Fisheries Service
14. Irrigation Service
15. Sales Service
16. Tourism Service

Apart from these three services, municipal service is also very integral service in the various states. Including Tamil Nadu and other southern states, the integrated system is followed, under which the Officers serving the municipal government are transferred horizontally among the municipalities and also vertically between the state and municipal governments. In Rajasthan, Uttar Pradesh, Punjab and Haryana, municipal services have been unified up to the supervisory and clerical levels but at the lowest level, employees are recruited and controlled by the municipal authorities. In West Bengal, Gujarat and Maharashtra, the separate personnel model functions, under which the municipal bodies have authority to recruit and manage their own personnel, subject to the regulations of the concerned state government.



CHECK YOUR PROGRESS

Q 1: Who is the father of Civil Service?

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Q 2: What are the duties of Civil Servants?

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Q 3: What are the salient features of the new scheme of competitive examinations recommended by Kothari Committee?

……

……

Q 4: Which agency manages the Central Civil Services?

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……

Q 5: Write a note on different State Services.

……...…….

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2.6 LET US SUM UP

- The word "Civil Service" coined during the rule of the East India Company. The term civil service came into use first time in the mid of the 19th century.
- The system of civil service was introduced in India by Warren Hastings and modernized by Charles Cornwallis and therefore he is regarded as father of Indian civil service.
- The civil service plays an important role in running the administration of India. The success and failure of our administration mainly depends upon the civil servants running the administration.
- All the civil services in India are classified into the following three classifications namely- All India Services, the Central Services and State Civil Services.
- The UPSC is concerned with recruitment of best personnel for All India Services and Central services. There is difference between the tasks perform by the two types of services.
- Kothari committee played an important role in shaping the selection process of different services.
- The Central Services and All India Services are different in regard of their classification, recruitment, training, placement and cadre management etc.



2.7 FURTHER READING

1) Avasthi Amreshwar & Avasthi Anand Prakash. (1993). Indian Administration, Agra: Lakshmi Narayan Agarwal Education Publishers.

2. Maheshwari. S.R.(1968). Indian Administration, New Delhi: Orient BlackSwan Private Limited,

3. K. K. Ghai, (2007): Indian Government and Politics, Kalyani Publishers, New Delhi- 110002.

2.8 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q No 1: Charles Cornwallis.

Ans to Q No 2:

The duties of the civil service today are many and varied. It includes:

1. Advice to ministers on all matters of policy formulation or execution.
2. Supervision of all aspects of the governmental schemes and projects.
3. Carry out social services.
4. Tax collection.
5. Keeping accounts etc.

Ans to Q No 3:

The salient features of the new scheme of competitive examinations recommended by Kothari Committee are:

1. There is a single examination for recruitment to the Indian Administrative Service, Indian Foreign Service, Indian police Service and Group A (class I) Central Services.
2. The civil services examination consists of two parts: a qualifying preliminary examination (objective types) and the main examination (written test and interview).
3. The candidates are given the choice to write their papers, other than English and the language papers, in any language mentioned in the eight schedule of the Constitution or in English. However, the question papers, for the preliminary as well as the main examination, will be in English and Hindi only.
4. Only those qualifying in the written test of the main examination are called for the interview, which carries 250 marks.

Ans to Q No 4:

The Central Services are under the exclusive control of the centre.

Ans to Q No 5:

The state services include those services and posts which are concerned with the administration of state subjects such as- agriculture, education, forest, health, police etc. The recruitment and service conditions of these services are controlled by the rules under the Act which may be taken by the State legislature. In the absence of legislation, the Governor has been empowered to issue rules and regulation for the said reason.

The IAS, IPS and IFS as well as the State Services take up the high posts in the State Administration. Commissioners, Secretaries, Chief Secretary etc. are mostly held by IAS officers, while in police administration the posts of DGPs, DIGs, Superintendents are occupied by IPS officers. These higher officers work under the administrative control of the State, frames rules to regulate the service conditions of these personnel.

The State Services like Central Services have been classified into class I, class II, class III, and class IV.



2.9 POSSIBLE QUESTIONS

Q. 1: Write the formation of Civil Services in India.

Q. 2: Explain the duties and responsibilities of the civil servants in India.

Q. 3: Discuss the selection procedure of the Indian Administrative Service.

Q. 4: Critically examine the Kothari Committee Report on recruitment and selection procedure of the civil servant.

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UNIT 3: UNION AND STATE PUBIC SERVICE COMMISSIONS

UNIT STRUCTURE

3.1 Learning Objectives

3.2 Introduction

3.3 Union Public Service Commission (U.P.S.C) in India

3.4 Brief History of Public Service Commissions in India

3.5 Structure of UPSC

3.6 Functions of UPSC

3.7 Working of the UPSC

3.8 Working of the State Public Service Commission (SPSC)

3.9 Let Us Sum Up

3.10 Further Reading

3.11 Answers to Check Your Progress

3.12 Possible Questions

3.1 LEARNING OBJECTIVES

After going through this unit you will be able to:

- know how the UPSC has come into existence and various constitutional provisions related to UPSC
- know the composition and functions of UPSC
- know about the working of UPSC and the various aspects of the selection process
- understand the important role played by UPSC in Indian Administrative System
- discuss the working of the State Public Service Commissions.

3.2 INTRODUCTION

The primary function of the government of every state is rule-making, rule-application and rule-adjudication. The three main organs of government

namely the legislature, executive and judiciary perform these functions. While performing these functions, the organs of the government are helped by a group of educated, trained and professionally experts, who are politically neutral. This group of experts is called the civil service or civil servants or the bureaucracy. With the help provided by civil service, the government can function properly and thus plays the important political role. The civil service and the work being done by it constitute the administrative system of our country. The outcomes of political system like rules, laws, policies, decisions are implemented by the administrative system. Efficiency of administrative system is therefore essential for smooth functioning of the government.

3.3 UNION PUBLIC SERVICE COMMISSION (U.P.S.C.) IN INDIA

The success and effectiveness of public administration depends essentially on the ability impartiality and honesty of the bureaucrats. As such the responsibility of selecting such type of persons for administrative jobs should be vested on an independent and neutral Public Service Commission. That is the system in all democratic countries, and following that system the responsibility of selecting the right type of administrators for the central administrative service has been vested on the Union Public Service Commission and for the states, on the respective State Public Service Commissions. The UPSC is the recruiting agency for civil services whose members control the commanding heights of the administration. The Indian Civil Service of British times was one of the finest administrative system in the world. Despite their prejudices against the ICS, the leaders of free India made it a part of the new political system and gave it the name 'The Indian Administrative Service' because they believed and realized that no democratic government could be effective without a proper, well organized and well disciplined civil service to carry out its will and to advise it on how to give its policies concrete and practical shape.

3.4 BRIEF HISTORY OF PUBLIC SERVICE COMMISSIONS IN INDIA

It was the government of India act 1919, which initiated the creation of the Public Service Commission in India. The act was for the recruitment and control of the public services in India. Section 96-C of Govt India Act 1919 had a provision for the establishment of public service commission comprising not more than five members including the chairman. These were appointed by the Secretary of the State in Council. In 1924, the Lee Commission recommended in its report for the establishment of an independent and impartial Public Service Commission for India and on the basis of such recommendation the Union Public Service Commission was established in 1926. The Govt of India Act 1935, provided for the establishment of not only a Federal Public Service Commission but also a Provincial Public Service Commission and Joint Public Service Commission for two or more provinces. The act provided for public Service Commissions in the provinces as well. Article 315 of the constitution of India provides for a public service commission for the union and for each state. The Federal Public Service Commission became Union Public Service Commission on January 26th 1950.

The Union Public Service Commission of India (UPSC) is the highest body for conducting the recruitment and appointment of the best administrative officers without any political and personal consideration in different departments and ministries of the Government of India.

3.5 STRUCTURE OF THE UPSC

According to Art. 315 of the constitution of India there shall be a permanent Union Public Service Commission for appointment to the various posts of the central government services. Likewise as Art. 318 of the constitution of India also stated that the Union Public Service Commission will be constituted with a chairman and a few members. The number of members is not fixed by the constitution. The President for UPSC or the Governor for SPSCs is authorised to determine the number of members to

be appointed. Nearly half of the members appointed as member of UPSC, shall have held office for at least 10 years under Govt. of India or under Govt. of a State. The office of the union public service commission is considered as a part of the central secretariat. The commission is appointed for a period of six years and the age limit is 65 years. As soon as the term is over or they attain the age limit, they have to resign from the office.

As per Art. 319, the Chairman is not eligible for re-appointment after his term of office expires. But, a member other than the Chairman of the Union Public Service Commission shall be eligible for appointment as the Chairman of the Union Public Service Commission, or as the Chairman of a State Public Service Commission, but not for any other employment either under the Government of India or under the Government of a State.

- **Removal**

It is interesting to note that according to Art. 317 of the constitution of India, the period of service of the chairman and other members of the Union Public Service Commission is not determined by the pleasure of the executive department of the government of India and as such, they cannot be removed from their positions quite easily. As per Art. 317(1) only the President of India can remove these members from their offices under the special charge of corruption and dishonest behaviour by a special measure. The system is, when a special charge against any member of the Union Public Service Commission is made before the President of India about corruption and dishonesty the latter directs the Supreme Count of India to make enquiry on it and the Supreme Court after making the inquiry submits its report to him. If the alleged charge is proved against the member or even the chairman of the commission the President can remove him from his office. Art. 317(2)also says that if a member is found insolvent or mentally and physically unfit then also the President can remove him from the post of membership.

The removal process of the members is not an easy one. A strict and tough process is followed to remove any of the members. The members of UPSC can either resign from their posts or can be removed by the President if found involving in inappropriate behaviour. However, the

complaints against the members of the UPSC is investigated by the Supreme Court and if found proven, the removal takes place. During investigation the person against whom a complaint is lodged remains away from duty. Apart from complaint of inappropriate behaviour, a member can also be removed if he goes bankrupt, holds other job of profit or if found insolvent or mentally and physically unfit then also the President can remove him from the post.

The attempt was to create an independent body for recruitment purposes, but little attention was paid regarding the qualification of the members of UPSC. The agency being the multipurpose body requires combination of various types of qualities for its members. To choose the best candidates out of many, members must be capable to perform this job. The quality of administration depends upon the initial recruitment of the personnel; the later depends upon the qualifications and impartiality of the members of the UPSC. The only safeguard mentioned is about having 10 years of administrative experiences by half of the members.

- **Service conditions**

The president of India has the power to decide the service conditions for the chairman and other members of the commission. Certain provisions are included in the constitution to keep them away from bribery, fear or pressure from other officials or ministerial, and to help them remain impartial and neutral in service. Some of the service conditions are:

I. The chairman can not join any office of profit under central government or any state governments after his retirement.
II. Before the expiry of the term, executive cannot remove the chairman or any member of the commission.
III. Once they are appointed the terms and conditions of services cannot be changed.
IV. As per Art. 322, their salaries and allowances are charged form the consolidated fund of India and hence not subjected to the approval of parliament.

These provisions make the commission free from any kind of pressure from any ministry and provide the scope to work in an unbiased

and independent way. These provisions remove the fear of being pressurised or dominated by any higher authority. Being free form any kind of force or stress, the commission can perform their task smoothly and render adequate service to the state.

3.6 FUNCTION OF UPSC

The UPSC is a Constitutional Body and is assigned the duty of making recruitment by conduct of competitive examinations as well as selection through interviews, advising on the suitability of officers for appointment on promotion and transfer-on-deputation, advising the Government on all matters relating to methods of recruitment to various services, framing & amendment of Recruitment Rules, disciplinary cases relating to various Civil Services, miscellaneous matters relating to grant of extra-ordinary pensions, reimbursement of legal expenses etc, advising the Government on any matter referred to the Commission by the President of India and on the request of the Governor of a State, to serve all or any of the needs of a State relating to recruitment, with the approval of the President.

In order to fulfil its constitutional obligations, the Commission is supported by Officers and Staff broadly known as Secretariat of the Commission, headed by the Secretary. The Administrative Branch of the Commission is entrusted with the functions of administering the Secretariat of the Commission as well as looking after the personal matters of Hon'ble Chairman or Hon'ble Members and other Officers and Staff of the Commission.

The functions of the commission as prescribed by the constitution of India fall into two categories: a) Administrative and b) Advisory. The administrative functions relate to recruitment to all civil services and posts under the union government or the state government by written examination or by interviews or both. The advisory functions relate to advising the government. Art. 320 of the constitution of India have categorically enumerated the functions of the Union Public Service Commission. Those are as follows:

I. The Union Public Service Commission recommends the meritorious and prospective young men and women after selecting them through

All India competitive examinations for appointment in administrative services.

II. Secondly, if two or more state governments so request the UPSC to assist them in framing and operating schemes of joint recruitment for any service for which candidates possessing special qualification are required.

III. Thirdly, it advises the President on:

a. "all matters relating to methods of recruitment to civil services and for civil posts;

b. the principles to be followed in making appointments to civil services and posts and in making promotions and transfers from the service to another and on the suitability of candidates for such appointments promotions or transfer;

c. all disciplinary matters affecting a person serving under the Government of India or the Government of a State in a civil capacity, including memorials or petitions relating to such matter;

d. any claim in respect of a person who is serving or has served under the govt. of India in a civil capacity, that any cost incurred by him in defending, legal proceedings instituted against him in respect of acts done or purporting to be done in the execution of his duty should be paid out of the consolidated fund of India;

e. any claim for the award of a pension in respect of injuries sustained by a person while serving under the government of India in a civil capacity and any question as to the amount of such award;

f. any other matter which may be referred to it by the President for advice."

It is usually obligatory for the Government of India to consult the Union public Service Commission in respect of all the above matters. However, the President has the power to make regulations, specifying the matters in which, either generally or in particular circumstances the commission may not be consulted. Under the Union Public Service Commission (exemption

from consultation) regulations framed by the President in 1958, it is not obligatory for the President to consult the U.P.S.C. in the following cases;

I. Posts in respect of which the authority of appointment, has specifically been conferred by the constitution in the President,

II. Chairman of members of any Board, Tribunal Commission, Committee or any other similar authority, created under a statute or under the authority of a resolution of either Houses of the Parliament or by a resolution of the government of India for conducting an enquiry into any matter or advising the government of specified matters.

III. Heads of diplomatic, consular and other similar Indian Missions in other countries,

IV. Personal staff attached to the holders of the posts mentioned in categories mentioned above,

V. Posts in the Secretariat of the Lok Sabha and Rajya Sabha,

VI. All technical and administrative posts in or under the Atomic Energy Commission,

VII. Judicial Commissioners and Additional Judicial Commissioners, District Judges and Additional District Judges of the Union Territories and the subordinate Judges and Munsifs in the Union Territories of Manipur, Tripura and Himachal Pradesh,

VIII. Any service or post in respect of which the commission has agreed that it is not necessary for it to be consulted. The temporary and officiating appointments can also be made without consulting the U.P.S.C. provided the incumbent is not likely to hold the post for more than a year. But intimation has to be sent to the commission regarding such appointment as soon as the posts are filled. Similarly there is no need to make any reference to the commission regarding the reservation of posts in favour of backward classes, Scheduled Castes, Schedule Tribes.

The government is not bound to take advises of the Union Public Service Commission in regard to the issues of making reservation in services for the schedule caste, schedule tribe and other backward communities or

for making some special provision and privileges for making such reservations for them under Art 335 under the constitution of India. The constitution of India has made the Public Service Commission a mere advisory institution which is required to give advises to the subject sent to it by the President of India or by the Governors of the States. But to accept or refuse their advices is the absolute discretion of the respective governments. This is because India has adopted a responsible democratic government where in the council of ministers cannot delegate its responsibilities to their employees to any other organization, though at the same time it should not neglect the advices made by a commission consisting of experienced and expert persons. Since the Council of Ministers is responsible to the legislature, the task of up keeping the standard of images and activities of the government servants before the people should be en-shouldered by the ministers themselves and not by any commission whatsoever.

- **Annual reports of the UPSC**

The constitution provides that it is the duty of the UPSC and the State Public Service Commissions to present annually to the President or the Governor or the case may be reports of its work. Immediately after the receipt of such report, the President or the Governor is required to lay it before each house of parliament or the state legislature together with a memorandum of the cases where the advice of the commission was not accepted and reasons for such non-acceptance. It may be remembered that though technically the selection of candidates by the public service commission is only in nature of recommendation to the government which is free to accept or reject, yet the advice of the commission is as a rule accepted by governments and the number of cases in which the commission's advice is not accepted is really negligible, e.g. of the hundreds of recommendations made by the UPSC during 1954-55, only one had not been followed by the government, but even then there was raised a storm of protest over that. The commission in its different reports presented to the parliament has mentioned about occurrences of irregular appointment and delayed references to the commission by government.

- **Precautionary Measures in Indian Constitution**

In order to prevent the ministers from taking any undue advantages or using the U.P.S.C. for their own personal and party interests, the constitution had taken two precautionary measures.

- First, the government must consult with the Union Public Service Commission regarding the appointment of its employees and the other matters relating to their interest and
- Secondly, if the recommendation or advice of the Union Public Service Commission is not accepted the government is to explain the reason of such non-acceptance to the parliament.

Without the recommendation of the Union Public Service Commission the Government of India can appoint temporarily some employees but such employee cannot be appointed for more than a year. If such employee is to be appointed for more than a year, the approval of the U.P.S.C. must be taken. Moreover, if the government does not take the recommendation or advice of the U.P.S.C. or refuse or neglect it, the reasons for it are to be reported to the Parliament. This would provide a check on the Executive. These intended checks against the nepotism and favouritism of the executive are only in theory and there are various limitations. Sometimes the reports are not thoroughly discussed in the parliament due to time scarcity and tight schedule and sometimes members don't even understand the real purpose of the reports. Moreover, due to strict party discipline, nothing can actually stop the government from indulging in favouritism and nepotism. Sometimes delayed presentation of reports also makes it useless to discuss in parliament.

3.7 WORKING OF THE UPSC

The main work of UPSC is to conduct examination for the recruitment of civil servants. The examination system has been questioned by scholars of public administration. In 1975, the Kothari Committee was set up to improve the recruitment policy and selection method. This committee suggested for holding preliminary screening test before the main civil services examination and an interview of 300 marks. The good points of this committee's

recommendations were that it recommended a single scheme of recruitment common for IAS, IPS and nontechnical Class I Central services. The main examination consists of two parts-the written examination and the interview. The screening test will weed out candidates who are not competent to appear in main exam; and counting the marks of written exam and interview together, the final merit list is prepared. Such system of examination is criticised for being one of the longest recruitment tests in the world covering more than a year. Moreover, it is not ensured that the best persons are selected. The multiplicity of optional subjects makes it difficult to evaluate the merit of the examinees. A more appropriate method would be to offer a common syllabus for all and to not be biased to any discipline. In this method only comparison of scores makes sense. It is also criticised that the questions in the main examination are very subjective in nature and it becomes tough to know what to include in the answer and what to exclude. Therefore it would be convenient if the question clearly spelt out what is to be explained, discussed, elaborate and analysed. Furthermore, a simple graduation is the condition to appear in the examination, but in actual practice a lot more is expected of the candidate. The syllabus is of MA level and only a few universities have this type of syllabus in graduation course. Thus maximum students are at loss as their universities follow syllabus with small content and those are not of MA standard too. Defects in the oral interview are also been pointed out as it is subjective and impressionistic giving much scope for elements of chance and luck and performance depending on the personnel of the board. Also the difference in nature of questions put to different candidates. The interview board mostly constituted by convent educated persons and it is obvious that many times they don't like the accent and pronunciations of bright students from ordinary government schools of rural background. Such examination system has made the present IAS elitist in character. The UPSC also suffers from mismanagement of its examination system like leakage of papers and others. Lastly, the non acceptance of its advices and not responding to rejection started to increase.

- **Present Position of UPSC**

Despite being criticised for many reasons and having inherent problems, UPSC is trying to recruit the best candidates for Civil Services. But over the

last few years, allegations have been made against UPSC particularly for paper leakage and people started to raise doubts about the genuineness and reliability of those who passed the examinations. In many cases courts have been approached. Additional problems are there regarding differences in evaluation from examiner to examiner, difficulty of standardisation of marks etc. However, inspite of all these problems, the UPSC is doing a very good work and selections are made based on merit alone.



CHECK YOUR PROGRESS

Q 1: When was the UPSC established?

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Q 2: Which commission recommended for establishment of UPSC?

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Q 3: State the removal procedure of the members of UPSC.

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……

Q 4: Which article of the Indian Constitution enshrines the functions of UPSC?

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……

Q 5: What are the two type / categories of functions of UPSC?

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……

Q 6: Write two advisory functions of UPSC.

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……

Q 7: Write down two demerits of the selection process of civil servants by UPSC.

……

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3.8 STATE PUBLIC SERVICE COMMISSION (SPSC)

The Government of India Act, 1935 provided for the establishment of the Public Service Commission at the Provincial level known as the State Public Service Commission and the constitution of India gave it a constitutional status as autonomous bodies. The State Public Service Commissions were constituted under the provisions of the Constitution of India. Articles 315 to 323 of Indian constitution include the composition, appointment and removal of the members, and powers and functions of the SPSC.

Composition :

A State Public Service Commission (SPSC) comprises of a chairman and other members appointed by the Governor of the state. One half of the appointed members of the commission should have held office for at least ten years either under the government of India or under the government of a state. The constitution has not specified the strength of the commission. The governor is empowered to determine the number of members as well as staff of the commission and their conditions of service.

1. The composition of the State Public Service Commission is similar to that of the Union Public Service Commission.
2. The members of the State Public Service Commission are nominated by the Governor.

The governor can appoint one of the members of the SPSC as an acting chairman if:

(i) The office of the chairman of the commission becomes vacant; or

(ii) The chairman of the commission is unable to perform the duties of his office due to absence or for any other reason.

Such member functions as an acting chairman till a person appointed as chairman enters on the duties of the office or till the chairman resumes his duties, as the case may be.

Tenure:

The chairman and members of the SPSC hold office for a term of six years or until they attain the age of 62 years, whichever is earlier. The members can resign in between the term by addressing their resignation to the Governor.

Service Condition for Independence of SPSC :

As in the case of UPSC, the constitution has made certain provisions to safeguard the independence and impartial functioning of the SPSC. Those provisions are listed below:

1. The chairman or any of the members of the SPSC can be removed from the office by the president only in the manner and on the grounds mentioned in the constitution. Therefore, they enjoy the security of tenure.
2. The conditions of service of the chairman or a member, though determined by the governor, cannot e changed to his disadvantage after his appointment.
3. The entire expenses including the salaries, allowances and pension of the chairman and members of a SPSC are charged on the consolidated und of the state. Thus, they are not the subject to vote by the state legislature.
4. The chairman of the SPSC is eligible for appointment as the chairman or a member of the UPSC or as the chairman of any other SPSC, but not for any other appointment under the government of India or a State. A member of a SPSC is eligible for appointment as the chairman of that SPSC, but not for any other appointment under the government of India or a State.
5. The chairman or a member of a SPSC is not eligible for reappointment to that office.

The above provisions are there to make the functioning of the SPSC unbiased and autonomous. These provisions allow SPSC to work in a free environment and in an independent manner.

The Duties and Functions of the SPSC :

Like the UPSC, the SPSCs perform various functions. Among them, the important functions are mentioned below :

The functions of both the SPSC are similar to UPSC. Only the jurisdiction of the UPSC is far wider than that of the SPSC. The UPSC extends across the entire length and breadth of the country because it is related to the Civil Services of the Union Government. The Jurisdiction of the SPSC is limited within the State. SPSC performs all those functions in respect of the state services as the UPSC does in relation to the Central Services:

(i) It conducts examinations for appointments to the services of the state.

(ii) It is consulted on the matters below:

- (a) All matters relating to methods of recruitment to civil services and for civil posts.
- (b) The principles to be followed in making appointments to civil services and posts and in making promotions and transfers from one service to another and on the suitability of candidates for such appointments, promotions or transfers.
- (c) All disciplinary matters affecting a person serving under the Government of India in a civil capacity, including memorials or petitions relating to such matters.
- (d) Any claim of costs incurred by a civil servant in defending legal proceedings instituted against him in respect of acts done or purporting to be done in the execution of his official duty.
- (e) Any claim for the award of a pension in respect of injuries sustained by a person while serving under the Government of India and any question as to the amount of any such award.
- (f) Any matter related to personnel management.
- (g) It presents annually to the governor a report as to the work done by the commission. The state legislature can confer additional functions to the SPSC relating to the services of the state. It can also extend the function of the SPSC by placing the personnel system of any local authority or other body corporate constituted by law or of any public institution under it.

The annual report of the SPSC regarding its performance is submitted to the governor. The governor then presents it before the legislature explaining the cases where the advice of the commission was not accepted and the reason for such non acceptance.

The Supreme Court has held that if the government fails to consult the State Public Service Commission in these matters, the aggrieved public servant has no remedy in a court. In other words, the court held that any irregularity in consultation with the State Public Service Commission or acting without consultation does not invalidate the decision of the government. Thus, the provision is directory and not mandatory.



3.9 LET US SUM UP

- UPSC is the highest recruiting constitutional body in India. UPSC conducts examinations to hire the best, qualified and eligible candidates suitable for civil service.
- The composition and functioning of the UPSC is done as per the norms stated by the constitution of India. The constitution also includes the conditions for removing the members of the UPSC. By following a strict removal system, the constitution has tried to provide the commission an independent and healthy work environment to carry out commission's duties in an unbiased manner.
- The functions of the UPSC can be divided mainly in two categories: Administrative and Advisory. However, the advices of the commissions are not always mandatory for the government to accept. But advices by UPSC are generally accepted and rarely ignored.
- The Constitution fixes certain service conditions for UPSC which cannot be altered once appointment is made.
- The UPSC/SPSC is supposed to submit reports to President or Governor of its works and those are further presented in the parliament. Non-acceptance of commission's advices/ suggestions and reasons showed for that are also included in the reports.

- The examination and selection process comprises three steps- preliminary, mains and interview. The selection process is made as one of the toughest so that the best personnel get selected. However, the selection process is not free from defects and criticism.



3.10 FURTHER READING

1) Singh, Hoshiar. (1998). Indian Administration, Ptana: Kitab Mahhal.

2) Sachdeva and Dua. (1999). Indian Administration, Delhi: Ajanta Publication.



3.11 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q No 1: 1st October, 1926.

Ans to Q No 2: Lee Commission, 1924.

Ans to Q No 3:

As per Art 317(1) only the President of India can remove these members from their offices under the special charge of corruption and dishonest behaviour by a special measure. The system is, when a special charge against any member of the Union Public Service Commission is made before the President of India about corruption and dishonesty the latter directs the Supreme Count of India to make enquiry on it and the Supreme Court after making the inquiry submits its report to him. If the alleged charge is proved against the member or even the chairman of the commission the President can remove him from his office. Art. 317(2)also says that if a member is found insolvent or mentally and physically unfit then also the President can remove him from the post of membership.

Ans to Q No 4: Article 320.

Ans to Q No 5: a) Administrative and b) Advisory.

Ans to Q No 6:

a) if two or more state governments so request the UPSC to assist them in framing and operating schemes of joint recruitment for any service for which candidates possessing special qualification are required.

b) It advises the President on all matters relating to methods of recruitment to civil services and for civil posts;

Ans to Q No 7:

a) The questions in the main examination are very subjective in nature and it becomes tough to know what to include in the answer and what to exclude.

b) The UPSC also suffers from mismanagement of its examination system like leakage of papers and others.



3.12 POSSIBLE QUESTIONS

Q. 1: Discuss the origin and development of the Union Public Service Commission in India.

Q. 2: Explain the composition, powers and functions of Union Public Service Commission in India.

Q. 3: Write a note on the role of the State Public Service Commission in administration of a state.

Q. 4: Describe the advisory functions of the Union Public Service Commission in India.

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UNIT 4: COMPTROLLER AND AUDITOR GENERAL OF INDIA

UNIT STRUCTURE

4.1 Learning Objectives

4.2 Introduction

4.3 Genesis of the Office of the Comptroller and Auditor General of India (CAG)

4.4 Procedure for Appointment of CAG.

4.5 Powers and Functions of Comptroller and Auditor General of India

4.6 Let Us Sum Up

4.7 Further Reading

4.8 Answers to Check Your Progress

4.9 Possible Questions

4.1 LEARNING OBJECTIVES

After going through this unit you will be able to

- understand the meaning of the office of the Comptroller and Auditor General of India.
- describe the importance of the office.
- know the procedure of appointment and particular term of the office.
- describe the powers and functions of CAG.
- understand the independence of the office of CAG.

4.2 INTRODUCTION

Finance is the fuel to keep the engine of administration going on. Mr. Lloyd George has even once remarked that Government itself is finance and this is true in the sense that every activity of Government do requires money. Even the best conceived policies will turn out to be futile and will fail drastically, if there is no availability of funds to pay the Personal and to purchase necessary equipment and materials required for the successful implementation of policies. In short, it may be defined as a process through

which maximization of financial output as well as optimization of financial resources can be secured adequately.

Financial administration constitute planning of public expenditure to make funds available for the fulfilment of governmental activities and to ensure that the funds are used lawfully and in an efficient and effective way. In a Democratic Government, like India, the legislature does not place more tax burden on the people. Financial administration thus constitute a crucial aspect of public administration. In other words, financial operations may be conducted for development and promotion of public policies. Therefore, to keep the administrative engine well there must have proper financial planning and timely audit. Audit plays an important role in the financial administration of a state. It is the watch dog of the finances of the nation. For this purpose, the constitution of India has made a provision for the office of the Comptroller and Auditor General of India which is the supreme observer of the government's financial activities. It acts on behalf of the parliament. In a country like India where public expenditure are increasing day by day, Comptroller and Auditor General of India plays a big role in keeping the financial stability of the state. Therefore, the scope of jurisdiction of the CAG should be made more extensive so far as possible.

The office of the Comptroller and Auditor General of India has its beginning in 1858. The Government of India Act of 1919 has its significance in this regard as it provided for 'Auditor General in India' responsible for the audit of expenditure in India from the revenues of India. This Act is a landmark in the history of the Audit Department as the Auditor General came to be statutorily recognized. The first Auditor General of India was Shri V. Narahari Rao.

The various provisions of the constitution of India were influenced by the British system of government in India. One of the feature of this system is that the executive i.e. the Prime Minister and the Cabinet remains answerable for all their activities to the popularly elected chamber of the legislature. The responsibility becomes empty unless financial activities of the government are subject to parliamentary scrutiny. For this it is imperative that there should be an independent authority to examine and scrutinize the

financial transactions of the government. With this object in view, the Government of India Act of 1935, made the office of Auditor General of India. The office of the Comptroller and Auditor General is an adaptation of the office of the Auditor General under the Act of 1935.

Under the constitution of free India, four major articles, i.e., Articles 148, 149, 150 and 151 defined the basic structure of the institution of the CAG of India. Under these articles it has been described an analysed that the CAG of India is an independent constitutional authority. It is neither part of the legislature nor executive, though appointed by the President on the advice of the Prime Minister and can be removed only through a motion of impeachment. The CAG is both the audit and accounting authority for the Centre as well as the States.

4.3 CONSTITUTIONAL PROVISIONS

1. Art. 148: Broadly speaks of the CAG, his appointment, oath and condition of service.
2. Art. 149: Broadly speaks of the duties and powers of the CAG.
3. Art. 150: The accounts of the Union and of the States shall be kept in such form as the President may, on the advice of the CAG, prescribe.
4. Art. 151: Audit Reports: The reports of the Comptroller and Auditor-General of India relating to the accounts of the Union shall be submitted to the president, who shall cause them to be laid before each House of Parliament.

4.4 PROCEDURE FOR APPOINTMENT OF COMPTROLLER AND AUDITOR GENERAL OF INDIA

The Comptroller and Auditor General of India is an authority, established by the constitution of India, under its article 148. The CAG of India is appointed by the President of India following a recommendation by the Prime Minister. He is appointed for a period of six (6) years or upto the age of 65 years. After being appointed for this office every person so appointed takes an oath or

affirmation before the President that he/she will bear true faith and allegiance to the Constitution of India as by law established to uphold the sovereignty and integrity of India. The CAG enjoys the same status as a judge of Supreme Court of India and he can be removed from office in the same manner and on the same grounds as in case of a judge of the Supreme Court of India. It can be stated that CAG be removed only on an address from both the House of Parliament on the ground of proved misbehaviour or incapacity.

4.5 POWERS AND FUNCTIONS OF THE COMPTROLLER AND AUDITOR GENERAL OF INDIA

The Comptroller and Auditor General of India is an authority, which audits all receipts and expenditure of the Government of India and state governments. It also audits all those organisations which are substantially financed by the government. The constitution makes the Comptroller and Auditor General the guardian of the public purse. His primary duty is to see that neither the union government nor the government of any state spends any money from the consolidated fund without legislative appropriation. Since he is the impartial head of the audit and accounts system of India, it is essential that he should be independent of executive control.

The CAG is the head of the Indian audit and accounts department. Article 149-151 of the Indian constitution includes all the provisions regarding the powers and functions of the CAG. As per the provisions of the constitution, the CAG's duties, powers and conditions of service Act, 1971 was enacted. As per the various provisions, the duties of the CAG include the audit of:

- Receipts and expenditure from the Consolidated Fund of India and of the State and Union Territory having legislative assembly.
- Transactions relating to the Contingency funds and the Public accounts.
- Trading, manufacturing , profit and loss accounts and balance sheet and other subsidiary accounts kept in any government department.
- Accounts of stores and stock kept in Government organisations, government companies and government corporations whose statues provide for audit by CAG.

- Authorities and bodies substantially financed from the consolidated funds of the union and the states.
- Any body or authority even though not substantially financed from the consolidated fund at the request of the President or the Governor.
- Accounts of bodies and authorities receiving loans and grants from the government for specific purposes.
- The Comptroller and Auditor General audit the account of the union government and report to the President. The annual report relating to the accounts of the Central Government is submitted to the President. The President lay the report before both the Houses of the Parliament for consideration.
- It is the duty of the CAG to ensure that proper approval of the Parliament has been taken prior to spending the public money from the Consolidated Fund of India.
- He audits all transactions of the Central and State Governments related to debt, sinking funds, deposits etc.
- He audits the accounts of any other authority when requested by the President or Governor e.g. Local bodies.
- He advises the President with regard to prescription of the form in which the accounts of the Centre and States shall be kept.
- He submits his audit reports relating to the accounts of a State to the Governor, who shall, in turn, place them before the state legislature.
- He ascertains and certifies the net profits of any tax or duty and his certificate is final on the matter.
- He acts as a guide, friend and philosopher of the Public Accounts Committee of the Parliament.
- He compiles and maintains the accounts of state governments.
- He submits 3 audit reports to the President: audit report on appropriation accounts, audit report on finance accounts and audit report on public undertakings.

The functioning of the Comptroller and Auditor General in India is exposed to several criticisms. In India the emphasis is almost exclusively on audit rather than on control of expenditures. In India, the Comptroller and Auditor General comes into the picture only at the audit stage i.e. after the expenditures have already been made. Rather CAG's work should go beyond the question of whether government funds are being spent appropriately to ask whether programs and policies are meeting their objectives and the needs of society.



CHECK YOUR PROGRESS

Q.1. Under which article was the institution of CAG appointed?

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Q.2. Who appoints the Comptroller and Auditor General of India?

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Q.3. What is the term of office of the CAG in India?

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Q.4. What is the procedure of removal of the CAG from its office?

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Q.5. What is the prime duty of the office of the CAG ?

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Q.6. Mention the articles of the Indian constitution where the powers and functions of the CAG has been enumerated.

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Q.7. To whom the CAG submits his audit reports?

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4.6 LET US SUM UP

- The Government of India Act of 1935, made the office of Auditor General of India. The office of the Comptroller and Auditor General is an adaptation of the office of the Auditor General under the Act of 1935.
- The office of the Comptroller and Auditor General of India has its beginning in 1858. The Government of India Act of 1919 has its significance in this regard as it provided for 'Auditor General in India' responsible for the audit of expenditure in India from the revenues of India.
- The first Auditor General of India was Shri V. Narahari Rao.
- Under the constitution of free India, four major articles, i.e., Articles 148, 149, 150 and 151 defined the basic structure of the institution of the CAG of India
- The Comptroller and Auditor General of India audits all receipts and expenditure of the Government of India and state governments
- The constitution makes the Comptroller and Auditor General the guardian of the public purse.
- His primary duty is to see that neither the union government nor the government of any state spends any money from the consolidated fund without legislative appropriation.
- He is the impartial head of the audit and accounts system of India.
- He acts and functions in an independent manner from the executive control.
- Comptroller and Auditor General of India audits the Receipts and expenditure from the Consolidated Fund of India and of the State.
- CAG takes care of the accounts of stores and stock kept in Government organisations, government companies and government corporations.
- The CAG of India is appointed by the President of India following a recommendation by the Prime Minister.

- He is appointed for a period of six (6) years or upto the age of 65 years. After being appointed for this office every person so appointed takes an oath or affirmation before the President.
- CAG be removed only on an address from both house of parliament on the ground of proved misbehaviour or incapacity.
- In recent times the working of CAG has been facing several criticisms and controversies. An issue has emerged regarding weather the role of CAG should extend to the commercial and industrial undertakings carried on by the government through private companies.
- In India the emphasis is almost exclusively on audit rather than on control of expenditures. Because the audit of the CAG starts only after the expenditures have already been made.



4.7 FURTHER READING

1) Fadia, B.L & Fadia Kuldeep (2008), Public Administration: Administrative theories and concepts, Sixth edition, Sahitya Bhawan Publication.
2) Lakshminath M, Indian polity,
3) Arora K Ramesh & Goyal Rajni, Indian Public Administration: Institutions and issues ,New age international publishers, Third edition.
4) Basu, Durga Das (2005), Introduction to the Constitution of India, LexisNexis.
5) Paylee, M. V., India's Constitution, S. Chand & Company.



4.8 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q No 1: Article 148.

Ans to Q No 2:

The President of India appoints the CAG with a recommendation from the Prime Minister.

Ans to Q No 3: 6 Years or up to 65 years.

Ans to Q No 4:

The Comptroller and Auditor General of India can be removed only on an address from both the houses of parliament on the ground of proved misbehaviour or incapacity.

Ans to Q No 5:

The primary duty of the CAG is to see that neither the union government nor the government of any state spends any money from the consolidated fund without legislative appropriation.

Ans to Q No 6: Article 149 to 151.

Ans to Q No 7:

The Comptroller and Auditor General of India submits its audit reports to the President of India.



4.9 POSSIBLE QUESTIONS

Q. 1: Write a note on the constitutional provisions regarding the Comptroller and Auditor General of India.

Q. 2: Explain the appointment and removal procedure of the Comptroller and Auditor General of India.

Q. 3: Discuss the powers and functions of the Comptroller and Auditor General of India.

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UNIT 5: BUREAUCRACY IN INDIA

UNIT STRUCTURE

5.1 Learning Objectives
5.2 Introduction
5.3 Meaning of Bureaucracy
5.4 Classification of Civil Services
5.5 Role of Bureaucracy in Post-Independent India
5.6 Meaning of Generalist and Specialist Bureaucracy
5.7 Generalist vs. Specialist Controversy in Indian Administration
5.8 Neutral and Committed Bureaucracy in India
5.9 Let Us Sum Up
5.10 Further Reading
5.11 Answers to Check Your Progress
5.12 Possible Questions

5.1 LEARNING OBJECTIVES

After going through this unit, you will be able to:

- understand the meaning of the term bureaucracy
- analyse of the role of bureaucracy in post independent India
- to identify the meaning of Generalist and Specialist Bureaucracy and also to understand the ongoing debate and controversy between the two
- describe about the neutral and committed bureaucracy in India

5.2 INTRODUCTION

Bureaucracy plays an important role in the administrative system of a country. Like any other political system, India has a well-organized administrative system backed by well educated, well-trained, professional-experts and political neutral civil service or bureaucracy. The duties and responsibilities performed by the civil service constitute the administrative system of our country. In this unit, we will discuss about the role of

bureaucracy in India along with the generalist vs. specialist controversy and neutral and committed bureaucracy.

5.3 MEANING OF BUREAUCRACY

In a very simple term the word Bureaucracy means the officials, employees, and people who run government departments and offices, or similar officers and employees who manage the details of operating a large business. The bureaucratic institution has their origin in ancient times and it has developed to become most large organisation both public and private. The word 'Bureaucracy' is derived from the word 'bureau', used from the early 18th century in Western Europe to refer to an office, i.e a workplace. There are several meaning of bureaucracy. Generally it refers to organizing principles that are intended to achieve coordination of work in large organisation. The bureaucracy refers to the entire public officials of a government. They may constitute both high, low, elected and appointed bureaucrats. Bureaucracy is the name of an organizational form used by sociologists and organizational design professionals.

It may be noted that in the 1930s Max Weber, a German sociologist, described the bureaucratic form as being the ideal way of organizing government agencies. Max Weber's principles spread throughout both public and private sectors. Weber noted six major principles of bureaucracy. These are as follows:

- **A formal hierarchical structure:** Each level controls the level below and is controlled by the level above. A formal hierarchy is the basis of central planning and centralized decision making.
- **Management by rules:** Bureaucracy operates in accordance with the rules. These rules operate only in relation to the official job of an office holder. Rational application of the rules require special training.
- **Division of labour:** The total task of the organisation is divided into a number of specialised functions. Each employee performs a specialised job and become efficient.

- **Monthly salary and pension right:** Officials hold office by appointment. Then there are fixed salaries which are given in accordance with the nature of the job and responsibility as well as social status. Apart from this, there are chances of promotion and career advancement on the basis of seniority and merit.
- **Impersonality:** A bureaucratic form of organisation does not entertain irrational sentiments. Officials are expected to carry out their duties without allowing themselves to be influenced by their personal likes and dislikes.
- **Official records:** The administrative acts, decisions and rules are formulated and recorded in writing. Documents make the administration accountable to people and also provide reference for future action.

5.4 CLASSIFICATION OF CIVIL SERVICES

The term generally refers to administrators paid for implementing the policies of national governments. The origin of the term can be traced to the British system of administration. The members of the civil service draw their salary and other financial benefits from the state fund. The members of the civil service work for state administration and for that reason they are called civil servants or government officials. The civil servants are also called bureaucrats and in general term it is called bureaucracy. The German sociologist Max Weber contributed much to the concept in the wake of the industrial revolution that took place in early 19th century where a special category of officers specially trained was needed for the management of industrialised society and, subsequently, those trained officials were collectively known as bureaucracy.

Part XIV of Indian Constitution provides for different types or classes of services for India. It may be stated that the Civil services and posts under the Central Government are at present can be classified into four (4) groups as follows--

- Central Services---- Group- A
- Central Services---- Group- B
- Central Services---- Group- C
- Central Services---- Group- D

The Civil Services of group A of the central government are under the control of the central government only. Some of them are Indian Foreign Service, Indian Audit and Accounts Service, Indian Statistical Service, Indian Economic Service, Indian Information Service, Indian Railway Service etc. These central services are broadly divided into a) Technical services and b) Non-technical services.

In the Group B Services following categories are included-Central Secretariat Service, Geographical Survey of India, Zoological Survey of India, Central Secretariat Stenographers Service. They are the second level of command structure among the broad categories of central civil services. Usually they perform functions and tasks similar to that of Group-A, but it is lower in its salary range and status.

In Group C All India Service we find the following types. Members of the Clerical Service of Central Secretariat and Telegraph Service. It may be stated that the Group C services are non-gazetted. The members of the Group C staff are recruited by the Staff Selection Committee through an open competitive examination. The Staff selection committee sends the list of successful candidates to the various departments of central government and they recruit from the list of successful candidates.

Group D services include a large number of employees in this group who belong to the common categories like peons, chowkidars, sweepers, messengers, watchmen, mazdoors etc. Top central government officers appoint peons, sweepers and gardeners for their use.

The All-India Services (AIS) have a long history. The AIS system was introduced in the first decade of the 20th century. There were several types of AIS and the most important were Indian Civil Service and Imperial Police Service. Besides AIS there are two other services-the State Services and

Local Services. Local services are also called municipal services. There are certain subjects which fall within the jurisdiction of states. Some of these are health, police, agriculture, forest etc. For the recruitment for the posts of state services there are laws enacted by the state legislature. Local services include municipal services and Panchayati raj. Today the local self-government enjoys greater importance.

5.5 ROLE OF BUREAUCRACY IN POST-INDEPENDENT INDIA

The role of bureaucracy has been changing over from alien British rule to democratic rule. Administrative changes took place, people became the supreme authority of the state and Government is formed by the people, of the people for the people. Parliamentry form of Government has been established in where political executive is responsible for state affairs. All the policies are formulated by the ministers with the approval of the legislative. But it is implemented by the civil servants.

Another major change took place that is the power and prestige of the civil servants. officers are organised in terms of hierarchy of authority, so that each and every lower office is under the supervision and control of a higher office. Recruitment is always made on the basis of merit, achievement which should be judged by examination which is conducted by the government.

The civil servants play an important role in all kind of administration. The first and the foremost duty of the civil servants is to enforce the laws enacted by the legislature. But the ministers or political executives have control and supervision over the work of the bureaucrats. Thus the civil servants can exercise lot of latitude in the running of the administration.

In the legislative sphere bureaucracy plays an important role in the preparation of the bills and providing detail to the laws enacted by the parliament. Under a parliament system of government the civil servants play an important role in the formation of the bills and also provide

necessary arguments to the ministers to get this bills through the legislature.

In the financial sphere the role of bureaucracy is also important. The details of the estimated income and expenditure of the government are worked out by the civil servants. After the budget is approved by the legislature, the responsibility for controlling the outlets of the finances rest with the civil servants.

In recent years , the bureaucracy is playing significant role in judicial sphere. The various departments of the governments take numerous decisions of quasi-judicial nature which are final and no appeal can be made against these decisions to the court. Thus, the bureaucracy has judicial power, especially in the democratic countries.

5.6 MEANING OF GENERALIST AND SPECIALIST BUREAUCRACY

The problems of defining the respective roles of Generalist and Specialist bureaucrats in case of Indian Administrative system becomes acute along with the expanding functions of the government. It becomes more crucial at the top of the hierarchy. It may be stated that a Generalist is one who has knowledge of the technique of the processes involved in a factory or a technical undertaking or in administration but he is not an expert. On the other hand a specialist or an expert is a man whose special training makes him an authority in a particular field. The expert is a specialist in knowledge and in action; the administrator must be a generalist in knowledge and in action.

A Generalist entrant to civil service would have graduated in literature or history or social sciences, or physical or biological science or mathematics, or commerce or accountancy, or a technical subject like engineering or medicine. On the strength of his/her subjects at graduation. A generalists usually performs POSDCORB functions (Planning, organising, supervising, directing, coordinating, reporting and budgeting).

A specialist is an expert, who is confined within a specialised area or department and occupies the technical positions in administrative hierarchy. They are entrusted with the task of providing technical advice to the generalist administrator.

The British administrative class has truly embodied the principle of the generalist in governmental administration. The specialists are mostly used in government in the American Civil Service.

5.7 GENERALIST VS. SPECIALIST CONTROVERSY IN INDIAN ADMINISTRATION

The issue of controversy between the Generalists and the Specialists or between the Indian Administrative Services or IAS cadre and other services within the bureaucratic system of India needs to be reformed. The present administrative system is the legacy of the British. The top level civil servants in India are recruited through a common competitive examination conducted by UPSC. This competitive exams test the generalised knowledge of the candidate, who is supposed to know something of everything. Specialised knowledge is tested for departmental office like health, agriculture, transport, public works, irrigation etc. But these departments are usually headed by generalist IAS officer. This has created two categories of bureaucrats, i.e Generalists and Specialists and also has generated a kind of ill feeling between the two. It may be noted that the biggest question confronting the IAS is its lack of specialisation. The IAS was modelled on the colonial era Indian Civil Service as a generalist service to deliver the core functions of the state - collect taxes and maintain law and order.

5.8 NEUTRAL AND COMMITTED BUREAUCRACY IN INDIA

In the modem democratic state neutrality of the bureaucracy is an important aspect of administration. The bureaucracy plays an important role in policy-- making as well as in its implementation. As permanent

members, the bureaucrats help the ministers by providing various data that are essential for the development of the society. They can access to lot of confidential information, which ministers often do not possess since they lack the time to read all the official documents. For these reasons there is considerable dependence upon the bureaucracy in all countries. They must be neutral in all the aspects of the administration.

Every society consists of various sections, groups and classes and each one tries to protect its interests, The various interests often come into clash with each other. It is the function of the government to maintain peace by keeping this conflict within limits. The government achieves this objective by trying to fulfil the just demands of each section with the help of various policies formulated by the bureaucrats who also advise the ministers on the pros and cons of alternative policy proposals, and drafting reports, proposals, resolution and legislative measures. In view of such participation by the bureaucracy in policy-making, and also in putting it into effect, it is important that the bureaucracy should be non-partisan or neutral between the various sections. Neutral Bureaucracy or Bureaucrats (civil servants) are full-time, permanent non-political employees of the government. They, therefore, should serve any government with enthusiasm, integrity, impartiality and disinterestedness.

At the same time, they must be committed which means moral dedication to a cause. The bureaucracy should be committed to human and national values, service of the people and professional norms. They requires a lot of commitment to exercise power in the interest of others. Committed means dedicated towards a particular cause or work. In a democratic set-up, parliamentarians are elected by the citizens and they are responsible for making laws and policies; while bureaucrats are responsible for implementation of the same laws and policies.

Indian bureaucracy was inherited from the British Weberian bureaucracy, having its structure quite similar to the latter. In the recent years along with the generalists, specialists are also recruited to fulfil the multifarious development activities. The distinctive feature of the bureaucrats

would be their power and pre-eminence in the society. A bureaucrat is impersonal in his behaviour and politically neutral being at the same time committed to the policies of the government. They must develop an independent personality and conscience, without playing a direct role in power politics. A bureaucrat serves the government with full zeal, devotion and loyalty irrespective of the fact as to which party occupies ministerial post. They provide expertise and ensure continuity in administration, such is the structure and characteristics of Indian administrative elites.



CHECK YOUR PROGRESS

Q.1. What do you mean by the term Bureaucracy?

.....

Q.2. Explain two principles of bureaucracy according to Max Weber?

.....

Q.3. From which word the term bureaucracy has been derived?

.....

Q 4) Which part of the Indian constitution deals with the classification of civil services?

.....

Q 5) What are the four classes of civil services ?

.....



5.9 LET US SUM UP

- Bureaucracy means the officials, employees, and people who run government departments and offices, or similar officers and employees who manage the details of operating a large business.
- Weber noted six major principles of bureaucracy.
- Part XIV of Indian Constitution provides for different types or classes of services for India.

- The issue of controversy between the Generalists and the specialists or between the Indian Administrative Services or IAS cadre and other services within the bureaucratic system of India needs to be reformed.
- The generalists and the specialists both have very important roles to play in administration and their contributions ought to be recognised.
- In the modem democratic state neutrality of the bureaucracy is an important aspect of administration.



5.10 FURTHER READING

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3) Perrow Charles. (1986). complex organisations Newyork : Random House.
4) Basu, Durga Das (2005), Introduction to the Constitution of India, LexisNexis. Paylee, M. V., India's Constitution, S. Chand & Company.



5.11 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q No 1:

Bureaucracy means the officials, employees, and people who run government departments and offices, or similar officers and employees who manage the details of operating a large business.

Ans to Q No 2:

Two principles of bureaucracy according to Max Weber are:

a) A formal hierarchical structure: Each level controls the level below and is controlled by the level above. A formal hierarchy is

the basis of central planning and centralized decision making.

b) Management by rules: Bureaucracy operates in accordance with the rules. These rules operate only in relation to the official job of an office holder. Rational application of the rules require special training.

Ans to Q No 3: Bureau.

Ans to Q No 4: Part XIV.

Ans to Q No 5: Four classes of civil service in India are:

- Central Services---- Group- A
- Central Services---- Group- B
- Central Services---- Group- C
- Central Services---- Group- D.



5.12 POSSIBLE QUESTIONS

Q. 1: Discuss the role of bureaucracy in the Indian political system.

Q. 2: Critically examine the controversy between generalists and specialists.

Q. 3: Write a note on the neutral and committed bureaucracy in India.

Q. 4: Describe the problems and prospects of committed and neutral role of the bureaucracy in India.

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UNIT 6: DEVELOPMENT ADMINISTRATION IN INDIA

UNIT STRUCTURE

6.1 Learning Objectives

6.2 Introduction

6.3 Emergence of Development Administration

6.4 Meaning and Objective of Development Administration

6.5 Key Purpose and Concerns of Development Administration in India

6.6 Characteristics of Development Administration

6.7 A Brief Reference to Riggsion Model of Development

6.8 Specificity of Development Administration and Role of Bureaucracy in Developing Countries

6.9 Criticisms of Development Administration

6.10 Let Us Sum Up

6.11 Further Reading

6.12 Answers to Check Your Progress

6.13 Possible Questions

6.1 LEARNING OBJECTIVES

After going through this unit, you will be able to:

- explain the meaning and causes that led to the emergence of development administration.
- describe the objectives of development administration
- evaluate the key concerns of development administration of India
- explain the characteristics of development administration
- describe the Riggsion Model of development
- explain the specificity and criticisms of development administration and evaluate the role of bureaucracy in developing countries, including India.

6.2 INTRODUCTION

Development Administration may be stated as the means through which the goals of development, i.e, Modernisation, Industrialization, social justice as well as economic growth can be achieved. It mainly focuses upon the issue of bringing change through integrated, organized and through well conducted governmental action.

Recently, it has been observed that, the governments of many developing countries, including India has shifted their attention on development by means of planned change and by participation of people. With this change in administrative concern towards developmental objectives, the researchers of public administration in India have conceptualize the developmental situation and have also tried to bridge the gap that exist in administrative theory. It is also noteworthy that the increasing welfare function of the government have brought into focus the shortcomings of the traditional theory of administration.

The essence of development administration lies in the capacity of bringing change in the structure and behaviour in different administrative institution, creating a mechanism that can sustain change and improve the institutional capacity to change for the welfare of the society.

6.3 EMERGENCE OF DEVELOPMENT ADMINISTRATION

The term 'development administration' is of recent origin. It was first originated in the year 1955, under the initiative of U. L. Goswami, an Indian scholar and senior bureaucrat, in his article "The Structure of Development Administration". Later on the term was further popularised by renowned personalities like Fred W. Riggs, Albert Waterson, Joseph La Polombara, and Edward Weidner. But it should be noted that it was Weidner, Who have introduced the concept of development administration for the first time.

With regard to the emergence of development administration, it is seen that two different but inter connected traditions seemed to have

converged into it. One of these streams is the outcome of the evolving concept of scientific management which was started with the administrative reform movement at the turn of the century. Under this economy and efficiency served as both ends and means in itself, blurring the difference between them. There was an emphasis on the study of ends and public administration glorified means. It is in this backdrop to fill the vacuum that occurred in the administrative theory, Weidner had introduced the concept development administration.

The second stream focused upon its move towards national planning and government interventionism, which arose into prominence as a result of the great depressing of late 1920s and early 1930s, second world war, post war reconstruction and other developments that took place after the war. It was R.B Jain and O.P dwivedi that went to the event of calling this model as one of crisis management and reconstruction administration.

However, as started earlier that the conceptualization and elaboration of the concept of development administration were mainly done by western scholar, the most significant contribution came from the Comparative Administration Group (CAG) in USA, which was organised in 1960-61 under the initiative of American society for public administration. The members of the CAG for the betterment of programme induced in the developing countries under administration, sponsored rescued and seminars on the administrative loopholes and problems of the third world countries.

India, which is one of the developing country, is facing the serious problems of social stagnation, illiteracy, tribal or ethnic problems, poor health facilities, under development political and administrative institutions and lack of managerial and technical skills. The main concern before India or the issues that required top most priority were to accelerate economic, social and political development and the national consolidation. It is to be noted that by the beginning of 1960s, development had secured a vital position of importance in India and in this regard the first step was to conceptualize the notion of development administration.

6.4 MEANING AND OBJECTIVE OF THE DEVELOPMENT ADMINSTRATION

It is now widely accepted that development administration with a difference. Its central focus is on the government induced change towards the achievement of progressive political, social and economic goals.

The definitions as cited below will help us to understand more clearly the meaning of development administration:

Edward Weidner development administration as an "action oriented, goal oriented administrative system."

Merle Fainsod regarded development administration "a carried of innovating values.... It embraces as may of new functions assumed by developing countries embarking on the path of modernization and industrialization. Development administration ordinarily involves the establishment of machinery for planning, economic growth and mobilizing and allocating resources to expand national Income."

Riggs observes, "Administration cannot normally be improved very much without changes in the environmental constraints (the infrastructure) that hampers its effectiveness, and the environmental itself cannot be changed unless the administration of development programme is strengthened.

Objectives of development administration in India:

(i) The prime objective of development administration is the application of innovative techniques and strategies to attain development goals.

(ii) Development administration also puts emphasis on the development at the grass root level. It mainly aims to make development a need-based and self-reliant process.

(iii) Another objective of the development administration is its stress on the issue of social development and utilizing human capital as a major resource.

(iv) Development administration has focused upon the area that development has to be identified not merely as a technological problem but also as an ideological norm.

(v) Development administration, basically, put emphasis on rapid and profound change for establishing a just and distinct social order.

(vi) Another key objective of development administration is the recognition and highlighting the fact that unity, rather than dichotomy between politics and administration should prevail.

(vii) Development administration also puts emphasis on the effective and efficient utilization of scarce resources.

(viii) A serious concern of development administration is the creation of an environment, where politics- administrative set up is directed towards achieving the basic recruitments of the population.

(ix) Lastly, the focus of development administration is related to ensuring freedom of administrative machinery to express its values, ideas and belief.



CHECK YOUR PROGRESS

Q.1. What do you understand by the concept of development administration?

.....

Q.2. Mention any two important objectives of development administration in India?

.....

6.5 KEY PURPOSE AND CONCERN OF DEVELOPMENT ADMINSTRATION IN INDIA

India is a developing country and in this regard there are certain key concerns of development administration in India. Some of them may be discussed as below -

(i) One of the key concern of development administration in India is the administrative capability of a system to take decisions in right way to cater to the needs of environment and with the goal of attaining larger political and socio-economic ends.

(ii) Another key purpose of development administration in India is to emphasis in increasing the size, specialization of functions and in the professionalization of its personnel.

(iii) Development administration in India emphasized upon creating a pattern of increasing and enhancing effectiveness in the optimum utilization of available resource and if necessary, further augmentation of the resource should be made if necessitated.

(iv) Another concern and purpose of development administration in India is enhancing and increasing administrative capacity and capability.

(v) Another concern of development administration in India is to transform the exiting administrative mechanism into a new form through modernization of bureaucracy by the means of external inducement, transfer of appropriate technology and effective training.

(vi) Development administration in India focuses upon reducing and limiting the excessive dependence on foreign experts and producing effective and efficient trained manpower within India itself.

(vii) Development administration in India lays emphasis upon rationalization and reorganization of administration.

(viii) Another chief concern of development administration in India is to make modernization culturally related.

(ix) One of the prime purpose of development administration in India is to eliminate bureaucratic immobility and widespread corruption from the system.

(x) Another chief concern of development administration in India is to make reorientation of established agencies and delegating administrative responsibility and functions to them.

(xi) Lastly the concern of development administration is creating administrators who will be able to provide leadership in stimulating and supporting programmes of social and economic empowerment and improvement.

6.6 CHARACTERISTICS OF DEVELOPMENT ADMINISTRATION

Some of the features of development administration can be summarized as follows. These are -

(i) **Change orientation:** The first element of development administration is change-orientation. Development administration focuses in the establishment of a new social order, where growth and distributive justice will co-exist. Eminent scholar Pai Panan dikar argued that the central theme of development administration is to bring about change in social, economic and political dimension. Development administration cannot focus status-quo, rather it should be dynamic. Positive changes should occur in the administrative set-up. changes like structural reorganization of administration, innovative measures to remove poverty, unemployment and to increase production should take place. Emphasis should also be given to improve the employer-employee relationships and must form a past of development administration.

(ii) **Goal -Orientation:** It is important to note that developing countries are facing the problems relating to poverty, injustice, lopsided agricultural growth, unequal distribution of wealth and poor technological management. These serious issues are to be tackled in a systematic way by fixing priorities accordingly. And development administration is the way through which the goal of development can be attained.

(iii) **Innovative Administration:** Development administration focuses on improving the age old governing structure and replacing them by the new ones that suits the changing political and social environment. India, for example, has carried out experiments with many new institutions and procedures which can be termed as the hallmarks of development administration. Many development programmes like IRDP (Integrated Rural

Development Programme) NREP (National Rural Employment Programme), TRYSEM (Training Rural Youth for Self Employment) etc. have been introduced in India. The chief aim of these programmes is to remove employment, reduce poverty and to create job opportunities. Along with this programmes, we have district planning boards, state planning boards, Co-operative society etc. To help in the development process and to ensure speedy realization of goals.

(iv) **Client-Oriented Administration;** Development administration tries to meet the needs of some specific target groups, like small and marginal farmers and rural artisans in India.

The social, economic, political and cultural advancement forms an essential basic of performance appraisal of administrators. Development administration is basically people oriented administration and it gives utmost priority to the requirements of people and accordingly prepares and reviews the politics and projects that are aimed to satisfy the needs of the people. The welfare of the weaker section lies at the centre of development administration. Effective training of personal can be one of the major initiative to formulate plans as well as monitor them in such a way that people are benefited to a large extent.

(v) **Participation-Oriented Administration:** Development administration gives importance on the principle of the associative and participative system of administration. In this system of administration people are taken as active participants in the formulation and execution of development plans and programmes. Effective participation of local people is a recognized principle of administration now. People has a share in the governance and management of developmental affairs of the government. In India, the involvement of Panchayati Raj Institutions in administration is a major and renewed step in the development strategy of India.

(vi) **Effective Co-Ordination:** In order to reap benefit to a maximum level, co-ordination between various administrative units is of top most priority. Wastage of time, resource and cost has to be reduced to the maximum level. Development administration has to co-ordinate the activities of different organizations for the realization of development goals. Co-ordination in an effective way will avoid duplication of functions, unnecessary focus on irrelevant activities etc. and will thus minimize administrative lag.

(vii) **Ecological Perspective:** Development administration shapes the political social and economic environment and in turn is also affected by it. It involves a close relation between administration and environment.



CHECK YOUR PROGRESS

Q.3. Mention two purposes of development administration in India?

.....

Q.4. Mention the name of three development programmes introduced in India?

.....

6.7 A BRIEF REFERENCE TO THE RIGGSIAN MODEL OF DEVELOPMENT

In the words of the Fred Riggs, Administrative structure, behaviour and operations constitutes an integral part of the entire society ; their proper knowledge can be a attained only within the context of the web of social relations with which public administration is in a platform of dynamic interaction.

The ecological approach to public administration which owes its origin to Riggs, demonstrate important between social system and the administrative set-up, within which public administration is embedded. It was Riggs who focus upon significant interactions between administrative system and its 'environment'.

Basically, it can be summarized that the ecological model formulated by Fred Riggs is the most creative and at the same time a controversial model too in the context of developing countries. Riggs has also initiated the structural-functional approach, which had gain wide popularity in recent time. According to this approach every society has a role to perform various functions, ranging from religious functions, administrative functions, economic functions etc.

6.8 SPECIFICITY OF DEVELOPMENT ADMINISTRATION AND ROLE OF BUREACRACY IN DEVELOPING COUNTRIES

The distinguishing mark of development administration, that make it specific, is its focus on the management of 'development.' As an appropriate branch of public administration, its main purpose is to accomplish specific goals of development by formulating appropriate programmes, policies and projects and their efficient and effective implementation. It is to be noted that a responsive, participative and accountable management constitute the bedrock of development administration.

George Gant has put that, ''The purpose of the development administration are to stimulate and facilitate defined programmes of social and economic progress. They are purposes of change and innovation and movement as contrasted with purpose of maintaining the status que." It also claimed that bureaucracy needs to be accountable to the people, as to any vested institutional interest development administration calls for positive, persuasive and innovative stances from the bureaucracy. The approach of development administration is outward reaching and not inward looking.

Pai Panandiker and Kogirsagon, in their study of administrative behaviour in development, propose four major behavioural parameters-

(i) Change Orientation.

(ii) Result Orientation.

(iii) Citizen Participative orientation.

(iv) Commitment to work.

The two scholar would wish certain psychological disposition among administrators in development situations based on the above mentioned parameters.

Features of bureaucracy in developing countries:

(i) The first feature of bureaucracy in developing country is that the basic pattern of administration is initiative in nature rather than Indigenous.

(ii) The deficiency that exist in bureaucracy for skilled man powers necessary for developmental programmes is another notable feature of bureaucracy in developing countries.

(iii) The most important feature of bureaucracy in developing country, specially in India is the widespread discrepancy between form and reality.

Role of Bureaucracy in developing countries:

(i) The most important role of bureaucracy in India is directed towards the attainment of high level of economic growth and nation building process.

(ii) Another significant area where bureaucracy has played an important role is in the establishment of Democracy. Along with it bureaucracy also performs the function of political socialization.

(iii) Bureaucracy in India is also denoted to be one of the main channels of political struggle through which diverse interests are regulated and aggregated.

(iv) Lastly, Bureaucracy in India is a major instrument for bringing social change.

6.9 CRITISIMS OF DEVELOPMENT ADMINISTRATION

There are certain loopholes that exit within the framework of Development Administration.

It has been stated that development administration has tended to magnify the role of bureaucracy which has traditionally been a major obstacle is Indian Administration.

Another criticisms of development administration is that it basically stands out to be a sugar-coated concept, which is trying to cover the essentially inequalitarian and unjust nature of the developing countries.



CHECK YOUR PROGRESS

Q.5. Mention two functions performed by Indian Bureaucracy?

.....

Q.6. Are there any criticisms of development administration?

.....



ACTIVITY 6.1

(i) Browse through some of the prominent political weekly on the internet to write a short note on the framework of development administration in India.

(ii) Conduct a discussion upon the demerits of Development Administration.



6.10 LET US SUM UP

- Development Administration is a means through which the goals or modernization, Industrialization and economic growth can be achieved.
- The term Development Administration was first originated in the year 1955.
- The main objective of development administration is the application of innovative techniques to attain development goals.
- One of the important concern of development administration in India is to increase the administrative capability and capacity.

- Some of the key features of development administration are change orientation, goal-attainment, client-oriented administration and participation oriented administration.
- Some of the development programmes initiated in India are IRDP, NREP and TRYSEM.
- Fred Riggs has developed an important model of development administration, It was he who initiated the structural functional approach in the domain of public administration.
- Bureaucracy in India has a major role to play in the process of social change.



6.11 FURTHER READING

1) Bhattacharjya Mohit. (2007). Public administration. Kolkatta: The world press private Ltd.
2) Peter B. Gay. (1978). The politics of Bureaucracy: the comparative perspective. New York: Longman.
3) Perrow Charles. (1986). complex organisations Newyork : Random House.



6.12 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q No 1:

Development Administration may be stated as the means by which the goals of development modernization, Industrialization, social justice and economic growth can be achieved.

Ans to Q No 2:

The prime objective of development administration is the application of innovative techniques and strategies to attain development goals.

Another objective of it is to put emphasis on the effective and efficient utilization of scarce resources.

Ans to Q No 3:

One of the chief purposes of the development administration in India is increasing the administrative capacity and capability.

Another purpose of development administration in India is Its emphasis upon rationalization and reorganization of administration.

Ans to Q No 4:

The three development programmes introduced in India are - IRDP, NREP and TRYSEM.

Ans to Q No 5:

Bureaucracy in India plays a major role in the attainment of economic growth and in the nation building process.

Bureaucracy also plays a major role in bringing social change.

Ans to Q No 6:

Yes, there lies some criticisms levelled against Development Administration.



6.13 POSSIBLE QUESTIONS

Q. 1: Define Development Administration.

Q. 2: Mention some of the major initiative that led to the emergence of Development Administration.

Q. 3: Explain two development programmes introduced in India.

Q. 4: Give a detailed account of the objectives of development administration in India.

Q. 5: Explain the chief concern of development administration.

Q. 6: What are features of Development Administration. Discuss.

Q. 7: Examine the features and role of Indian Bureaucracy.

Q. 8: Critically discuss the concept of Development Administration.

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UNIT 7: FINANCIAL ADMINISTRATION

UNIT STRUCTURE

7.1 Learning Objectives

7.2 Introduction

7.3 Meaning and importance of Financial Administration

7.4 Nature and Scope of Financial Administration

7.5 Aspects of Financial Administration

7.6 Concept of Budget and Budgetary Process in India

7.7 Performance Budgeting

7.8 Zero Base Budgeting

7.9 Let Us Sum Up

7.10 Further Reading

7.11 Answers to Check Your Progress

7.12 Possible Questions

7.1 LEARNING OBJECTIVES

After going through this unit, you will be able to:

- know the meaning and importance of financial administration
- describe the nature and scope of financial administration
- explain the meaning of budget
- explain the budgetary process in India
- learn about the preparation of the budget
- discuss the various stages of enactment of the budget
- explain the concept and features of performance budgeting
- discuss the history of performance budgeting with special reference to India
- explain the meaning of zero base budgeting.

7.2 INTRODUCTION

One of the most important aspects of financial administration in any country is the preparation and passage of the budget. In fact, the very functioning of the government and administration in any country depends on the formulation of a plan of action and making available the necessary resources to implement the same. This is where budgeting becomes important. In this unit, we shall discuss important aspects relating to the budgetary process in India and and also explain the concepts of performance budgetting and zero-base budgetting.

7.3 MEANING AND IMPORTANCE OF FINANCIAL ADMINISTRATION

Meaning of financial administration:

Financial administration is a branch of public administration which helps an organisation in managing financial resources by applying clear cut principles and rationalised techniques and procedures in a systematic and scientific way. Financial administration may be well defined as art and science of policy making, decision making, ensuring coordination etc. In short, it may be defined as a process through which maximization of financial output as well as optimization of financial resources can be secured adequately.

Sound and efficient financial administration can be regarded as the least and soul for effective administration of Government operations. In fact, Kautilya, in his Arthasastra, remarked that the entire administration of a country can be controlled and managed through financial administration and for this reason the administrators of India shall give top most priority to financial Administration.

Financial administration constitute planning of public expenditure to make funds available for the fulfilment of governmental activities and to ensure that the funds are used lawfully and in an efficient and effective way. In a Democratic Government, like India, the legislature does not place more tax burden on the people. Financial Administration

thus constitute a crucial aspect of public Administration. In other words, financial operations may be conducted for development and promotion of public policies. In this unit we shall discuss about financial administration and the budgetary process in India.

Financial Administration is a specialized branch of knowledge which deals with the techniques that can have a glaring effect in administering financial resources for optimum performance. It is noticed that, a large number of institutes have come up in all the countries to give training with regard to financial administration. It can be regarded as an art so far it can help to direct and guide the Administrators in a proper way with regard to formulating and implementing financial policies of an institution in an efficient and systematic way.

A financial administration, which is efficient will be able to generate development, dynamism and modernization and will lead to nation building process by optimizing the use of financial machinery of the Government. It is believed that financial Administrators are in a position to improve and enhance the performance of financial resources through the use of performance budgeting, cost-benefit analysis etc. which indicates that financial administration is an art, which can be practiced in a fruitful manner.

Importance of financial administration:

Finance is the fuel to keep the engine of public administration going Mr. Lloyd George has even once remarked that the Government itself is finance and this is true in the sense that every activity of the Government does require money. Even the best conceived policies will turn out to be futile and will fail drastically, if there is no availability of funds to pay the personnel and to purchase necessary equipment and materials required for the successful implementation of Policies.

The close relationship between finance and public administration can be illustrated with the help of the following three points-

In the first place, it could be stated that most of the administrative acts have their financial Implications.

In the second place, financial operations may also be designed for

the development and promotion of certain Public Policies.

In the third place, financial administration raises and brings into forefront certain specific issues of Administrative organisation and relationships.

7.6 CONCEPT OF BUDGET AND BUDGETARY PROCESS IN INDIA

Concept:

The term "Budget" has been derived from the French word, "Bougette" which means a leather bag or wallet. A budget is the official statement of revenue and expenditure. It details the revenue generated and expenses incurred in the previous financial year even as the estimates of the expenses to be incurred and revenue to be generated from various sources and activities for the next financial year are proposed. The financial year in India starts on April 1 and ends on March 31.

Some of the important Principles of budget Making are as follows:

(i) It is usually held that budget must be a balanced one.

(ii) Its estimates should be on a cash basis.

(iii) Its important that its revenue and capital portions should be kept distinct.

(iv) Budgeting should be gross and not net.

(v) Estimating should be closed.

(vi) The form of estimates should correspond to the form of accounts.

(vii) The last Principle is the rule of lapse. It means that any part of the grant not spent within the financial year expires audits close and cannot be kept for the future.

Budgetary process in India :

The word "budget" is not actually mentioned anywhere in the

Constitution of India. Instead, the Constitution provides for the laying of an Annual Financial Statement which is essentially a statement of the estimated receipts and expenditure of the Government of India for the ensuing financial year. The statement consists of : (a) Statement of Revenue (b) Statement of Expenditure and (c) An overall statement of deficit or surplus of statements of revenue and expenditure; and contains receipts from loans, Post Office savings banks and National Savings certificates.

The Budget is the blueprint of the Government's revenue and expenditure for a financial year, starting from 1st April of one year to 31st March of the following year. It is mentioned in the Article 112 of the constitution of India.

The budget is divided into two parts i.e. revenue budget and capital budget. Revenue budget contains the government's revenue receipts and expenditure, while the Capital Budget comprises of the government's capital receipts and payments. It is worth mentioning here that the budgetary process of India has changed in some aspects. For example, the presentation date of the budget was moved from the last working day to the first working day February. Besides, the old tradition of presenting the Railway Budget separately has also been changed as it has become a fundamental part of the Union Budget.

Preparation of the Budget

In the preparation of budget estimates for the ensuing financial year, four different agencies are involved: (i) Finance Ministry (ii) various administrative Departments/Ministries (iii) Planning Commission and, (iv) Comptroller and Auditor-General

However, it is the Finance Ministry that has overall responsibility in the matter of preparation of the budget. The work of preparation of the budget estimates begins 6 to 8 months before the commencement of the next financial year.

Enactment of the Budget

The passage of the budget or the "Annual Financial Statement" is of utmost significance as no taxation can be levied and no expenditure incurred without the prior approval of the Parliament. In the Parliament, the budget

goes through the following stages:

a) Presentation of the Budget on the floor of the Lok Sabha.

b) General discussion on the budget

c) Voting of demand for Grants

d) Appropriation Bill and its passage

e) Finance Bill and its passage

a) The Presentation of the Budget

The Budget session of the Indian Parliament commences in the month of February. The Budget is presented in the Parliament by the Finance Minister. The Budget deals with estimates of all the departments of the Government of India. The Finance Minister presents the budget by way of a speech known as the Budget Speech.

b) General Discussion

According to Rule 130 of the Rules of Conduct of Business of Parliament, "no discussion of the budget shall take place on the day on which it is presented to the Parliament." It is the Speaker of the Lok Sabha who fixes a date on which a general discussion on the Budget is to take place. Generally, such a date is fixed one week after the presentation of the Budget. About four days are allotted for the purpose. The discussion revolves around the Budget as a whole or focuses on any question of principle involved therein. The discussion only allows the opposition to review the work of the government for the year and ventilate grievances. No cut-motions are allowed at this stage nor is the Budget submitted to the vote of Parliament. The general discussion on the Budget takes place simultaneously in both House of Parliament. At the end of the debate, the Finance Minister makes a general reply.

c) The Voting of Demands for Grants

The general discussion is followed by the voting of demands for grants not charged on the Consolidated Fund of India. The demands for grants are presented ministry wise. The voting of demands is the

exclusive privilege of the Lok Sabha. The Rajya Sabha does not take part in it. A period of twenty six days has been fixed as the time-limit for the voting of demands in India. During this period, the Lok Sabha has to pass all the demands. The Speaker, in consultation with the Leader of the House, fixes a time-limit for each demand as well as for the entire expenditure part of the Budget within which each demand has to be passed. On the last day fixed for the voting of demands, all the remaining demands are subjected to vote, though the House might not have discussed the same. A demand when duly voted becomes a grant. It may be mentioned here that the House can only reject or reduce a demand but cannot increase it. If more money is needed for expenditure, the government can go for supplementary grants to meet any additional expenditure or may spend out of the Contingency Fund of India.

LET US KNOW

[The Consolidated Fund of India is a fund from which advances are meant to be made for the purposes of meeting unforeseen expenditures. All revenues received by the Government by way of taxes like Income Tax, Central Excise, Customs and other receipts flowing to the Government in connection with Non-Tax Revenues are credited into the Consolidated Fund of India constituted under Article 266 (1) of the Constitution of India. Likewise, all loans raised by the Government by issue of public notifications, treasury bills, and loans obtained from foreign governments and international institutions are credited into this fund. All expenditure of the government is incurred from this fund. No amount can be withdrawn from the Fund without authorization from the Parliament.

The Constitution of India provides for the Contingency Fund of India under Article 267, the advances from which are to be made for the purposes of meeting unforeseen expenditures. The corpus of this fund is Rs.50 crores and it is held on behalf of the President of India by the Secretary to the Government of India, Ministry of Finance,

Department of Economic Affairs.]

d) Appropriation Bill and its passage

The next stage is the passage of the Annual Appropriation into a statute. All the demands for grants voted by the Lok Sabha and the expenditure charged on the Consolidated Fund of India are incorporated in a Bill called the Annual Appropriation Bill. Such an Appropriation Bill is introduced in the Lok Sabha. The time to be allotted for different stages of the Bill is determined by the Speaker. The debate is confined to only those points which have not been previously discussed during the debates on estimates. The Bill follows the same procedure in the House as any other Bill except that no amendments to the grants as voted by the House previously or altering its destination or the Consolidated Fund charges can be proposed in either House. After it is passed by the Lok Sabha, the Appropriation Bill is certified as a Money Bill and sent to the Rajya Sabha. The Rajya Sabha has neither the power of amending nor rejecting the Appropriation Bill. It can only discuss and make recommendations within 14 days to the Lok Sabha. The Lok Sabha may or may not accept them. Even if the Lok Sabha rejects the the suggestions made by the Rajya Sabha, the bill will be considered as passed by both the Houses in the form it was passed by the Lok Sabha. The Appropriation Bill is then sent to the President for his or her assent. The President is bound to give his assent to the bill as the President cannot return a money bill for reconsideration.

The passage of the Appropriation Bill by the Parliament and the assent of the President authorizes the Government to withdraw money from the Public Fund and spend it as per the Appropriation Act.

e) Finance Bill and its passage

The Appropriation Act authorizes the Government to appropriate money from the Consolidated Fund. However, the ways and means to meet the expenditure are yet to be provided. Accordingly, provision is made for collecting the required money by way of taxation. For

this purpose, a Finance Bill is placed before the House. The Bill incorporates the financial proposals of the Government for the ensuing year. It is placed before the Parliament at the same as the budget. The procedure followed is that of a money bill. The financial proposals come into effect as soon as the budget is presented.The Finance Bill must be passed before the starting of the next financial year. With the passage of the bill, the Government is authorized to collect the taxes.

The passage of the Appropriation Bill and the Finance Bill marks the completion of the process of enactment of the budget. It may be mentioned that the budget estimates may not suffice in order to meet certain expenditures under special or extraordinary circumstances. Accordingly, in order to meet these circumstances, provision has been made for the following kinds of grants: Supplementary Grants, Votes on Account, Exceptional Grants, Votes on Credit, Excess Grant and Token Grant. In this way, the budget is passed in the parliament of India.

CHECK YOUR PROGRESS

Q.1. What do you understand by financial administration?

.....

Q.2. What are the five stages that the budget goes through in the Parliament ?

.....

.....

7.7 PERFORMANCE BUDGETING

Unlike the conventional line-item budgeting foucussing on the expenditure, performance budgeting emphasizes on the purpose of expenditure rather than the expenditure itself. It presents budget in terms of functions, programme, activities and projects. It establishes a correlation between the physical (performance or output) and financial (input) aspects of each programme and activity. Hence, it necessitates a functional classification of the budget.

The concept of Performance Budgeting is an integral part of the reforms in financial administration. While tracing the history of performance budgeting, we find that the United States played a pioneering role in the adoption of performance budget in the country's financial administration. In its report on budgeting and accounting, the First Hoover Commission introduced the concept of performance budget whereby it was recommended that the US Federal Government should revamp the whole budgetary concept based upon functions, activities and projects so as to correlate the physical and financial aspects of various governmental activities, highlighting total funds required and targets achieved under each programme classification. Subsequently, many countries in Asia, Africa and Latin America adopted performance budgeting. In India, the need for refashioning the budgetary process was felt following the launch of the Five Year Plans.

Thus, the concept of performance budgeting was first introduced by the first Hoover commission in its report on budgeting and accounting in 1949. In general understanding, the system of presentation of public expenditure in terms of programmes, functions, activities, projects etc. mainly reflecting government output and its cost.

As the traditional budgeting system give more importance on the financial aspects of the government activities but the resources at the disposal of the government are always scarce in comparison to the various provisions which are prerequisite to the society, therefore the government

faces the problem of choice making. United Nations viewed the lack of accurate information as it, "reduces the usefulness of the budgetary approach ever for the purpose of legislative review and appropriation" and therefore the need for performance budgets arises.

"A performance budget should be substituted for the present budget, thus presenting in a document of much briefer compass the government's expenditure requirements in terms of services, activities and work projects rather than in terms of the things bought." (A.E. Buck).

According to Burkhead, "Performance budget is one which presents the purposes and objectives for which funds are requested, the costs of programmes proposed for achieving these objectives and quantitative data measuring the accomplishments and work performance under each programme."

In India, the administrative reform commission study team recommended to adopt the performance budgeting. The administrative reform commission suggested the concept of performance budgeting in 1970-71 in all the government departments while the government started the preparation of performance budget on the basis of different phases. Our state has adopted the performance budgeting on the following grounds:

- For increasing the formulation and facilities in the process of decision making at all levels of government.
- For clear understanding and review the budgetary policy properly.
- To provide more efficient accounting system.
- To control on financial operations.
- The activities and the objectivity of the funds should be mentioned clearly.

Limitations of Performance Budgeting

Performance budgeting is not without limitations. Some of these limitations are as follows:

- It is not related with the qualitative evaluations.
- This system can perform well only when there is a well organized

departments and different organization to evaluate and identify the definite activities and programmes.

- There prevails no universal applicability.
- It has a limited scope regarding the objectively measured operations of the government as law and orders, defense, international relations etc.
- Performance budgeting aims at classification of governmental work into functions, programmes and activities. But in actual practice, it may not be always possible to have such well organized classification.
- The technique of performance budgeting focuses on quantitative rather than qualitative classification.
- The process of allocation of cost estimates over programme elements is difficult. These estimates may not often be as meaningful as they should be.
- Performance budgeting does not allow comparative evaluation of projects and activities unless it is supported by cost-benefit analysis.

However, despite the above limitations, performance budgeting is unavailable in so far as it links up financial discipline with achievement of developmental targets. It helps correlate the financial and physical aspects of each programme and activity by establishing a proper relationship between the inputs to be used and the corresponding output. It facilitates effective legislative control over public finances. A performance budget is an effective management tool for administrative and financial control vis-à-vis the implementation of development programmes and for evaluating their performance.

7.8 ZERO BASE BUDGETING (ZBB)

The ZBB also originated and developed in the USA. It was created in 1969 by Peter A. Phyrr, a manager of a private industry. It was introduced in the USA by President Jimmy Carter in 1978. Like the Performance budgeting

or PPBS, the ZBB is also a rational system of budgeting. Under this system, every scheme should be reviewed critically and re-justified totally from zero (or scratch) before being included in the budget. Thus, the ZBB involves a total reexamination of all schemes afresh (from base zero) instead of following the incremental approach to budgeting which begins with the estimation of the current expenditure.In this method every year is taken as a new year and previous year is not taken as base, the budget of this method need to take consideration of the present situations.

Zero based budgeting is considered to be the latest technique of budgeting as a managerial tool. Here manager is to justify why he wants to spend and the spending on different activities will depend upon their justification and the priority for that planning i.e. how much it is essential for the development of a society and the amount allotted are sufficient enough to conduct this activities.

Features of Zero Base Budgeting:

Following are the main features of zero based budgeting:

- It is an evaluation process where the programmes and the activities have been evaluated.
- It helps in identification of the decision unit. Where the decision unit has the responsible to implement the allocation.
- It helps in ranking which is done by an individual manager in order of priority.
- It is considered to be the decision package; the decision package has revolutionize the budget concept. It helps to identify and describe each decision unit so that the management can evaluate and rank the activities.
- It helps in re-examining the programme, it is never an increase or decrease over previous year.

Benefits of Zero-Base Budgeting:

Zero based budgeting is completely a new tool for planning and control of activities. Peoples are involved in all levels in the organizations. Some of the advantages of the ZBB are as follows:

- **Utility is determined:** It is essential for determining the utility of each and every activity of the business. It is appropriate to those areas where output is not related to production.
- **Essential for attaining organizational goal:** The budgeting activities will be related to the organizational goals, activities are not taken into consideration the plea that it was done in the past.
- **Helps in identification:** Zero based budgeting is essential for the identification of economical and wasteful areas. A prior importance will be given on the economic and welfare activities in the society.
- **Increases efficiency:** It helps in increasing the efficiency of the manager; activities are taken into account which will have prior justification and essential for the business activities.
- **Allocation of funds and resources:** According to the jurisdiction of the programme it enables management to allocate funds. Therefore the management will able to make optimum use of resources.

Disadvantages of ZBB:

Some of the limitations of Zero Base Budgeting are as follows:

- Calculation of cost benefit analysis, which is essential for Zero based budgeting, is not possible in non-financial activities.
- There prevails difficulty in formulation and ranking of decision packages due to a lack of expertise.
- It is costlier and time consuming.
- The flexibility of the budget is not possible as the system of ZBB has no scope to adjust for the changes.

Inspite of its limitations, it can be said that ZBB is an important process of budget through which true expenses to be incurred by a

department. It is an appropriate way of budgeting that includes all–inclusive analysis of the budget proposal.



CHECK YOUR PROGRESS

Q.3. The concept of performance budgeting was first introduced by the first Hoover commission in its report on budgeting and accounting in 1949. (True/false)

.....

Q.4. Zero-based Budgeting (ZBB) was introduced in the USA by President Jimmy Carter in which year ?

.....

Q.5. Mention one definition of performance budgeting?

.....

.....

Q.6. ZBB is costlier and time consuming. (True/False)

.....

Q.7. ZBB is completely a new tool for planning and control of activities. (True/False)

.....

Q.8. ……is considered to be the latest technique of budgeting as a managerial tool. (Fill in the Blank)

Q.9. What is Zero Base Budgeting?

.....

.....

.....

.....



7.9 LET US SUM UP

- Financial administration constitute planning of public expenditure to make funds available for the fulfillment of Governmental

activities and to ensure that the funds are used lawfully and in an efficient way.

- There exist a close relationship between finance and public administration.
- Budget is a plan of action, it manifests the programme of the chief executive for ensuring financial year.
- The Constitution of India provides for the Contingency Fund of India under Article 267, the advances from which are to be made for the purposes of meeting unforeseen expenditures.
- The term budget is has been derived from a French word 'bougette' which means a leather bag or wallet.
- Budget is a statement of the government needs and resources.
- Budget plays a very important role in financial administration.
- The budget can be considered as a statement of the estimated receipts (revenue or income) and expenditure of the government in respect to a financial year.
- Harlod R. Bruce:' A budget is a financial statement, prepared in advance of the opening of the fiscal year, of the estimated revenues and proposed expenditures of a given organization for the coming fiscal year."
- Dimock: "A budget is a financial plan summarizing the financial experience of the past, stating a current plan and projecting it over a specified period of time in future."
- Munro: "Budget is a plan of financing for the incoming fiscal year. This involves an itemized estimate of all revenues on the one hand and all expenditures on the other."
- Tylor: "Budget is a financial plan of government for a definite period."
- The real significance of budget lies in the systematic and orderly administration of various financial resources and a proper fiscal management.
- Willoughby: "the Budget is something much more than a mere estimate of revenues and expenditure. It is, or should be, at once a

report, an estimate, and a proposal."

- Calculation of cost benefit analysis, which is essential for ZBB, is not possible in non-financial activities.
- ZBB is costlier and time consuming.
- The flexibility of the budget is not possible as the system of ZBB has no scope to adjust for the changes.
- The concept of performance budgeting was first introduced by the first Hoover commission in its report on budgeting and accounting in 1949.
- In general understanding, the system of presentation of public expenditure in terms of programmes, functions, activities, projects etc. mainly reflecting government output and its cost.
- According to Burkhead, performance budget is one which presents the purposes and objectives for which funds are requested, the costs for programmes proposed for achieving these objectives and quantitative data measuring the accomplishments and work performance under each programme.
- ZBB is essential for the identification of economical and wasteful areas. A prior importance will be given on the economic and welfare activities in the society.
- The ZBB involves a total re-examination of all schemes afresh (from base zero) instead of following the incremental approach to budgeting which begins with the estimation of the current expenditure.
- Conventional budgeting or line item budgeting developed in the 18th or 19th century.
- Like performance budgeting, programme budgeting (also known as planning programming-budgeting system- PPBS) also originated in USA.
- Zero-base budgeting (ZBB) was introduced in the USA by President Jimmy Carter in 1978.



7.10 FURTHER READING

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7.11 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q No 1:

Financial administration is a branch of public administration, Which helps an organisation in managing financial resources by applying well thought out principles and nationalised techniques for utilizing financial resources to achieve organisational purposes in a scientific way.

Ans to Q No 2:

a) Presentation of the Budget on the floor of the Lok Sabha.

b) General discussion on the budget

c) Voting of demand for Grants

d) Appropriation Bill and its passage

e) Finance Bill and its passage

Ans to Q No 3: True

Ans to Q No 4: 1978

Ans to Q No 5: According to Burkhead, "Performance budget is one which presents the purposes and objectives for which funds are requested, the costs of programmes proposed for achieving these objectives and quantitative data measuring the accomplishments and work performance under each programme."

Ans to Q No 6: True

Ans to Q No 7: Zero Base Budgeting.

Ans to Q No 8:

Zero Base Budgeting can be defined as a systematic method of reviewing either all or a selected number of areas of organizational activity for purpose of reallocating resources to improve various operational effectiveness as well as efficiency.



7.12 POSSIBLE QUESTIONS

Q. 1: Explain the meaning of financial administration.

Q 2: Write about the importance of financial administration.

Q. 3: Explain the process of enactment of budget in India.

Q. 4: Define performance budget.

Q. 5: Define Zero Base Budgeting.

Q. 6: What is budget? Discuss performance Budgeting.

UNIT 8: GOOD GOVERNANCE: ACCOUNTABILITY AND COMMITMENT

UNIT STRUCTURE

8.1 Learning Objectives

8.2 Introduction

8.3 Good Governance: Meaning and Attributes

8.4 Accountability

8.5 Commitment

8.6 Let Us Sum Up

8.7 Further Reading

8.8 Answers to Check Your Progress

8.9 Possible Questions

8.1 LEARNING OBJECTIVES

After going through this unit you will be able to:

- explain the meaning of good governance
- define the term accountability
- discuss the scope of commitment
- analyse the accountability and commitment in Indian administration.

8.2 INTRODUCTION

Development assistance to the Third World countries in the post-Cold War era has been subjected to the new politics of 'good governance'. In 1989, the concept of 'governance' was highlighted for the first time in a World Bank document on Sub-Saharan Africa. By good governance it referred to the sound development management. Four key dimensions identified in that context were:

- Public Sector Management
- Accountability
- Legal Framework for Development; and
- Information and Transparency.

The Bank document on Sub-Saharan Africa had this to say: "Improving governance would begin with an assessment of the institutional environment (with emphasis on the key governance elements of accountability, rule of law, openness and transparency) which determines the patrimonial profile of the country: high when all other factors are absent and low when they are present.

The *Webster's Encyclopedic Unabridged Dictionary of the English Language* defines governance as a method or system of government or management. The term governance is a qualitative expression, a normative concept and is different from 'government'.

For a more comprehensive definition of 'governance', one can refer to the Report of the Commission on Global Governance entitled Our Global Neighbourhood. Thus, to quote the Commission, "Governance is the sum of the many ways individuals and institutions, public and private, manage their common affairs. It is a continuing process through which conflicting or diverse interests may be accommodated and co-operative action may be taken. It includes formal institutions and regimes empowered to enforce compliance, as well as informal arrangements that people and institutions either have agreed to or perceive to be in their interest."

As the World Bank's document entitled Governance and Development (1992) puts it, "governance is defined as the manner in which power is exercised in the management of a country's economic and social resources for development". From its lending experience in many developing countries, the Bank came to realize that "good governance is central to creating and sustaining an environment which fosters strong and equitable development, and it is an essential complement to sound economic policies". Three distinct aspects are identified in the conceptualization of governance:

(a) the form of political regime (parliamentary or presidential, military or civilian, and authoritarian or democratic).

(b) the process by which authority is exercised in the management of a country's economic and social resources.

(c) the capacity of government to design, formulate and implement policies, and in general, to discharge government functions. The first aspect, it is admitted, falls outside the Bank's mandate.

The focus of "governance" is, therefore, basically on the second and third aspects.

'Governance is a qualitative concept whereas government is a physical entity. The difference between the two can be conveyed more sharply by the observation that India should have less of government but more of governance.' The report of Al Gore's National Performance review (1993) prefers the term 'democratic governance' to 'good governance' and its distinguishing attributes lie in certain 'values' such as equal opportunity, justice, diversity ad democracy.

8.3 GOOD GOVERNANCE: MEANING AND ATTRIBUTES

Good governance being an adjective expression, connotes certain value-assumptions, whereas governance as a process denotes a value-free dispensation. Good governance is associated with efficient and effective administration in a democratic framework. It is equivalent to purposive and development oriented administration which is committed to improvement in quality of life of the people. It implies high level of organizational effectiveness. It also relates to the capacity of centre of power of political and administrative system to cope up with the emerging challenges of the society. It refers to adoption of new values of governance to establish greater efficiency, legitimacy and credibility of the system. Good governance, is, thus, a function of installation of positive virtues of administration and elimination of vice of dysfunctionalities. In short, it must have the attributes of an effective, credible and legitimate administrative system- citizen- friendly, value-caring and people-sharing.

The concept of 'good governance' derives its relevance in the context of bad governance which includes non-feasance, over-feasance and malfeasance.

Good governance shares or aims at the ethos of a cohesive and responsible democratic society. Good governance provides moral legitimacy, apart from constitutional validity and creditability to the goals as well as instrumentalities of government. Good governance comprehends within itself all sections of governance and all sections and regions of society. As Paul Streeten points out, there is no entry in the International Encyclopedia

of the Social on 'Governance'. This is clear evidence of the term's new entry in social scientific discussion. As the neo-liberal view started downplaying the state and overvaluing the 'market', and the trend was set to de-centre the state from its monopoly status in social control, the idea of 'governance' gained in prominence connoting a plurality of 'Actors' replacing the state's monopoly to rule. The mutation from 'government' theories to 'governance' theories stands for a more procedural view of politics and the state: the assumption of a hierarchical structure capable of holistically overviewing society, somewhat implicit in a 'government' perspective, is now being abandoned. 'Governance'-like New Public Management –defies simple definition and any attempt to supply a short-hand definition is likely to miss much of its inner meaning and scope. The emergence of the concept in recent times is indicative of the emergence of a more plural political world, and a declining role of the nation-state in a much more competitive social regulation situation amidst exceedingly complex sets of social and global problems.

The main constituents or attributes of good governance, thus, are basically Rule of Law; accountability; decentralization; honesty or probity in public affairs; independence of judiciary; human rights; people's participation; equality of treatment as needed in a pluralist society; absence of discrimination on the basis of colour, race, language, faith, sex, region, etc.; administrative responsiveness; social sensitivity , ethical approach or conduct; effectiveness; willingness to learn and having an urge to improve as well as evolve capability to anticipate the nature and direction of change to cope with the challenges as they arise from time to time.

Governance is often described as Good Government of society. Good governance itself depends on a range of factors including administrative capacity, the country's stage of development, the external conditions that it faces and the state of IT available to it for taking decisions. The agenda items of good governance as follows:

- Enhancing effective and efficient administration;
- Improving quality of life of citizens;
- Establishing legitimacy and credibility of institutions;
- Making administration responsive, citizen-friendly and citizen-caring;

- Ensuring accountability;
- Securing freedom of information and expression;
- Reducing cost of governance
- Making every department result-oriented;
- Improving quality of public services;
- Eradication of corruption to re-establish credibility of government;
- Removal of arbitrariness in exercise of authority; and
- Use of IT base services to de-mystify procedures and improve the citizen-government interface.



CHECK YOUR PROGRESS

Q.1. The term 'governance' is a qualitative expression. (True/False)

……

Q 2: The concept of ……..derives its relevance in the context of misgovernance which includes non-feasance, over-feasance and malfeasance. (Fill in the blank)

……

……

Q.3. Good governance, is, thus, a function of installation of positive virtues of administration and elimination of vice of (Fill in the blank)

……

……

8.4 ACCOUNTABILITY

The term 'accountable' came into usage in the English language in 1583. The *Oxford Dictionary* defines it as "liable to be called to account, responsible (to, for)". Similarly, the Webster's dictionary defines it as "liable to be called on to render an account." Thus, the concept of accountability connotes the obligation of the administrators to give a satisfactory account of their performance and the manner in which they have exercised powers conferred on them. Its main aim is to check wrong and arbitrary administrative actions and increase efficiency and effectiveness of administrative process.

The principle of responsibility denotes the obligation to carry out various duties. Responsibility means that every person in the organization is responsible and answerable for his actions to his immediate superior. Each person has the responsibility to carry out his assigned tasks and to take responsibility of one's action.

The two terms 'administrative accountability' and 'administrative responsibility' are very often used interchangeably. Thus, L. D. White maintained, "Administrative consists of the responsibility of the sum total of the constitutional, statutory, administrative and judicial rules and precedents and the established practices by means of which public officials may be held accountable for their official actions." Administrative accountability is an organizational imperative because first and foremost, it purports to evaluate performance in terms of goals. Accountability is a concomitant of administrative responsibility, and thus is intrinsic to an organization; concepts like hierarchy, span of control, unity of command, supervision, etc., are all mechanisms promoting and enforcing accountability. Administrative accountability is achievement-oriented but imposes other conditions also.

However, Pfiffner distinguished between accountability and responsibility. According to him, accountability refers to the formal and specific location of responsibility, whereas responsibility has a highly personal and moral quality, and is not necessarily related to formal status or power. He further stated that responsibility refers to the public servant's responsiveness to public will, whereas accountability denotes the specific methods and procedures to enforce the public servant's responsibility. Therefore, responsibility is subjective and works from within, while accountability is objective and works from without.

In a constitutional and democratic system of government, administrative responsibility cannot be allowed to depend solely on the personal responsibility of public servants. It must be provided with a formal legal and procedural basis. This basis of enforcing responsibility is known as accountability.

Accountability has two facets, somewhat separate but interrelated. The first is basically political, and in a parliamentary system of government

like ours the executive is kept under an obligation to give an account of its performance to parliament, and the latter has many devices and instrumentalities to this end. The second facet is primarily administrative and the executive in its turn holds the administrators in departments and other agencies accountable for whom they carry out their responsibilities. These two are complementary and they together constitute the foundation of a responsible government.

Accountability for what?

The accountability of a civil servant should exist, formally and in writing for the following:

- Formulating policies in national and public interest and not to subserve the interest of a group or individual;
- Setting targets for completion of projects, programmes, schemes, facilities and services and fulfilling them within the stated time-frame;
- Setting standards of performance and sticking to them;
- Keeping discretion to the minimum and, where it is absolutely necessary, exercise the power in a flair, just and transparent manner; and
- Maintaining an open Government any citizen may have the right to inspect any official papers to see how the decisions have been arrived at.

Accountability to whom?

Even today employees are accountable to a number of institutions, which may be categorised thus:

- Accountability to the elected representatives of the people
- Accountability to audit
- Accountability to vigilance
- Accountability to the customers
- Accountability to the judiciary
- Accountability to the media



CHECK YOUR PROGRESS

Q 4: Pfiffner distinguished between accountability and responsibility. (True/False)

.....

Q 5: Responsibility is objective and works from within, while accountability is objective and works from without. (True/False)

.....

.....

Q 6: The term 'accountable' came into usage in the English language in the year..... (Fill in the Blank)

.....

8.5 COMMITMENT

Commitment means the state or quality of being dedicated to a cause or responsibilities. It basically means moral dedication. Such kind of commitment is very essential in bureaucracy. A bureaucracy has to have commitment to moral values so as to become efficient and successful. In public administration commitment holds two phases of implications related to its scope.

- commitment at individual level or individual commitment
- commitment at organisational level or organisational commitment.

Individual commitment refers to commitment of an individual towards his/her responsibilities, towards his workplace or organization which is needed for the efficient and smooth functioning of any organization.

Organizational commitment refers to an individual's psychological attachment to the organization. Organizational commitment differs from engagement in that it refers to a person's attitude and attachment towards their organization.

One on the most popular concepts of organizational commitment was developed by Meyer & Allen (1991). These authors distinguish three components of organizational commitment: affective commitment (positive emotional attachment to the organization), continuance commitment (gains

verses losses of working in an organization, also considered as intention to quit), and normative commitment (feelings of obligation).

When employees receive needed resources and/or recognition from their organization they feel obliged to repay the organization with greater levels of engagement and commitment. The organization and manager influences job engagement and organisational commitment. If managers show their support to their employees, these tend to increase their organizational commitment levels (Eisenberger,2002). Likewise, it works the other way around: poor managerial support leads to lower levels of organizational commitment (Shanock & Eisenberger, 2006).

Organizational justice refers to employees' perception of fair treatment by an organization and its agents (distributive justice and procedural justice). Fairness of organisational procedures may also have an impact on organisational commitment because procedures define the organisation's capacity to treat employees fairly.

The mechanisms designed to enforce accountability are the products of an era when public administration was small in size and, what is more, engaged in simple tasks. Today, public administration has grown too big and complex and is subject to multiple pressures of varying intensities with the consequence that the conventional tools of accountability enforcement are proving to be distressingly weak and ineffective. Parliament, as presently constituted, is no match for the executive. The classical mechanisms to keep the executive under control are found to be insufficient and inadequate. The fact is that the power of the present-day executive has enormously expanded. This calls for an alert judiciary, vigilant parliament, fearless, watchful press, and powerful organisations. It is vital that these non-executive institutions move forward to restructure themselves, redesign their business practices and reinforce themselves. Accountability and commitment should go hand in hand for the proper functioning of administrative procedures and smooth running or any organization.



CHECK YOUR PROGRESS

Q 7: Organizational commitment refers to an individual's psychological attachment to the organization. (True/False)

.....

Q 8: Organizational commitment differs from engagement in that it refers to a person's attitude and attachment towards their

.....

.....

Q 9: Organizational justice refers to employees' perception of fair treatment by an organization and its agents. (True/False)



8.6 LET US SUM UP

- In 1989, the concept of 'governance' was for the first time highlighted in a World Bank document on Sub-Saharan Africa.
- The term governance is a qualitative expression, a normative concept and is different from 'government'.
- Governance is often described as good government of society.
- According to L. D. White, "Administrative consists of the responsibility of the sum total of the constitutional, statutory, administrative and judicial rules and precedents and the established practices by means of which public officials may be held accountable for their official actions."
- The principle of responsibility denotes the obligation to carry out various duties.
- Responsibility means that every person in the organization is responsible and answerable for his actions to his immediate superior.

- Accountability refers to the formal and specific location of responsibility, whereas responsibility has a highly personal, moral quality and is not necessarily related to formal status or power.
- Administrative accountability is an organizational imperative because first and foremost, it purports to evaluate performance in terms of goals.
- Accountability is a concomitant of administrative responsibility, and thus is intrinsic to an organization.
- Accountability has two facets, somewhat separate but interrelated.
- The first facet of accountability is basically political, and in a parliamentary system of government like ours the executive is kept under an obligation to give an account of its performance to parliament, and the latter has many devices and instrumentalities to this end.
- The second facet is primarily administrative and the executive in its turn holds the administrators in departments and other agencies accountable for whom they carry out their responsibilities.
- Organizational justice refers to employees' perception of fair treatment by an organization and its agents (distributive justice and procedural justice).
- Commitment means the state or quality of being dedicated to a cause or responsibilities.
- The organization and manager influences job engagement and organisational commitment.
- Organizational commitment refers to an individual's psychological attachment to the organization.



8.7 FURTHER READING

1) Lakshmi Kant. M. (2012) *Public Administration*. New Delhi : Tata Mcgraw Hills Education Pvt. Ltd.

2) Bhattacharya, Mohit (2010) *Public Administration*. The World Press Private Ltd. Kolkata.

3) Fadia and Fadia (2008) *Public Administration- Administrative Theories And Concepts*. Sahitya Bhawan publications, Agra.



8.8 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q No 1: True

Ans to Q No 2: 'Good Governance'

Ans to Q No 3: dysfunctionalities

Ans to Q No 4: True

Ans to Q No 5: False

Ans to Q No 6: 1583

Ans to Q No 7: True

Ans to Q No 8: organization

Ans to Q No 9: True



8.9 POSSIBLE QUESTIONS

A) Very Short Questions

Q 1: Define good governance.

Q 2: What is meant by accountability?

Q 3: What is commitment?

Q 4: What is governance?

B) Short Questions (Answer each question in about 150 words)

Q 1: Give a definition of good governance.

Q 2: What is meant by administrative accountability?

Q 3: What are the different types of responsibility?

Q 4: What is commitment?

C) Long Questions (Answer each question in about 300-500 words) :

Q1: Broadly discuss good governance in public administration.

Q2: Discuss the role of accountability and commitment in administration.

*** ***** ***

UNIT 9: E-GOVERNANCE

UNIT STRUCTURE

9.1 Learning Objectives

9.2 Introduction

9.3 Meaning and Nature of e-Governance

9.4 Basic Principles of e-Governance

9.5 Kinds of e-Governance

9.6 Scope of e-Governance

9.7 National e-Governance Plan (NeGP), 2006

9.8 National e-Governance Division (NeGD)

9.9 Implications and Importance of e-Governance

9.10 Let Us Sum Up

9.11 Further Reading

9.12 Answers to Check Your Progress

9.13 Possible Questions

9.1 LEARNING OBJECTIVES

After going through this unit, you will be able to :

- explain the meaning and nature of e-Governance
- explain the basic principles of e-Governance
- discuss the National e-Governance Plan, 2006
- describe the National e-Governance Division, and
- analyse the implications and importance of e-Governance Plan.

10.2 INTRODUCTION

Human civilization has been progressing continuously. New development has taken place in every sectors of workforce. The pace of development has even gone to the next level with the introduction of Information and Communication Technology (ICT) in governance which has enabled goods and services to be delivered to the people at a minimum cost and in a time-saving manner. This process which is popularly known

as e-governance has been continuously affected by the developments in technologies. It has made information processing more timely, with better surface area and even cheaper. It is widely believed today that e-governance means getting automated. However, it does not mean getting the several government departments automated so that they act like isolated islands of information and services provided with the help of new technology. e-Governance means providing citizens with a central point of access to government services. It requires net-centric attitude, involving extensive use of internet.

9.3 MEANING AND NATURE OF E-GOVERNANCE

Electronic governance or e-governance is the application of information and communication technology (ICT) for delivering government services, exchange of information, communication transactions, integration of various stand-alone systems and services between government-to-customer (G2C), government-to-business (G2B). In short, we can say that e- Governance is nothing but a service that acts as a medium of exchange of information, transactions and services.

e-Governance is the process of reform in the way government work, share information, engage citizens and deliver services to external and internal clients for the benefit of both government and the clients that they serve. The aim to re-define governance in the ICT age is to provide 'Smart Governance'.

According to United Nation, "it is a conceptual framework embedded in the paradigm of human and social development. In that sense, e-Government encompasses the capacity and the willingness of the public sector to deploy ICT for improving knowledge and information in the service of the citizen".

According to World Bank, "the use by government agencies of information technologies (such as Wide Area Networks, the Internet, and mobile computing) that have the ability to transform relations with citizens, businesses, and other arms of government. The technologies of e-

Government can serve a variety of different ends: better delivery of government services to citizens, improved interactions with business and industry, citizen empowerment through access to information, or more efficient government management. The resulting benefits can be less corruption, increased transparency, greater convenience, revenue growth, and/or cost reductions".

The e-governance system has been a milestone in reaching the goals of good governance. In many developing countries, the early introduction of ICTs in public service delivery consisted of the simple digital translation of the existing services. There was minimal change and no real value added. e-governance has a dramatically evolving nature. It encompasses e-democracy, e-government and e-business. It has progressively acquired more complex functionaries and evolving from e-transaction towards supporting the critical high-level functions of public management, improved communication between different parts of government and enabling partnership between different stakeholders, ultimately resulting in a 'networked government'. A government so structured enables joined up working relationships between different parts of government and to receive services. Its function encompasses design, implementation, monitoring and evaluation of public policies and programmes, development of legislation and high-level decision-making on complex social problems. It requires close collaboration among the disparate stakeholders, within and outside government.

It is also important to note here that there is a difference between e-government and e-governance. One should understand the dividing line between the two. e-Government implies the implementation of information and communication technology like internet, to improve government activities and process, with the aim of increasing efficiency, transparency, and citizen involvement. On the other hand, e-Governance means governing or administering a country/state or organization, with the help of information and communication technology.

Basis for Comparison	e-Government	e-Governance
Meaning	The application of ICT, with the aim of supporting government operations, aware citizens and deliver services is called as e-Government.	e-Governance refers to the use of ICT in enhancing the range and quality of information and services delivered to the public, in an effective manner.
What it it?	System	Functionality
Communication Protocol	One way communication protocol	Two way communication protocol

LET US KNOW



Dr. APJ Abdul Kalam, former President of India has envisaged e-governance in the Indian framework as "a transparent smart e-governance with seamless access, secure and authentic flow of information crossing the interdepartmental barrier and providing a fair and unbiased service to the citizens".



CHECK YOUR PROGRESS

Q 1: e-Governance is basically the use of ICT in governance. (True/False)

……

……

Q 2: E-governance has a dramatically_____nature. (Fill in the blanks)

……

……

Q 3: What is the definition of e-Governance as put forward by the UN?

……

……

Q 4: Mention the basic differences between e-Governance and e-Government.

……

……

9.4 BASIC PRINCIPLES OF E-GOVERNANCE

There is also a need to formulate the core principles essential for the success of e-Governance initiatives. They are mentioned below :

- Clarity of Purpose
- Environment Building
- E-Governance as an integral part of reform in Governance
- Disciplined way of Working
- Monitoring and Evaluation
- Developing secure, fail-safe systems and disaster recovery systems
- Sustainability
- Allowing for horizontal applicability
- Development of local language interfaces
- E-Governance – a continuing process

1. Clarity of Purpose

There need to be a clear understanding and appreciation of the purpose and objectives to be achieved through e-Governance. In the past, a large number of projects appear to be based on what technology can achieve rather than what the citizens need. A corollary to this would be a precise definition of the parameters against which any future evaluation would be done. e-Governance should not be taken up merely to demonstrate the capability of an existing technology, but the technology should be adopted to solve an existing problem. Citizen-centricity should be at the heart of all e-Governance initiatives.

2. Environment Building

There is need to change the mind-set of all the stakeholders involved, i.e. politicians, government officials and civil society at large. This would require a strong will to change among various stakeholders in the governance system. As the task involves redesigning of governmental processes at various levels, implementing e-Governance would require political support

at all levels. On the other hand, government personnel would have to be incentivized to change old habits and acquire new skills. In the public, awareness needs to be created so that there is a constant demand for reforms in governance through implementation of e-Governance.

3. E-Governance as an Integral Part of Reform in Governance

e-Governance cannot be separate from governance as a whole. Further, it cannot be taken as an adjunct of governance. It has to be an integral part of the governance structure and processes. Thus, every government organization or entity, every government programme or policy and every law and regulation would have to integrate e-Governance modules within itself rather than brought-in as an afterthought or introduced as an adjunct. Under e-Governance, the focus is always on 'governance' and the range of technological tools provided by Information and Communications Technology is utilized to bring about changes keeping in mind the needs of the citizens and the organization itself.

4. Disciplined way of Working

e-Governance requires a disciplined and systematic way of working in organizations. Most technologies pre-suppose a set of rational behaviour on the part of users. This element needs to be emphasized during the capacity building as well as in the life cycle of the project.

5. Monitoring and Evaluation

Close monitoring of e-Governance projects is necessary both in the pilot phase as well as during the actual working of the up-scaled project. This helps in early detection of problems and hence facilitates prompt corrective action. However, apart from periodic monitoring of e-Governance initiatives in the post-implementation stage, there would also be need for evaluation of the impact of such initiatives through independent agencies against parameters which would determine whether the objectives have been achieved or not.

6. Developing Secure, Fail-Safe Systems and Disaster Recovery Systems

Given the scale of potential e-Governance applications in the country

and the prospective mammoth flow of data involved, the technological architecture on which such applications are mounted would need to be made not only secure but also fail-safe. Mechanisms would have to be incorporated which would put the systems in the 'safe mode' in times of crisis. Further, depositories and 'mirrors' would need to be created with sound disaster recovery modules with adequate security features to prevent loss of data and collapse of the system.

7. Sustainability

The e-governance initiatives also need to be sustainable. Once it has been established that any particular initiative is the better way of providing services or information to the people or conducting the business of government, it should not be allowed to relapse on grounds of expediency. Reforms are always harder to implement and sustain, but once they take root, they deliver the best results. If projects have been able to achieve any of these objectives, their sustainability should not be allowed to be jeopardized on some other grounds.

8. Allowing for Horizontal Applicability

A coordinating mechanism is needed to prevent cases of re-inventing the wheel. Different States across India face similar types of challenges. Past experience has shown that a number of States have undertaken e-Governance projects to address similar concerns. To make e-Governance more cost effective and successful, successes need to be adopted across States and organizations thereby minimizing costly repetitions and in many cases, failures.

9. Development of Local Language Interfaces

India for instance is a multilingual society, e-Governance initiatives need to provide citizen interfaces in the respective local language. Thus, displays and keys should be based on localized interfaces and multi-media instructions should be commonly used to make the interface accessible in rural areas, where low literacy rates can be an obstacle.

10. e-Governance – A Continuing Process

e-Governance represents a paradigm shift in the field of governance reforms. Bringing it about would have to be a continuing process which

would require many adjustments. It has been well said that e-Governance is a journey and not a destination.



CHECK YOUR PROGRESS

Q.5. "Sustainability" is one of the basic principles of e-Governance. (True/False)

.....

.....

Q.6. e-Governance as an integral part of_____in Governance (Fill in the blank)

.....

.....

Q.7. What does e-Governance as a continuing process mean?

.....

.....

9.5 KINDS OF E-GOVERNANCE

Governance is all about flow of information between the Government and Citizens, Government and Businesses and Government and Government. E-Governance covers the following combination of relationships;

- Government to Citizen (G2C)
- Citizen to Government (C2G)
- Government to Government (G2G)
- Government to Business (G2B)

A. Government to Citizen

Government to citizen relationship is the most basic aspect of E-Governance. In modern times, Government deals with many aspects of the life of a citizen. The relation of a citizen with the Government starts with the birth and ends with the death of the citizen. A person transacts with the Government in every corner of his life. It may be birth registration, marriage

registration, divorce or death registration. Therefore E-Governance in G2C relationship will involve facilitation of the services flowing from Government towards citizens with the use of Information and Communications Technology (ICT).

1. E-Citizenship - E-Citizenship will include the implementation of ICT for facilitation of Government Services relating to citizenship of an individual. It may involve online transactions relating to issue and renewal of documents like Ration Cards, Passports, Election Cards, Identity Cards, etc. It will require the Government to create a virtual identity of every citizen so as to enable them to access the Government services online. For the same, Government would need to create a Citizen Database which is a huge task.

2. E-Registration - E-Registration will cover the online registration of various contracts. An individual enters into several contracts during his life. Many of these contracts and transactions require registration for giving it legality and enforceability. Such registration may also be made ICT enabled. E-registration will help to reduce a significant amount of paperwork.

3. E-Transportation - E-Transportation services would include ICT enablement of services of Government relating to Transport by Road, Rail, Water or Air. This may involve online –

- booking and cancellation of tickets,
- status of vehicles, railways, boats and flights,
- issue and renewal of driving licenses,
- registration and renewal of vehicles,
- transfer of vehicles,
- payment of the fees of licenses,
- payment of fees and taxes for vehicle registration,

4. E-Health - E-Health services would be ICT enablement of the health services of the Government. Under this, interconnection of all hospitals may take place. A patient database may be created. A local pharmacy database may also be created.

5. E-Education - E-Education would cover the implementation of ICT in imparting education and conducting of Courses. Distant as well as

classroom education will be facilitated with the use of ICT. Use of internet can reduce the communication time required in Distance education; Internet may also help in conducting online classes.

6. E-Help - E-Help refers to facilitation of disaster and crisis management using ICT. It includes the use of technologies like internet, SMS, etc. for the purpose of reducing the response time of the Government agencies to the disasters. NGOs help Government in providing help in situations of disasters. Online information relating to disasters, warnings and calls for help can help the Government and the NGOs coordinate their work and facilitate and speed up the rescue work.

7. E-Taxation - E-Taxation will facilitate the taxing process by implementing ICT in the taxing process. Online tax due alerts and online payment of taxes would help transact faster.

B. Citizen to Government

Citizen to Government relationship will include the communication of citizens with the Government arising in the democratic process like voting, campaigning, feedback, etc.

1. E-Democracy - The true concept of Democracy includes the participation of the citizens in the democratic and governing process. Today due to the increased population the active participation of the citizens in governing process is not possible. The ICT can help in enabling the true democratic process including voting, public opinion, feedback and Government accountability.

2. E-Feedback - E-Feedback includes the use of ICT for the purpose of giving feedback to the Government. Lobbying pursues the Government to take a certain decision. Use of ICT can enable online feedback to the Government, online debates as to the Government services.

C. Government to Government

G2G relationship would include the relationships between Central and State Government and also the relationship between two or more Government departments.

1. E-administration - E-administration would include the implementation of ICT in the functioning of the Government, internally and externally. Implementation of ICT can reduce the communication time between the Government Departments and Governments. It can substantially reduce paperwork if properly used. E-administration will also bring morality and transparency to the administration of Government Departments.

2. E-police - The concept of E-police is little different from Cyber-Police. Cyber Police require technology experts to curb the electronic/cyber crimes. E-police refers to the use of ICT for the purpose of facilitating the work of the Police department in investigation and administration. The concept of E-police includes databases of Police officers, their performances, criminal databases – wanted as well as in custody, the trends in crimes and much more. ICT can help reduce the response time of the Police department and also reduce cost by reducing paperwork.

3. E-courts - The concept of E-Court will include the ICT enablement of the judicial process. Technology may help distant hearing, online summons and warrants and online publication of Judgments and Decrees.

D. Government to Business

1. E-Taxation - Corporate sector pays many taxes, duties and dues to the Government. Payment of these taxes and duties are made easier by E-Taxation. Online taxing and online payment of taxes can help reduce cost and time required for physical submission of taxes. ICT can also help crosscheck the frauds and deficiencies in payment, further bringing accuracy and revenue to the Government.

2. E-Licensing - Companies have to acquire various licenses from the Government, similarly the companies have to acquire various registrations. ICT enablement of the licensing and registration can reduce time and cost.

3. E-Tendering - E-Tendering will include the facilities of online tendering and procurement. It would provide online alerts as to new opportunities of business with the Government and also online submission of tenders and

online allotment of work. It will reduce time and cost involved in the physical tendering system.



ACTIVITY 9.1

Try to list out and relate the principles of e-Governance with the system existing at your state. Are all the provisions available in the respective e-Governance system of your state?

.....

.....

.....

.....



CHECK YOUR PROGRESS

Q.8. Governance is all about flow of information between the Government and Citizens. (True/ False)

.....

.....

Q.9. e-Registration will cover the_____of various contracts. (Fill in the blank)

.....

.....

Q.10. Why is the concept of e-Courts effective?

.....

.....

9.6 SCOPE OF E-GOVERNANCE

e-Governance can transform the existing paradigm of service delivery. Generally, for the citizens, the government does not operate a single entity. For example, for availing a service X, a citizen has to go to the department A. For availing the service Y, the citizen has to reach out to

department B. Further, the department B would require the citizen to submit the certificates issued by department A or may be, C for completing the service delivery process.

Essentially, the processes within the government, as far as service delivery to the citizens are concerned, have become so complex that though the proof documents which are required by the government are issued by the government, the citizens have to go through the harassment of going from one department to another for availing the services. They have to take leave from work, understand the processes and be dependent on the government officials for availing the services. If implemented successfully, e-governance would enable the government to work as one entity. Instead of the conventional departmentalized approach, the "one government" approach would be followed. The citizen would be required to just raise a request and make the payment to complete the processes.

The scope of e-Governance is not limited to the aforementioned concepts. There are multiple issues that e-Governance can solve. e-Governance has the potential of transforming how we perceive the government. The concept of "paperless governance" would thus prevail.

In a nutshell, e-Governance has been influencing governance in the following ways :

- **Speed –** Technology makes communication speedier. Internet, phones, cell phones have reduced the time taken in normal communication.
- **Cost Reduction –** Most of the Government expenditure is appropriated towards the cost of stationary. Paper-based communication needs lot of stationary, printers, computers, etc. which calls for continuous heavy expenditure. Internet and Phones makes communication cheaper saving valuable money for the Government.

- **Transparency –** Use of ICT makes governing profess transparency. All the information of the Government would be made available on the internet which may be termed as e-transparency. The citizens can see the information whenever they want to see. ICT helps make the information available online eliminating all the possibilities of concealing of information.
- **Accountability –** Once the governing process is made transparent the Government is automatically made accountable. Accountability is answerability of the Government to the people. It is the answerability for the deeds of the Government. An accountable Government is a responsible Government.
- **Convenience:** E-Government brings public services to citizens on their schedule and their venue.
- **Improved Customer Service:** E-Government allows redeploying resources from back-end processing to the front line of customer service.
- **Increased Access to Information:** E-Government improves the accessibility of government information to citizens allowing it become an important resource in the making the decisions that affect daily life and so it helps in empowerment of citizens.

LET US KNOW



Further, e-Governance can also support personalized governance. This implies that the processes would be initiated on their own, before the citizens even ask for it. On the basis of your gender, age, sex, family income, caste, domicile, you would be notified about your entitlements.



CHECK YOUR PROGRESS

Q.11. e-Governance can transform the existing paradigm of _____delivery (Fill in the blank)

.....

.....

Q.12. e-Governance has been influencing governance by transparency/ red tapism/ corruption. (Select the correct one)

.....

.....

Q.13. What do you understand by "one government" approach?

.....

.....

9.7 NATIONAL E-GOVERNANCE PLAN (NEGP), 2006

e-Governance in India has steadily evolved from computerization of Government Departments to initiatives that encapsulate the finer points of Governance, such as citizen centricity, service orientation and transparency. Lessons from previous e-Governance initiatives have played an important role in shaping the progressive e-Governance strategy of the country. Due cognizance has been taken of the notion that to speed up e-Governance implementation across the various arms of Government at National, State, and Local levels, a programme approach needs to be adopted, guided by common vision and strategy. This paved way to the creation of a definite initiative popularly known as the National E-Governance Plan (NeGP), 2006, by Government of India (GOI) to bring effective e-Governance in the country.

The Government approved the National e-Governance Plan (NeGP), comprising 27 Mission Mode Projects and 8 components, on May 18, 2006. The NeGP takes a holistic view of e-Governance initiatives across the country, integrating them into a collective vision, a shared cause. Around this idea, a massive countrywide infrastructure reaching down to the remotest of villages is evolving, and large-scale digitization of records is taking place to enable easy, reliable access over the internet. The ultimate objective is to bring

public services closer home to citizens, as articulated in the Vision Statement of NeGP.

NeGP has three (3) tier architecture.

- The Common Service Centres (CSCs) are the front-end delivery points for a range of citizen services. The common man feels empowered when he is able to get a service in a transparent manner, at a convenient location and at an affordable cost. These centers also provide employment to the entrepreneurs running them, besides being useful in rolling out all kinds of governmental schemes such as those for financial inclusion, enumeration of data, insurance and IT education.
- The second tier is of the common and support infrastructure that can allow information to be shared electronically between different agencies of the government and with citizens. Included in it, are the State Wide Area Networks (SWANs), which form the converged backbone network for data, voice and video throughout a state / UT and the State Data Centers (SDCs) which can provide common secure IT infrastructure to host state-level e-government applications and data.
- The third tier comprises the 27 Mission Mode Projects (MMPs) which will transform high priority citizen services from their current manual delivery into e-delivery. Each MMP is owned and spearheaded by the relevant ministry/agency of the national government or by a state government, and is called “mission mode” because it has definite time table, service levels, project implementation team and process reengineering plans.



LET US KNOW

The main vision of the NeGP, is “to make all government services accessible to the common man in his locality, through common service delivery outlets, and ensure efficiency, transparency, and reliability of such services at affordable costs to realise the basic needs of the common man".



CHECK YOUR PROGRESS

Q.14. NeGP stands for _____ (Fill in the blank)

.....

.....

Q.15. NeGP was initiated by GOI in the year 2006. (True/False)

.....

.....

Q.16. What is the core reason for bringing up the NeGP by GOI?

.....

.....

9.8 NATIONAL E-GOVERNANCE DIVISION (NEGD)

As part of NeGP approval, the Union Cabinet assigned some key tasks associated with Programme Management of NeGP to Ministry of Electronics & Information Technology (MeitY) including arrangements for monitoring and coordinating implementation of NeGP, evolving standards and policy guidelines, providing technical and handholding support, undertaking Capacity Building, R&D, etc.

The Capacity Building Scheme under the National e-Governance Plan (NeGP) also envisions establishment of an institutional framework for state-level decision-making including setting-up of State e-Mission Teams (SeMTs) having relevant expertise and experience to provide technical and professional support to States and Union Territories.

Since implementation of NeGP entailed enhanced responsibilities for MeitY, it was proposed that a suitable institutional mechanism be devised to enable MeitY to engage competent resources from the open market as well as within the Government.

National e-Governance Division (NeGD), was accordingly created by MeitY in 2009 as an Independent Business Division (IBD) within Media

Lab Asia (MLAsia) (a Section 8 Company under Ministry of Electronics & Information Technology).

Immediate tasks for NeGD include the following:

- Programme Management of NeGP, inter-alia including facilitating and supporting DIT in undertaking the following tasks and responsibilities assigned to MeitY under NeGP.
- Facilitating implementation of NeGP by various Ministries and State Governments.
- Providing technical assistance to Central Ministries and State Line Departments.
- Serving as a secretariat to the Apex Committee.
- Undertaking technical appraisal of all NeGP projects to examine issues such as overall technology architecture, framework, standards, security policy, service delivery mechanism, sharing of common infrastructure etc.
- Human Resource Development, Training and Awareness Building.
- Framing core policies, technical assistance, R&D, awareness and assessment and creation of organization structure.
- Acting as a Central Agency for an effective implementation of Capacity Building Scheme inter-alia involving provisioning of manpower at various SeMTs across States/ UTs.
- Positioning of a Capacity Building Management Cell for effective management of manpower at SeMTs together with management of other Scheme activities including training, setting up HR policies, etc.

The present status of the (NeGD):

NeGD is an Independent Business Division (IBD) established by MeitY within MLAsia to undertake Programme Management of NeGP, having

the following features:

- This Division enjoys complete financial and HR autonomy from the rest of MLAsia.
- Government personnel in NeGD are taken on deputation to MLAsia.
- NeGD has its own head as President and CEO.
- The selection process for both Government and private sector personnel is common for ensuring uniform quality and suitability of personnel.
- Government funds for managing specific e-Governance projects/ programmes as identified by MeitY are transferred directly to the Division, subject to extant rules in this regard.



LET US KNOW

NeGD acts as one of the key catalysts and integrators for initiatives under Mission Mode Projects and support components under NeGP 2.0 across the country. NeGD is also expected to proactively support central ministries / departments / state governments in propagation of their e-Governance initiatives.



CHECK YOUR PROGRESS

Q.17. NeGD stands for _____ (Fill in the blank)

.....

.....

Q.18. NeGD was initiated by GOI in the year 2009. (True/False)

.....

.....

9.9 IMPLICATIONS AND IMPORTANCE OF E-GOVERNANCE

- The primary purpose of governance is the welfare of citizens. While one aspect of governance relates to safeguarding the legal rights of all citizens, an equally important aspect is concerned with ensuring equitable access to public services and the benefits of economic growth to all.
- It is expected that e-governance would enable the government to discharge its functions more effectively. However, this would require the government to change itself- its processes, its outlook, laws, rules and regulations and also its way of interesting with the citizens. It would also require capacity building within the government and creation of general awareness about e-governance among the citizens.
- We have seen how the concept of e-governance has evolved in Indian scenario and how much it is required for transparency and accountability on the part of government and at the same time it is also a toll to increase the participation of people in policy making by empowering them with the right information at the right time.
- The penetration of internet, telecommunication services in India has increased in the last decade and this gives a ray of hope to the citizens of India to fight with the long persisting problems of poverty, corruption, regional disparity and unemployment.
- But at the same time, due to slow pace of project completion, red-tape and resistance from the side of government employees and citizens too has not given the desired result.

The importance of the system of e-governance can be summarized as;

1. Building Strong and Effective Information Chain Citizen

Citizens can take benefits of e-governance project for getting effective information effectively and very easily. Information chain can be very much effective using E-governance project. Most of the data like statistics, personal records, general information regarding any city can be

found easily by filing application over the Internet/ website. Government can also keep track of these data so they can provide facilities and give up to date information to the citizens according to their interest. Hence using e-governance project one can take advantage of online process and information can be spread by means of electronic network like e-mail, group mail, conference, etc.

2. Fast and Convenient Service to Citizens

E-governance is the way to provide information very fast and effectively to the citizens of the country. So citizen can apply using online application and get information via email or web portal developed by the government. He/she can get documents easily in electronic form or hard copy as per the request without waiting in the queue. In other way we can take advantage of many other online services using website or portal.

3. Effective Utilization of Resources

Resource utilization can be higher in e-governance because, we can compute number of computations using computer or can provide different types of data using online query system. This kind of utilization is not possible with manual paper work and hard paper provided by government office.

4. Integration of Communities

Using e-governance we can integrate each department with each other and can get advantage of the integration. This kind of integration is implemented in the ERP system, and we all know that ERP system provides many analysis and reports on the basis of which we can take decisions for the future. So Integration can be very much useful for the larger system like E-governance system.

5. Reduction in Delays, Red Tape and Corruption

e-Governance offers an opportunity for improvement in public service delivery and most administrative best practices build upon the process redesign and convergence that E-governance facilitates. E-governance leads to a transformation in work processes and service delivery, lowers transaction cost with improvement in transparency and accountability. E-

governance can help reduce corruption and improve accountability by making budgets and progress reports of major public projects available. It enables transformational change rather than merely technical change. So e-governance reduces the delay, makes the procedures fast and reduces the corruption through transparency.



ACTIVITY 9.2

Locate some of the contemporary relevance of e-Governance with the emerging times.

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CHECK YOUR PROGRESS

Q.19. e-Governance promotes effective utilization of resources. (True/False)

.....

.....

Q.20. Reduction in Delays, Red Tape and Corruption can be avoided/ cannot be avoided with introduction of e-Governance in a country. (Select the correct one)

.....

.....

Q.21. Discuss any two importance of e-Governance.

.....

.....



9.10 LET US SUM UP

- e-Governance is the process of reform in the way government work, share information, engage citizens and deliver services to external

and internal clients for the benefit of both government and the clients that they serve. The aim is to re-define governance in the ICT age is to provide 'Smart Governance'.

- The basic principle of e-Governance are Clarity Of Purpose, Environment Building, E-Governance As An Integral Part Of Reform In Governance, Disciplined Way Of Working, Monitoring And Evaluation, Developing Secure, Fail-Safe Systems And Disaster Recovery Systems, Sustainability, Allowing For Horizontal Applicability, Development Of Local Language Interfaces, E-Governance – A Continuing Process
- The Government approved the National e-Governance Plan (NeGP), comprising 27 Mission Mode Projects and 8 components, on May 18, 2006. The NeGP takes a holistic view of e-Governance initiatives across the country, integrating them into a collective vision, a shared cause. Around this idea, a massive countrywide infrastructure reaching down to the remotest of villages is evolving, and large-scale digitization of records is taking place to enable easy, reliable access over the internet.
- Since implementation of NeGP entailed enhanced responsibilities for MeitY, it was proposed that a suitable institutional mechanism be devised to enable Ministry of Electronics & Information Technology to engage competent resources from the open market as well as within the Government. National e-Governance Division (NeGD), was accordingly created by MeitY in 2009 as an Independent Business Division (IBD) within Media Lab Asia (MLAsia) (a Section 8 Company under Ministry of Electronics & Information Technology).



9.11 FURTHER READING

1) Taneja, V. (2011). E-Governance. New Delhi: Alfa Publications.
2) Tripathi, V. (2007): E-Governance in India. New Delhi: Anmol Publications

Pvt. Limited.

3) Bose, J. (2006). E-Governance in India: Issues and Cases. Tripura:S. Icfai Books.

4) Satyanarayana, J. (2006). E-Government: the science of the possible. New Delhi: Prentice Hall of India Private Limited.

9.12 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q1: True

Ans to Q No 2: evolving

Ans to Q No 3:

According to United Nation, “it is a conceptual framework embedded in the paradigm of human and social development. In sense that, e-Government encompasses the capacity and the willingness of the public sector to deploy ICT for improving knowledge and information in the service of the citizen”.

Ans to Q No 4:

The application of ICT, with the aim of supporting government operations, aware citizens and deliver services is called as e-Government and e-Governance refers to the use of ICT in enhancing the range and quality of information and services delivered to the public, in an effective manner

Ans to Q No 5: True

Ans to Q No 6: integral

Ans to Q No 7:

e-Governance represents a paradigm shift in the field of governance reforms. Bringing it about would have to be a continuing process which would require many adjustments. It has been well said that e-Governance is a journey and not a destination.

Ans to Q No 8: True

Ans to Q No 9: Online registration

Ans to Q No 10:

The concept of E-Court will include the ICT enablement of the judicial process. Technology may help distant hearing, online summons and warrants and online publication of Judgments and Decrees.

Ans to Q No 11: Service

Ans to Q No 12: Transparency

Ans to Q No 13:

This implies that the exchange of information within the departments would happen on its own, without involving the citizens. The citizen would be required to just raise a request and make the payment to complete the processes.

Ans to Q No 14: National E-Governance Plan.

Ans to Q No 15: True

Ans to Q No 16:

National E-Governance Plan (NeGP), 2006, by Government of India (GOI) to bring effective e-Governance in the country. Feudal State

Ans to Q No 17: National e-Governance Division

Ans to Q No 18: True

Ans to Q No 19: True

Ans to Q No 20: can be avoided

Ans to Q No 21:

Effective Utilization of Resources- Resource utilization can be higher in e-governance because, we can compute number of computations using computer or can provide different types of data using online query system. This kind of utilization is not possible with manual paper work and hard paper provided by government office.

Integration of Communities- Using e-governance we can integrate each department with each other and can get advantage of the

integration. This kind of integration is implemented in the ERP system, and we all know that ERP system provides so many analysis and reports on the bases of this reports we can take decisions for the future, so Integration can be very much useful for the larger system like E-governance system.



9.13 POSSIBLE QUESTIONS

A) Very Short Questions

Q 1: The pace of development has even gone to the next level with the introduction of _____ (Fill in the blank)

Q 2: Government to citizen relationship is the most basic aspect of E-Governance. (True/False)

Q 3: What is the difference between NeGP and NeGD?

B) Short Questions (Answer each question in about 150 words)

Q 1: Describe in brief any four basic principles of e-Governance.

Q 2: Explain the scope of e-Governance.

Q 3: Differentiate between e-Governance and e-Government.

Q 4: Describe in your own words the contemporary problems of e-Governance in India.

Q 5: Define e-Governance. Explain the nature of e-Governance.

C) Long Questions (Answer each question in about 300-500 words)

Q 1: Explain the e-Governance process which facilitates the relationship between government to government.

Q 2: Discuss the NeGD initiative of Government of India. What is the present status of the department?

*** ***** ***

UNIT 10: CORRUPTION: ISSUES AND CHALLENGES

UNIT STRUCTURE

10.1 Introduction
10.2 Meaning and Definition of Corruption
10.3 Magnitude of Corruption in India
10.4 Causes of Corruption
10.5 Remedies to Fight Corruption
10.6 Central Vigilance Commission
10.7 Let Us Sum Up
10.8 Further Reading
10.9 Answers To Check Your Progress
10.10 Possible Questions

10.1 INTRODUCTION

Now a days corruption is an all pervasive issue. It has existed in the human society in one form or the other. Corruption is increasing world over. As per the reports in the various news agencies corruption in China is nearly as monumental as its Great wall. In Pakistan, Nawaz Sharif had to vacate his office of Prime Minister for the charge of corruption in July 2017, France's ex- President Nicolas Sarkozy was arrested on the charge of corruption, in Russia, the mafia is close to being state-run and even Britain was shaken by parliamentary expenses scandal in 2009. All these cases proved that corruption is all pervasive throughout the world. Corruption in a civilized society is like cancer, which if not detected in time, maligns the polity of a country leading to disastrous consequences. There is no region or country in the world which is immune to corruption

10.2 MEANING AND DEFINITION OF CORRUPTION

It is very difficult to define precisely the term corruption. In India the basic law which deals with it is the Prevention of Corruption Act, 1947. It

includes the following acts within the ambit of corruption and therefore punishable:

a) Criminal misconduct by public servant in the discharge of official duty which, among others, may include habitual acceptance of illegal gratifications for himself or for any other person; misappropriation or conversion of property entrusted to him as a public servant or allowing another person to do so; acts of obtaining pecuniary advantage for himself or for any other person.
b) Habitual taking of illegal gratification to influence a public servant.
c) Possession of wealth disproportionate to the known source of income.
d) Attempt to misappropriate property entrusted to him as a public servant or attempt to commit similar act of obtaining pecuniary advantage.

According to David H. Bayley says that "corruption is a general term covering misuse of authority as a result of considerations of personal gain, which need not be monetary."

Vocabulary.com dictionary meaning of corruption is, "Corruption is dishonest action that destroys people's trust".

Transparency International defines corruption as, "corruption is the abuse of entrusted power for private gain. It can be classified as grand, petty and political, depending on the amounts of money lost and the sector where it occurs."

On the basis of above definitions we can state the basic postulates of corruption as:

1. It is deliberate or intentional exploitation of one's position, status or resources.
2. It may be done directly or indirectly.
3. It is done for personal aggrandizement - whether it is material gain or enhancement of power or prestige or influence.
4. It is done by violating legitimate or sanctioned or commonly accepted norms of behaviour
5. It is done against the interests of the community or other persons.

10.3 MAGNITUDE OF CORRUPTION IN INDIA

Corruption is the greatest single bane of our society today. Corruption in India is an issue that adversely affects the country's economy and the credibility of central, state and local government agencies. Not only has it held the economy back from reaching new heights, but rampant corruption has stunted India's development. A study conducted by Transparency International in 2005 recorded that more than 92% of Indians had at some point or another paid a bribe to get a job done in a public office. In a study conducted in 2008, Transparency International reported that about 50% of Indians had first hand experience of paying bribes or using contacts to get services performed by public offices.

According to 2016 results of the Corruption Perception Index, India ranks 79th out of 176 countries.

In recent times, there has been an overload of cases of corruption. As of December 2009, 120 of India's 524 parliament members were accused of various crimes, under India's First Information Report (FIR) procedure wherein anyone can allege another to have committed a crime. Many of the biggest scandals since 2010 have involved high level government officials, including Cabinet Ministers and Chief Ministers, such as the 2G spectrum scam (1.7 lakh crore), the 2010 Commonwealth Games scam (70,000 crore), the Adarsh Housing Society scam, the Coal Mining Scam (1.86 lakh crore), the Mining Scandal in Karnataka and the Cash for Vote scams.

There are so many cases related to the illegal parking funds/black money in Swiss bank accounts and places like Mauritius and Cayman islands which make the evasion of tax easier, but as most of the time influential people are the prime accused in such cases, they are let off way too easy. To fight with the menace of black money the present Central Government has gone to the extent of notes ban and demonetization policy in November 2016. (Prime Minister announced notes ban on Nov.8, 2016).

In the defence sector too, an inquiry by the Central Vigilance Commission has revealed a number of irregularities in the Border Roads Organization's Project Deepak.

The corrupt practices like favoritism and misuse of office has become an order of the day in our country. Even getting a job or a degree becomes easier if you have the right contact. The value of merit is decreasing rapidly and in some cases is almost namesake.

The Indian media is largely controlled by extremely corrupt politicians and industrialists who play a major role by misleading the public with incorrect information and use the media for mud-slinging at political and business opponents.

10.4 CAUSES OF CORRUPTION

The Santhanam Committee appointed by the Government of India in 1962 that presented its report in 1964, studied corruption in detail. It found corruption prevalent in most of the departments, police and even judiciary. It cited a crisis in values as a possible cause. It said, "Alongside of the weakening of the social mores of the simpler society, signs are visible of materialism….. Importance of economic power and deviations from social ethics." It found corruption basically at two levels: 1) where substantive decisions are taken and 2) the points where some of these decisions are implemented.

After independence India adopted socialistic pattern of society as its goal and wanted to place the public sector on the commanding heights of the nation's economy. This resulted in the placing of several types of restrictions on private initiative and enterprises in the name of preventing monopolies. This ushered into an era of big government and license, permit, quota, inspector raj. This opened the floodgates of political and bureaucratic corruption.

The causes of corruption in India include excessive regulations, complicated tax and licensing systems, numerous government departments with opaque bureaucracy and discretionary powers, monopoly of government controlled institutions on certain goods and services delivery, and the lack of transparent laws and processes. The most important factor of corruption in India is the emergence of a typical consumerist culture particularly after

Globalization and Liberalization of Indian economy. People in general, have a great thirst for luxuries and comforts and as a result of which they get themselves involved in all unscrupulous activities that result in monetary or material benefits. Moral and spiritual values are not given utmost importance in educational system, which is highly responsible for the deterioration of the society. The punishments imposed on the criminals are inadequate. The powerful or influential persons including political leaders, bureaucrats are very often get rid of legal punishments even though they are booked in cases of corruption. These peoples have ruined the social values by leading a luxurious life without caring the society through their illegal earnings. There is a corrupt nexus between the Netas, Babus and the Businessmen. They protect each other in their illegal work.

Some other causes of corruption are:

1. **Social Environment:** Administrative and political systems are a part of the larger social system. Therefore the societal culture and the societal environment have an impact on the politics and administration of the country. The Indian society is passing through transition where modern mixes with the old. It is still traditional and largely feudal. Here the ties of family, caste, tribe, community, religion, language and religion are still strong. The public servants, therefore, are unable to sacrifice their group loyalty for the sake of their loyalty to the nation. This results in corrupt practices like nepotism, favoritism etc. Alongside, the Indian society is going through a process of modernization which includes industrialization, urbanization etc. in which old societal values are crumbling and materialistic ambitions have become dominant. Acquisition of money, whatever the means, has become the chief motive. The Acquisitive society breeds corruption. Unfortunately, corruption has found an acceptance in our social psyche and behaviour. Evils like bribery, nepotism and favoritism have come to be accepted in society. People often approach someone for favours which they know is not legally due to them. In today's society, people are getting respect for his acquired wealth or high position without being questioned. We feel happy when

our family or group members favour his or her own men, though illegally.

2. **Low salaries of public servants:** One of the explanations offered for the corruption in the public offices in India is the low salaries paid to the public servants. It is said that there is a sharp decline in the actual income of various sections of the society, especially of the salaried classes. Though pay commissions have periodically revised pay scales, the salaried public servant continues to be in a poor plight. Many have argued that the poor economic conditions encourage the public servants to take opportunity to earn extra money through illegal means. But this explanation can be accepted as partially correct. Because most corrupt activities involve fair amount of money rather than just the modest amount needed to supplement incomes.

3. **Administrative Delay:** This is another cause of corruption in India. Our administrative procedures and practices are cumbersome and dilatory. The files in the offices moves very slowly. This is added by negative attitude of the bureaucracy and red tapism. The files move endlessly from one desk to another because everyone wants to avoid the responsibility of taking decisions. This results in delay in administrative action whether it is responding to the request of an ordinary citizen or work of a big project. Projects are rarely completed in time, resulting in cost over-runs. It is therefore to avoid the unnecessary delay the corrupt and dishonest practices have grown up like the system of payment of speed-money. Speed-money is a common type of corrupt practice in the public offices in India.

4. **Clumsy Handling of the Corruption cases:** Another factor contributing to the growth of corruption in India is the clumsy handling of cases relating to corruption. Those in the hierarchy vested with disciplinary powers shirk duty and show unwillingness to use these powers against a corrupt subordinate. This may be due to trade union pressure, political interference or simple attempt to avoid unpleasantness in future. The result is that either the corrupt is not caught, or if caught he is let off subsequently with or without minor

penalties. In most of the cases the guilty is suspended from service when he is found in the act, but is reinstated after some time when the heat is off.

5. **Delayed judicial proceedings:** The Indian judicial system is well known for its slow pace in the proceedings. It takes years and years for the cases to be decided. The result is that the accused often escapes punishment because a long time span has an adverse effect on the evidence in the case. The witness may become unavailable with the passage of time or they may not remember what happened long time back. Even if the corrupt is punished ultimately, that does not achieve the desired objective. Justice delayed is justice denied.

6. **Political Causes:** The biggest cause of corruption in India is the political cause. Today in Indian Politics a new generation of politicians, with a different political class has emerged. These leaders have raised from the grassroot politics in the form of regional politics or movements. They have transformed the nature of politics and administration. Amoral politics, self-aggrandizement, disregard of the democratic norms in the pursuit of power, political survival at any cost are the rules of their game. They interfere with the administration of justice and have bent bureaucracy to do their bidding. They assume that they are above the law because they are "peoples' representatives". That is why corruption has become much more wide spread. Political interference in administration and investigating agencies have demoralized the honest officials. There is a nexus between the bureaucrats and politicians. Such nexus between the bureaucrats and politicians had been clearly proved by scams like the Animal Husbandry scam in Bihar, Coal scam in Tamil Nadu, etc. Loyalty can be amply rewarded with lucrative in-service or post-retirement benefits at home or abroad. Due to this political environment, corruption has become deep rooted in our country. Unfortunately the corrupt political leaders have succeeded in creating the impression that once a person is elected by the people as their representative, it means that people are not convinced of the charges

against him, rather the people have cleared him of all charges and therefore he is innocent. That is why more and more persons who have dubious history are turning towards politics.

7. **Inadequacy of Law to deal with corruption:** At present the corruption cases are dealt with under the Civil Services Conduct Rules, Prevention of Corruption Act,1947 and the Indian Penal Code. Bureaucrats and politicians find very ingenious ways to escape from the clutches of law. There is no law to prevent corrupt and criminal persons from entering into legislatures unless they have been convicted by a court of law. And the Court takes years and years in India to bring the culprits to book. In the end, even that may not be possible. Similarly there is no law to confiscate the Ill-gotten properties of the corrupt persons. Even the punishments provided under the existing laws are mild and not deterrent.

8. **Safeguards for Public Services:** Public services have been amply safeguarded by the conduct and disciplinary rules. It is not easy to take action against them. Substantial proofs are required to take disciplinary action against them. Hence they succeed in concealing their corrupt activities.

9. **Absence of strong public opinion against corruption:** Everyday in the news papers and other media there are reports on corruption cases in the country. Almost every person in the country is suffering for this. Yet there is absence of strong public opinion or protest against it. The persons having corrupt and criminal involvement are getting elected to the highest law making body of the country and thereby taking part in the Government. There are records of political leaders fought election while in jail and get elected. From all these it can be said that the ordinary voters are too individualistic and have not developed the culture of community action.

10.5 REMEDIES TO FIGHT CORRUPTION

In India, various committees have been appointed to carry out a study on the issue of corruption and to suggest measures for its remedy. Various

suggestions have been made by these committees in this regard. In 1962, the Parliament of India appointed a committee consisting of 7 members under the Chairmanship of K. Santhanam popularly known as Santhanam Committee. It was assigned the task of reviewing the existing instrument for combating corruption and advising on practical steps to make anti-corruption measures more vigorous. Thus the committee was required to examine the working of the vigilance machinery of the Government of India and recommend improvements in their working. It was asked to suggest improvements in the Government Servants Conduct Rules and see to the speedy disposal of cases of bribery, corruption and criminal misconduct. Some important suggestions of the committee are :

1. Article 311 of the Constitution of India may be amended in order to make the judicial process in corruption cases easy and speedy
2. A Central Vigilance Commission possessing autonomous powers should be appointed
3. The Governmnet Servants Conduct Rules may be amended in order to restrict the re-employment of retired Government employees by private businessmen

Some other suggestions to mitigate the menace of corruption in India as put forward by different expert committees are:

1) Clear cut policies on posting and transfer of public servants: Normally this is done for the interest of the efficiency in the administration. Though there are rules yet rules are not followed properly. There are cases of political interference by the influential leaders in the posting and transfer of the civil servants. The favourable officials are being placed in the convenient posts so that they can get the things done easily and on the other hand the strict and honest officials are being subjected to frequent transfer as a punishment for their anti-corruption stand.

2) Avoid secrecy in administration: Excessive secrecy act as a cover to the corrupt practices. Moreover in the name of confidentiality people are being deprived from getting justice. Therefore, in order to get the

things done, people offer bribe to the officials since they are not informed about the actual proceedings of the work. But after passing of the Right to Information (RTI) Act, 2005 the situation have changed. Now many mega scams have been unearthed by the use of RTI instrument. Today, transparency in administration has been considered as an important principle to ensure good governance.

3) **Autonomy of investigating agencies:** There is an urgent need to make the investigating agencies autonomous (free from interference) and effective to check corruption. In the present practices, the investigating officers are being influenced by the Executive since they are appointed by them. Moreover, for the further benefits (in-service or post-retirement benefits) the investigating officials maintain a good relationship with the Ministry, even with the ruling party. Due to the partisan role of the investigating agencies they lost the popular faith in their credibility.

4) **Simplification in the Administrative procedures:** Administrative delay is one of the causes of corruption. Office procedures should be simplified and levels of hierarchy should be reduced. In the present practice the files move round several tables and a very long time is taken to come to a decision. This gives the officials a chance to take speed money from the applicants to avoid unnecessary delay.

5) **Separate Court to deal corruption cases:** This is needed to speed up the conviction and to reward punishment to the public functionaries who are involved in corruption. An effective way to curb corruption is that the guilty must be punished quickly to have deterrent effect on others.

6) **Strong Civil Society:** We need a strong civil society that takes the initiative instead of depending helplessly on politicians and officials. A strong civil society is full of groups that band together for social goals. It brings pressure to bear against corrupt.



CHECK YOUR PROGRESS

Q.1. Mention David H. Bayley's definition of corruption.

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Q.2. In which year was the Santhanam Committee appointed by the Government of India?

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Q.3. Write a short note on delayed judicial proceedings as a cause of corruption.

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Q.4. Briefly explain two measures to combat corruption.

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10.6 CENTRAL VIGILANCE COMMISSION

The Central Vigilance Commission (CVC) is an apex Government institution created in 1964 to address the corruption of Government officials. It was constituted by the Government of India in 1964 on the recommendation of the Committee on prevention of Corruption, headed by Sri K. Santhanam. It has the status of an autonomous body, free of control from any executive authority; it can monitor all vigilance activity in the central Government departments advising various authorities in central government organizations in planning, executing, reviewing and reforming their vigilance work.

Organisation: The Central Vigilance Commission consist of -

a) A Central Vigilance Commissioner (CVC).

b) Not more than two Vigilance Commissioners (VCs).

The Central Vigilance Commissioner (CVC) is the Chairperson of the Commission. The CVC has its own Secretariat, Chief Technical Examiners Wing and a wing of Commissioners for Departmental Inquiries (CDI).

Appointment:

The Central Vigilance Commissioner and the Vigilance Commissioners shall be appointed by the President on recommendation of a committee consisting of the Prime minister (Chairperson), the Minister of Home Affairs (Member) and the Leader of the Opposition in the Lok Sabha (Member).

Removal:

The Central Vigilance Commissioner or any Vigilance Commissioner can be removed from his office only by order of the President on the ground of proved misbehaviour or incapacity after the Supreme Court, on a reference made to it by the President, and, on inquiry report that the Central Vigilance Commissioner or any Vigilance Commissioner, as the case may be, ought to be removed. The President may suspend the Central Vigilance Commissioner or any Vigilance Commission from office and if deem necessary, may also prohibit from attending the office during inquiry in respect of whom a reference has been made to the Supreme Court until the President has passed orders on receipt of the report of the Supreme Court on such reference. The President may, by order, remove from office the Central Vigilance Commissioner or any Vigilance Commissioner on the ground as-

a) Is adjudged an insolvent, or

b) Has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude, or

c) Engages during his term of office in any paid employment outside the duties of his office, or

d) Is, in the opinion of the President, unfit to continue in office by reason of infirmity of mind or body, or

e) Has acquired such financial or other interest as is likely to affect prejudicially his functions as a Central Vigilance Commissioner or a Vigilance Commissioner.

Functions:

The main functions of the CVC is-

a) To undertake an enquiry into any transactions in which a public servant is suspected to have acted in a corrupt manner.

b) To investigate into and complaint against a public servant who has exercised his powers for improper or corrupt purposes.

c) To initiate review of procedures and practices of administration which concern the maintenance of integrity in administration.

d) To ask for reports from agencies so as to enable it to exercise general check and supervision over the vigilance and anti-corruption work in them.

Limitations of Central Vigilance Commission:

a) Central Vigilance Commission is only an advisory body. Central Government Departments are free to either accept or reject Central Vigilance Commission's advice in corrupt cases.

b) Central Vigilance Commission does not have adequate resources compared with number of complaints that it receives.

c) Central Vigilance Commission cannot direct CBI to initiate inquiries against any officer of the level of joint Secretary and above on its own. In such case, permission has to be obtained from the concerned department.

d) Central Vigilance Commission does not have powers to register criminal case. It deals only with vigilance or disciplinary cases.

e) Central Vigilance Commission has supervisory powers over CBI. However, Central Vigilance Commission does not have the power to call for any file from CBI or to direct CBI to investigate any case in a particular manner.

f) Appointments of Vigilance Commissioners are indirectly under the control of the Central Government, though the Leader of Opposition in Lok Sabha is a member of the Committee to select Central Vigilance Commissioner and Vigilance Commissioners. The Committee consider the candidates put up before it by the Government.

Thus from the above limitations it can be said that although Central Vigilance Commission is relatively independent in its functioning, it lacks the strength as an effective deterrence against corruption.



CHECK YOUR PROGRESS

Q.5. In which year was the Central Vigilance Commission constituted?

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Q.6. State the appointment procedure of the Central Vigilance Commissioner.

.....

.....

Q.7. Mention two limitations of Central Vigilance Commission.

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10.7 LET US SUM UP

- Corruption is an all pervasive issue which has existed in the human society in one form or the other around the world.
- It is deliberate or intentional exploitation of one's position, status or resources. Corruption may be done directly or indirectly for personal aggrandizement, violating legitimate or sanctioned or commonly accepted norms of behaviour.
- Corruption is the greatest single bane of our society today. Corruption in India is an issue that adversely affects the country's economy and the credibility of central, state and local government agencies. The corrupt practices like favoritism; misuse of office has become an order of the day in our country.
- The Indian media is largely controlled by extremely corrupt politicians

and industrialists who play a major role by misleading the public with incorrect information.

- The causes of corruption in India include excessive regulations, complicated tax and licensing systems, numerous government departments with opaque bureaucracy and discretionary powers, monopoly of government controlled institutions on certain goods and services delivery, and the lack of transparent laws and processes.
- The most important factor of corruption in India is the emergence of a typical consumerist culture particularly after Globalization and Liberalization of Indian economy. Besides this, there is a corrupt nexus between the Netas, Babus and the Businessmen. They protect each other in their illegal work.
- In India, various committees have been appointed to do study on the issue of corruption and to suggest measures for its remedy.
- The Central Vigilance Commission is an apex Government institution created in 1964 to address the corruption of Government officials. It was constituted by the Government of India in 1964 on the recommendation of the Committee on prevention of corruption, headed by Sri K. Santhanam.
- Although Central Vigilance Commission is relatively independent in its functioning, it lacks the strength as an effective deterrence against corruption.



10.8 FURTHER READING

1) 1) Lakshmikant. M. *Public Administration.* Tata Mcgraw Hills Education Pvt. Ltd., New Delhi, 2012.

2) Bhattacharya Mohit. *Public Administration*. The World Press Private Ltd. Kolkata, 2010.

3) Fadia and Fadia. *Public Administration- Administrative Theories And Concepts*. Sahitya Bhawan publications, Agra, 2008.

10.9 ANSWERS TO CHECK YOUR PROGRESS

Ans. to Q. No. 1 :

According to David H. Bayley, "corruption is a general term covering misuse of authority as a result of considerations of personal gain, which need not be monetary."

Ans. to Q. No. 2 : 1962.

Ans. to Q. No. 3 :

The Indian judicial system is well known for its slow pace in the proceedings. It takes years and years for the cases to be decided. The result is that the accused often escapes punishment because a long time span has an adverse effect on the evidence in the case. The witness may become unavailable with the passage of time or they may not remember what happened long time back. Even if the corrupt is punished ultimately, that does not achieve the desired objective. Justice delayed is justice denied.

Ans. to Q. No. 4 :

Separate Court to deal corruption cases: This is needed to speed up the conviction and to award punishment to the public functionaries who involved in corruption. An effective way to curb corruption is that the guilty must be punished quickly to have deterrent effect on others.

Strong Civil Society: We need a strong civil society that takes the initiative instead of depending helplessly on politicians and officials. A strong civil society is full of groups that band together for social goals. It brings pressure to bear against corrupt.

Ans. to Q. No. 5 : 1964

Ans. to Q. No. 6 :

The Central Vigilance Commissioner and the Vigilance

Commissioners shall be appointed by the President on recommendation of a committee consisting of the Prime minister (Chairperson), the Minister of Home Affairs (Member) and the Leader of the Opposition in the Lok Sabha (Member).

Ans. to Q. No. 7 :

a) Central Vigilance Commission is only an advisory body. Central Government Departments are free to either accept or reject Central Vigilance Commission's advice in corrupt cases.

b) Central Vigilance Commission does not have powers to register criminal case. It deals only with vigilance or disciplinary cases.



10.10 POSSIBLE QUESTIONS

Q.1: What do you mean by corruption? Discuss the causes of Corruption in India?

Q.2: When was the Central Vigilance Commission formed?

Q.3: Discuss the powers and functions of the Central Vigilance Commission.

Q.4: Short questions:

a) Who appoints the Central Vigilance Commissioner?

b) Which committee suggested the formation of Central Vigilance Commission?

*** ***** ***

UNIT 11: OMBUDSMANIC INSTITUTIONS

UNIT STRUCTURE

11.1 Learning Objectives

11.2 Introduction

11.3 Institution of Ombudsman in India

11.4 Development of the Institutions of Lokpal and Lokayukta

11.4.1 Institution of Lokpal

11.4.2 Institution of Lokayuktas in States

11.5 Let Us Sum Up

11.6 Further Reading

11.7 Answers To Check Your Progress

11.8 Possible Questions

11.1 LEARNING OBJECTIVES

After going through this unit, you will be able to:

- define the institution of ombudsman
- explain the development of the institution of Lokpal in India
- explain the development of the institution of Lokayuktas in the States
- describe the powers and functions of Lokpal and Lokayuktas

11.2 INTRODUCTION

Over the years corruption has engulfed every area of public administration. Due to its continuous spread to every new area, the issue of integrity of public servants and efficiency of administration has become the focal point in political and non-political discussions. In the face of increasing trend of corruption, the traditional complaint handling arrangements through higher administrative bodies, administrative and judicial tribunals, parliament and its committees found inadequate. Therefore, it was felt necessary that there should be effective machinery which will inspire confidence among the people on the public administrative system.

Ombudsman is a machinery especially designed to curb corruption in public administration. It was first in Sweden where its constitution of 1809 provided for a unique institution of Ombudsman to protect the citizens against administrative injustice or abuse of power by a public official. In Sweden the Ombudsman is appointed by Parliament to supervise as an independent authority, the functioning of all public officials- civil, military and judicial. Back in India, the demand for the establishment of such an institution was first made in 1960. Thereafter, considering the demands from various sections, the Lok Pal and Lokayukta Bill was first introduced in the Parliament in 1968.

11.3 INSTITUTION OF OMBUDSMAN IN INDIA

The ultimate goal of the government in a civilized society, and more particularly in a democratic set-up, is to promote happiness, contentment and welfare of the people. However, the problem is that the average citizen, at the cutting edge of administration is deprived of the services and treatment to which he is actually entitled. Corruption, indifference, incompetence and insensitiveness on the part of the public servants are causing harm and hardship to the citizens.

Moreover, with the change in the nature of state activities, and consequent increase in the government functions today, the administration has assured control over the daily life of the citizens. Thus, there lies the necessity of machinery for redressal of public grievances.

In order to understand properly the development of the institutions of Lokpal and Lokayukta, we will have to be familiarised with the institution of ombudsman. Ombudsman is one of the machineries for redressal of public grievances, originally associated with Scandinavian countries. Ombudsman is a Swedish word meaning "commissioner" or "an officer" appointed by the legislature to handle complaints against maladministration by public authorities. Sweden has had the institution of Ombudsman for over a century and a half. But after its establishment in Denmark in 1954, it suddenly captured the attention of other countries. The first Commonwealth country to adopt it was New Zealand in 1962. An

ombudsman for the United Kingdom was instituted by the Parliamentary Commissioner Act, 1967. In India, the ombudsmanic institutions are Lokpal and Lokayuktas. In Australia also, the ombudsman system has come into existence. As Australia is a federation, there is a two tier ombudsman system. In U.S.A, the congressional investigations and grievance cells established in various departments, like the police review boards, discharge the work of ombudsman.



CHECK YOUR PROGRESS

Q.1. 'Ombudsman' is an institution for addressing public grievances. (True / False)

.....

.....

Q.2. The first Commonwealth country to adopt 'Ombudsman' was .....(Fill in the blank)

.....

.....

Q.3. Mention any ombudsmanic institution in India.

.....

.....

Q.4. The institution of 'Ombudsman' originated in USA. (True/ False)

.....

.....

11.4 DEVELOPMENT OF THE INSTITUTIONS OF LOKPAL AND LOKAYUKTA

11.4.1 Institution of Lokpal

As mentioned above, the demand for the establishment of Ombudsman in India was first raised by K.M. Munshi, an M.P. in 1960. Thereafter, the Administrative Reforms Commission, 1966 felt the urgency of the matter and recommended the creation of two institutions- namely Lokpal and Lokayuktas. The ARC recommended

that the Lokpal will investigate the complaints against ministers and Secretaries to the Government at the Centre as well as in the States and the Lokayukta in each state to deal with the complaints against other officials.

The Lokpal and Lokayukta Bill was first introduced in the Fourth Lok Sabha in 1968. It was passed by Lok Sabha in 1968, while the Bill was pending in the Rajya Sabha. In the mean time, the Lok Sabha was dissolved and consequently the Bill collapsed. Thereafter, the Bill was presented several times in the Parliament (in 1977, 1985, 1989, 1996, 1998 and 2001) but the Bill collapsed each time and failed to come into effect.

In 2011, social activist Anna Hazare started a massive social movement against corruption. People from all quarters of the country have supported Anna Hazare in his campaign against corruption. He began a fast unto death at Jantar Mantar, New Delhi on 5th April 2011 demanding enactment of a comprehensive Lokpal (Ombudsman) Bill to give powers to Ombudsman to check corruption. Hazare requested the then Prime Minister Dr. Manmohan Singh to convene a joint committee to frame the proposed law, which was rejected by the Prime Minister. Some noted personalities who have joined Hazare in his campaign are, noted Lawyer Shanti Bhushan, Prashant Bhushan, Arvind Kejriwal, Kiron Bedi, etc. Prominent opposition parties like BJP and CPI (M) lended support to Hazare. In various states also protests, dharna, etc. were organized supporting the movement led by Hazare. Even outside the country people were gathered to support the movement led by Hazare.

Due to the pressure of massive campaign against corruption the then Central Government led by UPA introduced a modified Lokpal Bill in 22nd December 2011 in Lok Sabha. Simultaneously, Anna Hazare and his group came up with a draft of Jan Lokpal Bill and demanded the Central Government to pass the Bill. Considering all these, the Government formed a joint committee between the parliamentarians and the Civil Society activists with the chairmanship

of Pranab Mukherjee and social activist and lawyer Shanti Bhushan as the co-chairman. However in the later stage there was disagreement between the Government and the social activist group in the drafting of the Lokpal Bill. Finally the Governement introduced the Lokpal Bill in the Parliament and got it passed in December 2013 in both the Houses of Parliament and received the President's assents on 1st January, 2014. It came into effect from 16th January 2014, thus forming The Lokpal and Lokayukta Act, 2013.

Composition:

Lokpal is a multi-member body consisting of one Chairperson and maximum of 8 members. There may be atleast 4 judicial members. It is provided that not less than fifty per cent of members of the Lokpal shall be from amongst the persons belonging to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, Minorities and women.

Who can become the Chairperson?

The Chairman of the Lokpal is-

- Either the former Chief Justice of India
- Or the former Judge of the Supreme Court
- Or an eminent person with impeccable integrity and outstanding ability, having special knowledge and expertise of minimum 25 years in the matters relating to anti-corruption policy, public administration, vigilance, finance including insurance and banking, law and management.

Who can become a Member?

Judicial Member:

The judicial member of the Lokpal should be-

- Either a former Judge of the Supreme Court
- Or a former Chief Justice of a High Court

Non Judicial Members:

- an eminent person with impeccable integrity and outstanding ability, having special knowledge and expertise of minimum 25 years in the matters relating to anti-corruption policy, public

administration, vigilance, finance including insurance and banking, law and management.

The Chairperson or a Member shall not be-

- a member of the Parliament or a member of the Legislature of any State or Union Territory;
- a person convicted of any offence involving moral turpitude;
- a person not more than 45 years of age, on the date of assuming office as the Chairperson or Member, as the case may be;
- a member of any Panchayat or Municipality;
- a person who has been removed or dismissed from the service of the Union or a State;
- hold any office of trust or profit (other than his office as the Chairperson or a Member);
- be affiliated to any political party;
- carry on any business or practice any profession.

Appointment:

The President of India will appoint the members of the Lokpal on the recommendation of a Selection Committee comprising of :

- Prime Minister,
- Speaker of the Lok Sabha,
- Leader of the House of which the Prime Minister is not member,
- Minister of Home Affairs,
- Leaders of opposition in Lok Sabha,
- Chief Justice of India or a sitting judge of Supreme Court nominated by Chief Justice of India,
- Eminent jurist to be nominated by the President of India on the basis of recommendations of the first four members of the selection committee.

Term of Office of the Chairperson and Members:

The Chairperson and every Member of the Lokpal shall, on the recommendations of the Selection Committee, be appointed by the President by warrant under his hand and seal and hold office as such for a term of five years from the date on which he enters his

office or until he attains the age of 70 years, whichever is earlier.

Salary, allowances and other conditions of service of Chairperson and Members:

The salary, allowances and other conditions of service of-

(i) the Chairperson shall be the same as those of the Chief Justice of India

(ii) other Members shall be the same as those of a Judge of the Supreme Court

The salary, allowances, pension and other conditions of service of the Chairperson or a Member shall not be varied to his disadvantage after his appointment.

Expenses of Lokpal:

The administrative expenses of the Lokpal, including all salaries, allowances and pensions payable to or in respect of the Chairperson, Members or Secretary or other officers or staff of the Lokpal, shall be charged upon the Consolidated Fund of India and any fees or money taken by the Lokpal shall form part of that Fund.

Restriction on employment by Chairperson and Members after ceasing to hold office:

After retirement the Chairperson and every Member shall be ineligible for-

(a) re-appointment as the Chairperson or a Member of the Lokpal;

(b) any diplomatic assignment, appointment as administrator of a Union territory and such other assignment or appointment which is made by the President by warrant under his hand and seal;

(c) further employment to any other office of profit under the Government of India or the Government of a State;

(d) contesting any election of President or Vice-President or Member of either House of Parliament or Member of either House of a State Legislature or Municipality or Panchayat within a period of five years from the date of retirement.

Removal of Chairperson and Members:

The Chairperson or any Member shall be removed from his office by order of the President on grounds of misbehaviour after the Supreme Court, on a reference being made to it by the President on the basis of a petition signed by at least 100 M.P.s, holds an enquiry and reports that the chairperson or such Member, as the case may be, ought to be removed on such ground.

The President may remove from office, the Chairperson or any member if the Chairperson or such Member, as the case may be -

a) is adjudged an insolvent; or
b) engages, during his term of office, in any paid employment outside the duties of his Office; or
c) is, in the opinion of the President, unfit to continue in office by reason of infirmity of mind or body.

If the Chairperson or any Member is, or becomes, in any way concerned or interested in any contract or agreement made by or on behalf of the Government of India or the Government of a State or participate in any way in the profit thereof or in any benefit or emolument arising therefrom otherwise than as a member and in common with the other members of an incorporated company, he shall be deemed to be guilty of misbehaviour.

Investigation:

On receiving complaints Lokpal must conduct a preliminary inquiry within 30 days. If there is no prima facie case, the matter is to be closed. Given a prima facie case, Lokpal investigates after providing a suitable forum to the accused. The investigation must be completed within six months with an optional six-month extension after giving reasons in writing. No sanction shall be required by the Lokpal to investigate any complaint against a public servant.

Inquiry Wing:

The Lokpal shall constitute an Inquiry Wing headed by the Director of Inquiry for the purpose of conducting preliminary inquiry into any offence alleged to have been committed by a public servant punishable under the Prevention of Corruption Act, 1988 (49 of 1988).

Provided that till such time the Inquiry Wing is constituted by the Lokpal, the Central Government shall make available such number of officers and other staff from its Ministries or Departments, as may be required by the Lokpal, for conducting preliminary inquiries under this Act.

Prosecution Wing:

1. The Lokpal shall, by notification, constitute a Prosecution Wing headed by the Director of Prosecution for the purpose of prosecution of public servants in relation to any complaint by the Lokpal. Provided that till such time the Prosecution Wing is constituted by the Lokpal, the Central Government shall make available such number of officers and other staff from its Ministries or Departments, as may be required by the Lokpal, for conducting prosecution under this Act.
2. The Director of Prosecution shall, after having been so directed by the Lokpal, file a case in accordance with the findings of investigation report, before the Special Court (to be constituted by the central government on recommendation of the Lokpal) and take all necessary steps in respect of the prosecution of public servants in relation to any offence punishable under the Prevention of Corruption Act, 1988 (49 of 1988).

Declaration of assets:

On and from the date of commencement of the Lokpal and Lokayukta Act 2013, every public servant shall have to make a declaration of his assets and liabilities in such form and manner as may be prescribed.

If any public servant willfully or for reasons which are not justifiable, fails to-

(a) declare his assets; or

(b) give misleading information in respect of such assets and is found to be in possession of assets not disclosed or in respect of which misleading information was furnished,

then, such assets shall be presumed to be assets acquired by corrupt means.

Jurisdiction of the Lokpal:

Jurisdiction of Lokpal include Prime Minister, Ministers, members of Parliament, Groups A, B, C and D officers and officials of Central Government.

1. Subject to the other provisions of the Lokpal and Lokayukta Act 2013, the Lokpal shall inquire or cause an inquiry to be conducted into any matter involved in, or arising from, or connected with, any allegation of corruption made in a complaint in respect of the following, namely:-

(a) any person who is or has been a Prime Minister:

Provided that the Lokpal shall not inquire into any matter involved in, or arising from, or connected with, any such allegation of corruption against the Prime Minister.

(i) in so far as it relates to international relations, external and internal security, public order, atomic energy and space;

(ii) unless a full bench of the Lokpal consisting of its Chairperson and all Members considers the initiation of inquiry and at least two-third of its Members approve of such inquiry:

Provided further that any such inquiry shall be held in camera and if the Lokpal comes to the conclusion that the complaint deserves to be dismissed, the records of the inquiry shall not be published or made available to anyone;

(b) any person who is or has been a Minister of the Union;

(c) any person who is or has been a member of either House of Parliament;

(d) any Group 'A' or Group 'B' officer or equivalent or above, from amongst the public servants defined in sub-clauses (i) and (ii) of clause (c) of section 2 of the Prevention of Corruption Act, 1988 (49 of 1988) when serving or who has served, in connection with the affairs of the Union;

(e) any Group 'C' or Group 'D' official or equivalent, from amongst the public servants defined in sub-clauses (i) and (ii) of clause (c) of section 2 of the Prevention of Corruption Act, 1988 (49 of 1988) when serving or who has served in connection with the affairs of the Union.

(f) any person who is or has been a chairperson or member or officer or employee in any body or Board or corporation or authority or company or society or trust or autonomous body (by whatever name called) established by an Act of Parliament or wholly or partly financed by the Central Government or controlled by it.

(g) any person who is or has been a director, manager, secretary or other officer of every other society or association of persons or trust (whether registered under any law for the time being in force or not), by whatever name called, wholly or partly financed by the Government and the annual income of which exceeds such amount as the Central Government may, by notification, specify;

(h) any person who is or has been a director, manager, secretary or other officer of every other society or association of persons or trust (whether registered under any law for the time being in force or not) in receipt of any donation from any foreign source under the Foreign Contribution (Regulation) Act, 2010 (42 of 2010) in excess of ten lakh rupees in a year or such higher amount as the Central Government may, by notification, specify.

(2) The Lokpal shall not inquire into any matter involved in, or arising from, or connected with, any such allegation of corruption against any member of either House of Parliament in respect of anything said or a vote given by him in Parliament or any committee thereof.

(3) The Lokpal may inquire into any act or conduct of any person, if such person is involved in the act of abetting, bribe giving or

bribe taking or conspiracy relating to any allegation of corruption under the Prevention of Corruption Act, 1988..

Powers of Lokpal:

The Lokpal has following powers:

- It has supervisory powers and have power to give direction to CBI.
- If it has referred a case to CBI, the investigating officer in such case cannot be transferred without approval of Lokpal.
- Powers to authorize CBI for search and seizure operations connected to such case.
- The Inquiry Wing of the Lokpal has been vested with the powers of a civil court.
- Lokpal has powers of confiscation of assets, proceeds, receipts and benefits arisen or procured by means of corruption in special circumstances.
- Lokpal has powers to recommend transfer or suspension of public servant connected with allegation of corruption.
- Lokpal has power to give directions to prevent destruction of records during preliminary inquiry.

How Lokpal works?

Lokpal first of all receives a complaint. On receiving the complaint, it needs to decide if it would proceed further. Once it decides to proceed further, it would order a preliminary inquiry by either its own Inquiry Wing or other agency such as Delhi Special Police Establishment (CBI).

The Preliminary enquiry has to be done within ninety (90) days of receiving complaint. It can be increased to further 90 days for reasons recorded in writing. Thus, preliminary enquiry has to be done in 6 months.

The preliminary inquiry would ascertain if there is prima facie a case to proceed further. If the complaint is related to Group A to Group

D officers, Lokpal would refer the complaint to Central Vigilance Commission. Central Vigilance Commission will inquire and do as follows:

- In case of Group A and B officers, it would make a report and submit it to Lokpal.
- In case of Group C and D Officers, it would itself proceed as per Central Vigilance Commission Act 2003.

The Inquiry Wing or CBI can do the search and seizure operations etc. They would make a report and this report will be taken up by a Lokpal bench of minimum 3 members. This bench will give an opportunity to the allegedly corrupt officer to be heard of. After this, the following three alternatives will be there to proceed for:

- If the officer is guilty, Lokpal will grant sanction to its Prosecution Wing or CBI to file charge sheet against him. It can also direct initiation of departmental proceedings.
- If the officer is found innocent, Lokpal would direct the closure of report before the Special Court against the public servant and now would proceed against the complainant for making false complaints.

Reports of Lokpal:

It shall be the duty of the Lokpal to present annually to the President a report on the work done by the Lokpal and on receipt of such report the President shall cause a copy thereof together with a memorandum explaining, in respect of the cases, if any, where the advice of the Lokpal was not accepted, the reason for such non-acceptance, to be laid before each House of Parliament..

Prosecution:

a) **Procedure for persons other than MPs and Ministers:** The competent authority to receive the copy of inquiry report on corruption cases is the Minister for officers of the Government bodies and the society head for officers of societies. The Lokpal recommends disciplinary proceedings to the competent authority

and provides a copy of the report to the accused. The competent authority must take action within 30 days and inform the Lokpal within 6 months of initiating disciplinary proceedings.

b) **Procedure for MPs and Ministers:** The competent authority is the Prime Minister for the Ministers and the Speaker/Chairman of Lok Sabha or Rajya Sabha for the MPs. The Speaker/ Chairman tables the report in the Parliament. The House reports to the Lokpal on any action taken within 90 days.

Penalty:

A person making false and frivolous or vexatious complaints shall be penalized with 2 to 5 years of jail and fine of Rs. 25,000 to 200,000.

11.4.2 Institution of Lokayuktas in States

The Lokpal and Lokayukta Act 2013 made the provision for the institution of Lokayukta for the State level through enactment of a law by the State Legislature within a period of 365 days from the date of commencement of the Act. The Lokayukta will exercise same functions as the Lokpal in the State level to inquire into the allegations of corruption against public functionaries and for related matters.

In many States the Lokayukta Act was enacted much before the Lokpal and Lokayukta Act, 2013. Maharashtra was the first state to introduce the institution of Lokayukta through The Lokayukta and Upa-Lokayukta Act in 1971. This was followed by similar acts that were enacted by the states of Odisha, Rajasthan, Bihar, Uttar Pradesh, Karnataka, Madhya Pradesh, Andhra Pradesh, Gujarat, Kerala, Tamil Nadu and the Union Territory of Delhi. In Assam "The Assam Lokayukta and Upa-Lokayukta Act, 1985" was passed by Assam Legislative Assembly and have received the assent of the President of India on 12th December, 1986.

Lokayukta investigates cases of corruption. He is a great check on corruption, brings about transparency in the system, makes administrative machinery citizen friendly. His functions largely depend upon jurisdiction vested in him and facilities provided for taking cognizance of citizens' grievances promptly, dexterously and expeditiously through simple, informal mechanism devoid of technicalities.

In November 2012, after conclusion of the 11th All India Lokayukta Conference, as many as 16 Lokayuktas sent many recommendations to the Government of India. The recommendations were:

- Make Lokayukta the nodal agency for receiving all corruption complaints.
- Accord Lokayukta jurisdiction over State-level probe agencies.
- Bring bureaucrats under the ambit of the Lokayuktas.
- Accord powers of search and seizure and powers to initiate contempt proceedings.
- Provide Lokayukta administrative and financial autonomy.
- Bring Non-Governmental Organisations (NGO) funded by the government under Lokayukta's jurisdiction.



LET US KNOW

- The Lokayukta is appointed by the Governor after consultation with the leader of the Opposition, while the Upa-Lokayukta (Deputy Lokayukta) shall be appointed in consultation with the Lokayukta. The Upa-Lokayukta can inquire into the complaints against officers other than Ministers.
- The functioning of Lokayuktas in several States clearly shows that they can easily be fitted into the constitutional structure of India and can discharge their duties efficiently and

effectively if the co-operation of the Ministers and Public Servants is assured. The selection of the right person for such an important position is the most significant safeguard against administrative abuse and misuse.

- The first All India Conference of Lokayuktas and Upa-Lokayuktas was held at Shimla in May, 1986.



CHECK YOUR PROGRESS

Q 5: On the basis of the recommendations of ....., the government for the first time prepared the Lokpal and Lokayukta Bill, 1968. (Fill in the blank)

.....

.....

Q 6: The Lokpal Bill, 2003, proposes to include the Prime Minister also within the orbit of the Lokpal. (True/False)

.....

.....

Q 7: Which was the first State to enact the Lokayukta Act in 1971?

.....

.....

Q 8: Write a short note on the institution of Lokpal in India. (Within 50 words)

.....

.....



11.5 LET US SUM UP

- Ombudsman is one of the machineries for redressal of public grievances, originally associated with Scandinavian countries. Ombudsman is a Swedish word meaning "commissioner" or "an officer" appointed by the legislature to handle complaints against

maladministration by public authorities. The first Commonwealth country to adopt it was New Zealand in 1962.

- The basic question of redressal of public grievances has attracted considerable attention in our country since independence. Commendable measures have also been taken in this direction. The Prevention of Corruption Act became law in 1947. A number of Committees/Commissions were set up to inquire into the malaise of corruption and make recommendations to eradicate it.
- The government for the first time prepared the Lokpal and Lokayukta Bill, 1968 and introduced it in Parliament but eventually it was allowed to lapse. Since then many times, the Bill was introduced but unfortunately it could not see the light of the day.
- Finally, on December 27, 2011, the Lok Sabha passed the Lokpal and Lokayuktas Bill, 2011. Under the Bill, the Lokpal would be a nine-member body headed by a Chairman. Orissa became the first State to enact the Lokayukta Act, 1971.
- Making legal provisions for the Lokpal and Lokayukta is not sufficient to check the corruption in the country. It needs sincere commitment on the part of the Government as well as among all the Legislators of the country for its effective implementation.



11.6 FURTHER READING

1) Avasthi, Amreswar, & Avasthi, Anand Prakash (1999).I*ndian Administration*. Agra: Lakshmi Narain Agarwal.

2) Bhagwan, Vishnoo, & Bhushan, Vidya.(2007). *Public Administration*. New Delhi: S. Chand & Company Ltd.

3) Maheshwari, S.R. (2003). *Indian Administration*. New Delhi: Orient Longman.

4) Sharma, Dr. M.P., & Sadana, Dr. B.L. (2000). *Public Administration in Theory and Practice*. Allahabad: Kitab Mahal.

11.7 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q No 1: True

Ans to Q No 2: New Zealand

Ans to Q No 3: Loka Ayukta

Ans to Q No 4: False

Ans to Q No 5: Administrative Reforms Commission

Ans to Q No 6: True

Ans to Q No 7: Orissa

Ans to Q No 8: The basic question of redressal of public grievances has attracted considerable attention in our country since independence. Commendable measures have also been taken in this direction. However, search for a new and more effective solution of the problem was going on. On the basis of the recommendations of the Administrative Reforms Commission, the government for the first time prepared the Lokpal and Lokayukta Bill, 1968 and introduced it in Parliament but eventually it was allowed to lapse. Since then many times, the Bill was introduced but unfortunately it could not see the light of the day. The latest in the series was the Lokpal Bill, 2003, when the National Democratic Allaince government introduced the Bill in the Parliament. The Bill proposed to include the Prime Minister also within the orbit of the Lokpal. But, this time too, the Bill, like earlier, could not materialize, as Parliament was dissolved before the Bill could be passed.



11.8 POSSIBLE QUESTIONS

Q.1: Where did the institution of Ombudsman originate?

Q.2: When did the issue of constitution of the institution of Lokpal and Lokayukta first come up?

Q.3: What is meant by Lokpal and Lokayukta?

Q.4: Who can appoint the Lokpal?

Q.5: When was the Lokpal and Lokayukta Bill introduced in the Parliament?

Q.6: How many members are there in the institution of Lokpal?

Q.7: Is the Prime Minister of India included within the jurisdiction of Lokpal?

Essay type questions

Q.1: Discuss the importance of Ombudsman institution in India.

Q.2: Discuss the background of the Lokpal and Lokayukta Bill, 2013.

Q.3: Explain the appointment procedure of Lokpal in India.

Q.4: Discuss the functioning procedure of Lokpal in India. Is there any need of reformations in your opinion?

Q.5: What is Lokayukta? Discuss its importance in the administrative systems of the Indian States.

*** ***** ***

UNIT 12: TRANSPARENCY IN ADMINISTRATION

UNIT STRUCTURE

12.1 Learning Objectives

12.2 Introduction

12.3 The Right to Information Act, 2005

- 12.3.1 Background of the Right to Information Act, 2005
- 12.3.2 Development of the Right to Information Act, 2005
- 12.3.3 Important Features and Provisions of the Right to Information Act, 2005
- 12.3.4 Critical Evaluation of the RTI Act, 2005

12.4 Let Us Sum Up

12.5 Further Reading

12.6 Answers to Check Your Progress

12.7 Possible Questions

12.1 LEARNING OBJECTIVES

After going through this unit, you will be able to :

- define transparency in administration
- explain the meaning of Right to Information
- analyse the development of the Right to Information Act (RTI), 2005
- discuss various provisions of the RTI Act, 2005

12.2 INTRODUCTION

This unit introduces you to the various aspects of Right to Information (RTI). We shall discuss the evolution of the concept of RTI, as to how it came into limelight. While discussing the RTI, we will also reflect on its development in different countries, including India, so that you can compare the development in different countries.

Transparency in public administration means that any citizen of the country either has a fundamental right or a statutory right to have access to information about state's affair. In general sense it means knowing the

reasons, facts, logics and basis of the decisions taken by the administration. Denial of such information to the public by the public authorities without appropriate reasons would be an offence under the law. The success of democracy is dependent on the awareness and participation of the citizens about the affairs of the state. To ensure citizen's awareness and participation the information regarding the functioning of the Government must be made available. The free access to the records of the Government makes the public officials more accountable in their service which is essential for the efficiency of the Government.

In India, there has been a long standing demand for transparency in administration due to ever increasing menace of corruption in the realm of public administration. Even the Supreme Court of India, recently gave a constitutional status for the right to know. Yet the bureaucrates of the country are not in a position to allow the public a free access to information in the pretext of official secrecy. This act of official secrecy by the Government functionaries was supported by a Law enacted during the British rule in India, the Official Secrets Act, 1889 which was amended in 1923. Besides, the section 123 of the Indian Evidence Act, 1872 empowers the Executive to withhold its record from production in the court of law. These measures not only encourage corrupt practices but also prevent the corrupt bureaucrats from being exposed to the public.

12.3 THE RIGHT TO INFORMATION ACT, 2005

12.3.1 Background of the RTI Act, 2005

The functioning of the Government and its agencies over the decades revealed lack of transparency and accountability in its administration which created scope for corruption and political scandalism. The administrative officers could easily hush up their corruption, bribery and self-aggrandizement in the pretext of administrative secrecy. If anybody tried to seek any official information from the government authorities, it was denied on the pretext of

secrecy. In this situation the movement for right to information has emerged in the country.

Before the enactment of the Right to Information Act of 2005, higher courts (High Courts and the Supreme Court) have consistently ruled in a series of cases that right to freedom of speech and expression guaranteed to citizens under Article 19(1) (a) of the Constitution, includes within it, right to receive and impart information. However, the specific right to information movement owes its origin from the State of Rajasthan led by a labour organization named 'Mazdoor Kisan Shakti Sangathan'. As a result of this movement, in April 1995, Rajasthan became the first State in the country, which granted the right to the citizens to have the photocopies of all official documents on payment of nominal fees. Thereafter, similar movement emerged in the State of Maharashtra led by Sri Anna Hazare, resulting in adoption of Right to Information Act, 2003 by the Maharashtra Government. Apart from national movements, at the international levels also, the issue had gained momentum and many countries had adopted right to information law for combating corruption. Due to these campaigns both at the national as well as the international level, the Government of India realized the necessity of an information law in India. Finally the Government enacted a law known as the Freedom of Information Act, 2002. But after implementation of the Act many shortcomings were found. Considering these shortcomings and lacunae another Bill was placed in the Parliament in the form of "Right to Information Bill, 2004" on 22nd December 2004. The Bill was passed by both the Houses of Union Parliament in the month of May 2005 and received the assent of the President of India on June 15, 2005. The Right to Information Act, 2005 came into force from October, 2005.



LET US KNOW

TIn U.S.A, the U.S. Congress passed the Freedom of Information Act, 1966, whereby an American citizen can have access to government documents and this right is legally enforceable i.e., he can take the help of the court if this right is denied to him. However, this right is subject to reasonable restrictions. The Judiciary in the U.S.A also accords great deal of importance to the people's 'Right to Know'.

In New York Times Vs. U.S. case, Justice Douglas observed "Secrecy in government is fundamentally anti-democratic, perpetuating bureaucratic errors. Open discussion, based on full information and debate on public issues are vital to our national health".

12.3.2 Development of the Right to Information Act, 2005

The Indian Constitution bears many provisions of rights and freedoms under Fundamental Rights and Directive Principles of State Policy, and also provides for an Independent judicial system in the country for protection and enforcement of these rights.

With the advancement of the concept of Human Rights, there was continuous demand for the 'Right to Know'. However, the courts in India have sought to address the problem to a considerable extent by recognizing the 'Right to Know' of Indian citizens. In S.P. Gupta Vs. Union of India case, the Supreme Court held that 'Right to Know' is a basic requirement of an effective participatory democracy, and raised it to the status of a Fundamental Right by saying that this Right is implicit under Act. 19(1)(a).

To remove all kinds of confusions and to strengthen Indian democracy, the Right to Information Act was passed by Parliament on June 15, 2005. It fully came into force on October 12, 2005. This legislation is expected to radically alter the administrative ethos and usher in a new era of openness, transparency and accountability. The Act aims to make the Freedom of Information Act, 2002 more

progressive, participatory and meaningful. Earlier, under the Official Secrets Act, 1923, disclosures of information unless expertly authorized was regarded as a crime.

The main objective of the Right to Information Act, 2005, is to ensure transparency and accountability on the part of the Government and to combat corruption. Corruption which is a social menace can be eradicated and tackled only through an informed citizenry.

Accordingly, the Right to Information Act, 2005, makes it obligatory on the part of the public authorities to provide first hand information to the people about things they wish to know from the government. However, it must also be borne in mind that there is a need for proper balancing between public interest and protected interest. Some elements of government administration must be kept secret for ensuring national security and this has been laid down specifically under Section 8(2) of the Act of 2005.

12.3.3 Important Features and Provisions of the Right to Information Act, 2005

- **Objectives of the RTI Act 2005:**

The RTI Act, 2005 was enacted with the following objectives-

1) To set out a practical regime of citizen's right to information;
2) To enable the citizens to secure access to information which is held under the control of the Government or the public authorities;
3) To promote accountability and transparency in administration of Government and public bodies;
4) To make an endeavour to curb corruption at its roots and make the Government agencies accountable to the people;
5) To ensure harmonization of the conflicting interests of the public authorities and private enterprises;
6) To make a proactive duty on public authorities to make as much information available to the public as possible;

- **Right to Information:** The Right to Information Act 2005 define the 'information' as the right to get any material or information

relating to the affairs, administration, decisions or conduct of public authorities and includes any document or record relating to the affairs of public authorities. Thus Right to Information includes access to information from any records by:

a) obtaining certified copy of the records

b) obtaining diskettes, floppies or through any other electronic mode, or print-outs where such information is stored in a computer or any other device;

c) in such a manner as prescribed by law.

- **Only citizens can apply for Information:**

The RTI Act 2005 gives the right to all Indian citizens to access information from the public authorities. In addition, a citizen need not give reasons for seeking particular information from any public authority and the public information officer (PIO), or the public authority cannot question the applicant under the RTI Act as to why he/she needs the particular information. Even if more than one person seeks the same information it should be made available to all the requesters.

- **Public Authority and its Obligations:**

As defined in the section 2 (h) of the RTI Act, 'Public Authority' means any authority or body or institution of self-government established or constituted by or under the constitution, or by any other law made by the Parliament or State Legislature and by notification issued or order made by the appropriate Government. The term also includes any enterprise owned, controlled or substantially financed, and a non-government organization (NGO) substantially financed by the appropriate government.

- **Obligations of the Public Authority:**

A) Every public authority shall maintain all its records in such a manner which facilitates the right to information and should be arranged in such a way that access to such record is facilitated.

B) Every Public Authority shall publish the following records within 4 months from the enactment of the RTI Act 2005. The records are-

i) the particulars of its organization, function and duties;
ii) the powers and duties of its officers and employees;
iii) the procedure followed in the decision making process, including channels of supervision and accountability
iv) the norms set by it for the discharge of its function;
v) the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions;
vi) a statement of the categories of documents that are held by it or under its control;
vii) the particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof;
viii) a directory of its officers and employees;
ix) the monthly remuneration received by each of its officers, employees, including the system of compensation;
x) the budget allocating each of its agencies;
xi) the manner of execution of subsidy programmes;
xii) the particulars of facility available to citizens for obtaining information,
xiii) the names, designations and other particulars of the Public Information Officers:
xiv) such other informations as may be prescribed; and thereafter update these informations every year.

- **Administrative Mechanism:**

Information Commissions: Section 5 of the Act provides that every public authority shall designate as many Public Information Officer (PIO) in all its administrative departments/ units and officers as may be necessary to provide information on request of the information seekers.

The Act also provides for constitution of Central Information Commission and the State Information Commission. Both the Commissions shall consist of not more than ten members excluding the Central or State Chief Information Commissioner, as the case may be. The term of office of the Chief Information Commissioner and other Commissioners shall be five years subject to retirement at the age of 65 years.

- **Powers and Functions of Central/State Information Commission:**

1. The Central/State Information Commission has a duty to receive complaints from any person:-
   a) who has not been able to submit an information request because Public Information Officer (PIO) has not been appointed
   b) who has been refused information that was requested
   c) who has received no response to his/her information request within the specified time limit,
   d) who thinks that fees charged are unreasonable,
   e) who thinks that information given is false, incomplete or misleading, and
   f) any other matter relating to obtaining information under the law
2. Power to order inquiry if there are reasonable grounds.
3. CIS/SCIS will have powers of Civil Court such as-
   a) summoning and enforcing attendance of persons, compelling them to give oral or written evidence on oath and to produce documents or things,
   b) requiring the discovery and inspection of documents,
   c) receiving evidence on affidavit,
   d) requisitioning public records or copies from any Court or Office,
   e) issuing summons for examination of witnesses or documents,
   f) any other matter which may be prescribed.

4. Power to secure compliance of its decisions from Public Authority includes:
   a) providing access to information in a particular form;
   b) directing the public authority to appoint a PIO/APIO where none exists;
   c) publishing information or categories of information;
   d) making necessary changes to the practices relating to management, maintenance and destruction of records;
   e) enhancing training provisions for officials on RTI;
   f) seeking an annual report from the public authority on compliance with this law;
   g) require it to compensate for any loss or other detriment suffered by the applicant;
   h) impose penalties under this law;
   i) reject the application.

➢ **Reporting Procedure:**

Central Information Commission will send an annual report to the Central Government on the implementation of the provisions of this law at the end of the year. The State Information Commission will send a report to the State Government.

Each Ministry has a duty to compile reports from its Public Authorities and send them to the Central Information Commission or State Information Commission, as the case may be.

➢ **Suo Motu information and Information on Request:**

➢ **Suo Moto Information:** Section 4(2) of the RTI Act, 2005 requires that the Public Authorities shall provide as much information suo motu to the public at regular intervals through all means of communication including press, print and internet media. The information that the public authorities are required to provide suo motu is enumerated under sub-section (1) of Section-4 of the RTI Act 2005. (the list of information to be provided by the Public Authority is mentioned in the above under the obligation of Public Authority)

➢ **Information on request:** Under the RTI Act, a person can seek information in writing through an application to the Public Information

Officer of the respective public organization. The application shall be accompanied with prescribed fee. On receipt of the application for request of information accompanied by prescribed fee, the Public Information Officer (PIO) has to dispose it within 30 days. If the information sought cannot be given for the reasons as specified in the Law, the applicant has got to be informed about the rejection specifying the reason for the same. If the Public Information Officer fails to comply with the prescribed time limit, the information must be provided free of cost.

- **Information exempted from disclosure:**

There are some information which are exempt from being disclosed under Section 8(1) of the RTI Act, 2005. The information which cannot be disclosed are -

a) Information which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the State, relation with foreign State or lead to incitement of an offence.

b) Information which has been expressly forbidden to be published by any court of law or tribunal or the disclosure of which may constitute contempt of court.

c) Information, the disclosure of which would cause a breach of privilege of Parliament or the State Legislautre.

d) Information, the disclosure of which would harm the competitive position of a third party, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information.

e) Information available to a person in his fiduciary relationship, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information.

f) Information received in confidence from foreign Government.

g) Information, the disclosure of which would endanger the life or physical safety of any person.

h) Information which would impede the process of investigation or prosecution of offenders.

i) Cabinet papers including records of deliberations of the Council of Ministers, Secretaries and other officers.

j) Information which relates to personal information, the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual.

k) Notwithstanding any of the exemptions listed above, a public authority may allow access to information, if public interest in disclosure outweighs the harm to the protected interests.

- **Information Fee:** The RTI Act 2005, does not create a clear distinction between the fees chargeable. The implementation of the Act has shown that there are two kinds of fee chargeable under RTI Act. One is Application fee and the other is the Information Fee.

  The procedure and fee structure for getting information as per the Central Government rules are as under-

a) A request for obtaining information under the RTI Act shall be made in writing or through electronic means either in person or by post to the Public Information Officer. It must be accompanied by an application fee of Rs 10 by cash or by demand draft or banker's cheque. For providing information, the fees as below should be paid-

i) Rs. 2 for each page created or copied;

ii) Actual charge or cost price of a copy in larger size paper;

iii) Actual cost or price for samples or models; and

iv) For inspection of records, no fee for the first hour; and a fee of Rs.5 for each 15 minutes thereafter.

In addition to that, for providing information in diskette or floppy, Rs.50 per diskette or floppy should be paid. For information provided in printed form, prices shall be fixed as per the norms.

- **Procedure of seeking Information:**

  As mentioned above, the RTI Act 2005 have made the provision

that all complying departments have to designate an official as the Public Information Officer (PIO). Any citizen of India may submit a request to the Public Information Officer for information in any format, paper or electronic. The Public Information Officer has the responsibility to ensure that the information is obtained from the appropriate department or section. If the request pertains to another public authority, it is the Public Information Officer's responsibility to transfer/forward the concerned portions of the request to a public information officer within 5 days.

- **Timeframe for providing Information:**

The RTI Act 2005 specify the timeframe for complying with the request-

1. The Public Information Officer will have to respond to a request within 30 days.
2. If the request has been made to an Assistant Public Information Officer, the response is expected within 35 days.
3. If the Public Information Officer transfers the request to some other departments, the time allowed is 35 days.
4. Information about Human Rights violations by the Security agencies have to be provided within 45 days.
5. In any of the above cases, if life or liberty is involved, the Public Information Officer has to respond within 48 days.

- **In cases of rejection of the requests-**

If the request for any information is rejected, the Public Information Officer is required to communicate to the applicant in writing-

a) the reasons for rejecting the request;
b) the period within which the applicant may appeal against the rejection;
c) the particulars of the appellate authority.

While providing information, the Public Information Officer should ensure the following:-

i) The BPL applicants are exempted from paying fees/cost for securing information;
ii) If for some reasons the required information is not provided

within the set deadline (30 days), the requestor has a right to receive such information free of cost.

iii) The Public Information Officer has a duty to inform the applicant in writing the details of calculation of additional fee or the bifurcation of the fee structure.

iv) The applicant may request information that might have to be extracted or compiled from one or more public records or documents. Furthermore the applicant may request that the information be provided in a specific form.

- **Right to Appeal:** The applicant whose request for obtaining information is rejected or who has not received a decision within the prescribed time-limit or is aggrieved by the decision of the Central Public Information Officer (CPIO) or State Public Information Officer (SPIO), as the case may be, may appeal within thirty days from the expiry of such period or from receipt of such decision. The appeal lies to such Officer who is senior in rank to CPIO or SPIO, as the case may be, in each Public Authority. Appellate authority for deciding appeals is generally notified by the States under their RTI laws.
- **Penalties for Refusal, Incorrect Information or Delay in giving Information:** The RTI Act,2005 also have incorporated penalty provisions in order to ensure effective implementation of the law. Section 26 of the RTI Act,2005 provides that every PIO will be liable for fine of Rs. 250/- per day, upto a maximum of Rs. 25000/- for:-

i) not accepting the application for request of information;

ii) delaying information release without any reasonable cause;

iii) malafide denial of information;

iv) knowingly giving incomplete, incorrect or misleading information;

v) destroying information that has been requested, and

vi) obstructing furnishing of information in any manner.

The Information Commission at the Centre and the State levels will have the power to impose this penalty. The Information

Commission can also recommend disciplinary action against the erring PIO who is guilty of violation of the law under the Act.

Section 20(2) of the Act also empowers the Information Commission at the Centre or State level, as the case may be, to recommend disciplinary action against the PIO under the service rules applicable to him where in his opinion, the IPO is not discharging his duty under the Act properly. However, the authority imposing penalty on PIO for non-disclosure or wrong disclosure of information is required to record reasons and merely recording only the conclusion will not be sufficient to justify the imposition of penalty.

- **Inapplicability of the Act in certain Organizations:** Section-24 of the RTI Act,2005 exempted some organizations, mostly intelligence and security organizations from the disclosure of information. The information furnished by these organizations to the Central Government cannot be disclosed for security reasons. However, the provision of this section provides that information pertaining to the allegations of corruption or violation of human rights in these organizations are not exempted from disclosure.
- **Monitoring and Reporting:** According to Section 25 of the RTI Act 2005, it is mandatory that the Central Information Commission or the State Information Commission, as the case may be, prepare a report regarding the implementation of the provisions of this Act and forward a copy to the appropriate Government at the end of each year. The concerned Government shall present the report before each House of Parliament (in case of Central Government) or State Legislature (in case of State Government).
- **Overriding Effect of the Act:** It is provided that in case of any inconsistency between the RTI Act,2005 and the other laws which is in force, including the Official Secrets Act, 1923, the provisions of the RTI Act,2005 shall prevail. This overriding effect of the RTI Act, 2005 would extend to any law, whether it is Central Law or a State law.

12.3.4 Critical Evaluation of the RTI Act, 2005

The real strength of any legal system lies in its effective enforcement of laws. Though the RTI Act, 2005 fully conforms to the accepted international norms, it has not been able to fulfill the expectation of the people regarding free flow of information because of multifarious exceptions enumerated in the law. These exceptions provide ample opportunities to the Government officials to ignore the law in the guise of confidentiality and privileges of the state.

Moreover, lack of political will at the Ministerial and Bureaucratic levels to encourage transparency, openness in the administrative functioning seriously hampers the effective implementation of the RTI Act.

Another factor which affects the implementation of the Act is lack of proper public record storage system and proper archives. Though digitalization has been done in the Government offices to keep the record and for swift conduct of the office procedures but lack of adequate training to the concerned staff creates problems in effective processing of requested information and its prompt disclosure.



LET US KNOW

The First Report of the Administrative Reforms Commission dated June 2006, was titled "RIGHT TO INFORMATION- MASTER KEY TO GOOD GOVERNANCE." The Report made detailed recommendations with regard to better implementation of the Right to Information Act. The report covered several areas such as Official Secrets Act and other laws, Central Civil Services (Conduct) Rules, etc. It looked into the issue of implementation of the RTI Act and made recommendations for its effective implementation.

(Source: http://arc.gov.in/rtifinalreport.pdf)

Likewise, the 12th Report of the ARC dated Febraury 2009, also recommended that the Union and State Governments should issue directions asking all public authorities to designate public grievance

officers on the lines of the Public Information Officers under the RTI Act. These officers should be of adequate seniority and should be delegated commensurate authority.

(Source: http://arc.gov.in/arc_12th_report/arc_12th_Report.pdf)



ACTIVITY 12.1

Do you think there is any issue of public interest in your area wherein you might want to take recourse to the Right to Information Act ?

.....

.....

.....

.....



CHECK YOUR PROGRESS

Q.1. The Right to Information Act was passed by Parliament on ..... (Fill in the blank)

.....

.....

Q.2. Mention any four provisions of the Right to Information Act, 2005.

.....

.....

Q.3. Mention any two features of the Right to Information Act, 2005.

.....

.....

Q.4. In which case did the Supreme Court hold that 'Right to Know' is implicit in Fundamental Rights under Article 19(1)(a) ?

.....

.....

Q.5. Write two limitations of the Right to Information Act, 2005.

.....

.....



12.4 LET US SUM UP

- The RTI Act, 2005 is a special legislation imposing obligation on every public authority to provide information to the person seeking information for whatever purpose he wants.
- The essence of this legislation is to infuse transparency, openness and accountability in administration through dissemination of information as far as possible.
- The Right to Information Act, 2005, makes it mandatory on the part of public authorities to furnish such information to citizens to which they are otherwise entitled to. Ordinarily, the information sought has to be furnished within a period of 30 days of the receipt of the request.
- Lack of political will at the Ministerial and Bureaucratic levels to encourage transparency, openness in the administrative functioning seriously hampers the effective implementation of the RTI Act.
- In this digital age, the computerization of office proceedings and digital preservation of official records will immensely help in dissemination of information to the public. For this purpose proper training of all the officials on the latest technology as well as strict orientation on the aims and objectives of the RTI Act are needed for the effective implementation of the Act.



12.5 FURTHER READING

1. Dr. M.P. Sharma and Dr. B.L. Sadana (2008) ; *Public Administration in Theory and Practice*, Kitab Mahal, 22-A, Sarojini Naidu Marg, Allahabad
2. Ramesh K. Arora and Rajni Goyal (1995); *Indian Public Administration: Institutions and Issues*, Wishwa Prakashan

3. Sairam Bhat (2012); *Right to Information,* EBH Publishers (India), an imprint of Eastern Book House, Guwahati- 781001 (India)

4. Dr. Vinay N. Paranjape (2013); *Right to Information Law in India*, Central Law Agency, Law Publisher, 30-D/1, Moti Lal Nehru Road, Allahabad-2

5. Website: https://en.wikipedia.org/wiki/The-Lokpal-and-Lokayuktas-Act-2013 viewed on 15th December 2017

12.6 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q No 1: June 15, 2005

Ans to Q No 2: (i) Section 2 of the Act states that the Act shall extend to the whole of India except the State of Jammu and Kashmir.

(ii) Section 3 of the Act bestows the Right to information to all citizens of the country. This has not been given to non-citizens.

(iii) Section 4 deals with obligations of public authorities.

(iv) Section 6 deals with the request for obtaining information.

Ans to Q No 3: (i) The Right to Information is not a Fundamental Right, but it is a statutory right.

(ii) It is available to the citizens only.

Ans to Q No 4: S.P. Gupta Vs. Union of India case.

Ans to Q No. 5: 1) Lack of political will at the Ministerial and Bureaucratic levels to encourage transparency, openness in the administrative functioning seriously hampers the effective implementation of the RTI Act.

2) Lack of proper public records storage system and proper archives.



12.7 POSSIBLE QUESTIONS

Q.1: When was the Right to Information act enacted in India?

Q.2: What is the meaning of information according to the RTI Act 2005?

Q.3: To whom can an applicant seek information in a Government department?

Q.4: Within how many days does the Information Officer have to provide Information to the applicant?

Q.5: What type of organizations are falling within the purview of RTI Act 2005?

Q.6: Discuss the importance of Right to Information Act to check corruption in India.

Q.7: Make a critical assessment of the RTI Act 2005.

Q.8: Write the areas which are kept outside the RTI regime. Is there any provision of punishment for the denial of Information by an Information Officer?

Q.9: Discuss the main procedures of seeking information from a Public Authority under the RTI Act 2005.

*** ***** ***

UNIT 13: PEOPLE'S PARTICIPATION IN ADMINISTRATION

UNIT STRUCTURE

13.1 Learning Objectives

13.2 Introduction

13.3 Necessity of people's Participation

13.4 Nature and Types of Participation

13.5 Benefits of Participation

13.6 Critics of Community Participation

13.7 Citizen's Charter– Concept and Origin

13.8 Evaluation of Citizen's Charters

13.9 Public Service Delivery in India

13.10 Let Us Sum Up

13.11 Further Reading

13.12 Answers to Check Your Progress

13.13 Possible Questions

13.1 LEARNING OBJECTIVES

After going through this unit, you will be able to -

- explain the meaning and necessity of peoples' participation in administration
- analyse the benefits of peoples' participation in administration
- describe the nature and types of participation
- explain the concept of Citizen's Charter
- examine the basic principles of Citizen's charter
- evaluate citizen's charter
- discuss the concept of Public Service Delivery in India.

13.2 INTRODUCTION

In a democratic system of Government, providing necessary service to the people constitutes the main purpose of administration. It is for this

reason, that people are accepted as actors in administration. More particularly in development administration, the role of people as 'participant's in administration have been gaining ground in recent times.

Decades of development efforts have involved a feeling of disenchantment with the conventional growth oriented top-down strategy of development. It has been observed that it is now being gradually appreciated by policy makers and planners, administrative and donor agencies that until people participate in development programmes, such programmes administered by outside agencies remain exogenous to the local community which can adversely affect the results of such programmes. Thus, participation and empowerment have gained wide currency in recent development literature.

13.3 NECESSITY OF PEOPLE'S PARTICIPATION

Nationally and internationally, search for appropriate methods for poverty alleviation in the developing world has been going on over the past five decades. In fact, management strategies have been changing from time to time in order to fit the local situation or to introduce new and fresh elements in the policy perspective. Through the period of 1950s to 1970s strategies of community development, integrated rural development and basic needs followed one after another in quick succession and in the process participation as an intervention methodology evolved in the 1970s as a response to the defective mechanism of previous policies.

People's participation has become an important part of present day administration as its scope and objectives have increased day by day in the Modern Welfare state. In fact, involving people and their participation is an important constituent in the formulation and implementation of developmental plans. It is from the year 1960, that the term people's participation has been gaining popularity. It basically represents a revived interest in the philosophy of participatory democracy, which was promoted by French political philosopher Alexis de Tocqueville, who have propounded that each citizen participation is essential to the survival of democracy and democracy is undermined when people are incapable of influencing Government decisions.

This is referred as 'bottom up rule'. The development processes in developing countries can acquire better meaning if the citizens not only associate themselves in planning development but also participate fully in development administration.

For the benefit of the common men, it is necessary to ensure that at every stage of planning and implementation there is full participation of the citizens. In fact, the performance of a social welfare programme should be measured only against the criteria of social transformation and improvement in the standard of living.

Participation cannot be imposed on the people from above, it should be voluntary and based on will to participate. By participation we mean direct involvement of people and not through their representatives. People's participation on the developmental process can be better understood on four grounds–

(i) Participation in decision– making.

(ii) Participation of policy formulation and implementation of development programmes and projects.

(iii) Participation of people in monitoring and evaluation of developmental programmes and projects.

(iv) Participation in sharing the benefits of development.

Thus, participation of people in national development process is become increasingly prevalent both through voluntary agencies and non-governmental orgainisation. It is mainly because of three reasons that the growth of participation has arisen– first, in the expansion of state activities; second, is the explosion of knowledge and communication and the inability at times of the bureaucracy to meet the growing demands of people at the local level.

13.4 NATURE AND TYPES OF PARTICIPATION

Regarding the nature of participation two concepts have been used in this field which are not synonymous. They are:

(i) Popular participation

(ii) Community participation.

Popular participation is basically related to appropriate mechanisms, which includes mainly election, Panchayati Raj, etc., through which people are involved in political, economic and social life of a nation.

Community participation denotes direct involvement of the people, specially the poorer and more disadvantaged section of the population in local development affairs.

Different kinds of participation have been conceptualized on the basis of different criteria. Authentic participation is different from pseudo participation. Authentic participation involves community as a whole in the process of local development decisions in an autonomous fashion. In fact, this participation requires widespread social structural change and a massive redistribution of power. Pseudo participation on the other hand, limits community involvement to mere implementation or notification of decisions already taken by external agencies.

Again, participation can be divided into 'coercive' and 'induced' participation, from the view of motive force of participation. Coercive participation takes place when people are forced to participate in spite of opposition or lack of willingness. Induced participation will be with the help of certain allurements and inducements like- money or payment in kind.

Spontaneous participation is mainly characterized by people's voluntary and autonomous action unaided by government or any other external agencies.

There are mainly two modes of Participation– participation as a means and participation as an end. The participation as a means is of temporary and work specific in nature. Participation as an end looks at people as permanent resource and participation in this sense is viewed as a process that unfolds over time and strengthens and develops the capabilities of local people to deal with the development process mainly on a permanent basis.

13.5 BENEFITS OF PARTICIPATION

The reorientation of development thought towards the people centric, participatory mode has led to the acknowledgment of the value of

'Participation' as a facilitative development 'Process' The major benefits from participation have been identified as follows :

(a) In the stages of planning and programming and throughout the implementation of development projects, the participatory process provides important information, ensuring there by a congruence between objectives of development and community values and preferences.

(b) By rationalization of manpower through resource utilization, the process is likely to reduce project cost.

(c) If the local people are involved in setting the stage for change, then any change brought about through development will be acceptable to the community. In fact, mistakes are more tolerable if these are made by those who have to live with them.

(d) Field experience shows us that, when people have a direct stake in the provision of their services, they fix things or call attention to them when there is any malfunctioning.

(e) Participation is a two way process because in it both the administrator and the people become co-learners and community basically learns from its own involvement.

(f) To rebuild community cohesion and to install a sense of dignity into the community, active community participation is very important. In fact, people are able to gain confidence and steadily emerge as real actors in the development process. Moreover, development is something which is not possible to done to or for a person, but must be done with them.

Panchayati Raj system in India has recommended in 1957 on the ground that sustainability and meaningful local development can be made only by the creation of a system coupled with decentralization and participative local Government. Thus, participation is an encounter between local people and the external authorities, between grassroots movements and the formal establishments.



CHECK YOUR PROGRESS

Q.1. In which year participation aroused as a intervention Methodology?

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Q.2. Mention any two types of participation.

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.....

Q.3. State the meaning of popular participation.

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Q.4. Define community participation.

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13.6 CRITICS OF COMMUNITY PARTICIPATION

The Idealists have profound faith in community cohesion and collective grassroot wisdom. The pragmatic social workers strongly believe that community participation is both efficient and effective in terms of the delivery of local social services.

On the other hand, critics are of the opinion that in this kind of formulation, moral sentiments tend to overtake conceptual vigour and therefore, participation have aroused to popularity without clarity and is often subject to growing faddishness and a lot of lip service.

There are also critics who doubt the efficacy of community participation in bringing about change in the life of the poor and the underprivileged though autonomous local action only. In fact, the community mobilization cannot on its own correct the basic social imbalances that have their roots in deeper socio-economic layers of the society.

13.7 CITIZEN'S CHARTER: CONCEPT AND ORIGIN

The idea of citizen's charter provides the trust between the service provider and its users. The concept was for the first time implemented in

United Kingdom by the conservative Government of John Major in 1991 as a National programme. The programme has its sole purpose to improve the quality of public services for the people of the country so that these services respond to the needs and wishes of the users.

The basic objective of citizen's charter is to enrich trust between service providers and its users. It is basically a response to the quest for solving the problems which a citizen encounters, day in and day-out and while the people deals with the organizations that provide public services.

There are basically six principles of citizen's charter:

(i) The first and foremost principle is to improve the quality of services.

(ii) The second is to make choice, wherever possible.

(iii) The third principle is regarding standards. That means to specify what to expect and how to act if standards are not met.

(iv) The fourth principle is related to valve basically for the tax payer's money.

(v) The fifth principle is the sense of accountability in the individuals and organizations.

(vi) The last principle is the sense of transparency upon the rules and procedures dealing with citizen's charter.

Over the years, in India, much development has taken place in the field of economic progress. In fact, it was the Department of Administrative Reforms and Public Grievances in Government of India (DARPG) that have taken the responsibility for coordinating, formulating and operationalising citizen's charters.

The Indian citizen's Charter is expected to incorporate the following six elements :

(i) The first is the vision and Mission statement.

(ii) The second is the details of business transacted by the organization.

(iii) Details of clients.

(iv) Details of service provided to the client.

(v) It also include the details of grievance redress mechanism and the way of accessing it.

(vi) Lastly, it includes the expectations from the clients.



CHECK YOUR PROGRESS

Q.5. Are there any criticism against community participation in Administration? (Yes/No.)

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Q.6. What is the full form of DARPG?

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.....

13.8 EVALUATION OF CITIZEN'S CHARTER

The evaluation of the citizen's charters of various Government agencies was carried out by DARPG and Consumer coordination Council, New Delhi, which is a NGO, in October 1998. During 2002-03, DARPG engaged a professional agency to develop a standardized model for internal and external evaluation of citizen's charter in a more effective and objective manner.

As per the report of evaluation, carried out by DARPG, the major findings were:

(i) It has been observed that in majority of cases charters were not formulated through a consultative process.

(ii) Moreover, the service providers are not familiar with the philosophy, goals and main features of the charter.

(iii) Proper and adequate publicity to the charters had not been given in any of the Departments evaluated.

(iv) No sufficient funds have been specifically earmarked for awareness generation of citizen's charter or for orientation of staff on various components of the charter.

Some of the recommendations given by DARPG, for effective functioning of citizen's charter are :

(i) It recommended the need for citizens and staff to be consulted at every stage of formulation of the charter.

(ii) It emphasized the need for the creation of database in consumer grievances and redress.

(iii) It also have clearly stated the need for wider publicity of the charter through print media, posters, banners, local newspapers etc.

(iv) It also emphasized on earmarking of specific budgets for awareness generation and orientation of staff.

13.9 PUBLIC SERVICE DELIVERY IN INDIA

After a period of rapid economic growth in India, the serious challenge faced by the policy makers at both central and state levels is to attain 'inclusive' growth so that the benefits from the increased National income are shared by all sections of the society. It is imperative that a high quality of health service and education can be provided to all citizens, and these are not only ends in themselves but also plays a crucial role in enhancing individual capabilities in order to participate fully in the growth of the economy.

Central and state governments have in fact recognized this as a priority area but they have shown a lack of imagination in addressing the problem of service quality by focusing mainly on increasing spending and not on the question of how effectively the resources allocated are spent.

In India there are large number of glaring inefficiencies in service delivery. In a study, which was conducted in the year 2003, with representative samples of over 3,000 government-run schools and 1500 primary health centres across India, it was found that on a working day, 25% of teachers in government schools and 40% of Medical workers in government health clinics were absent from work. Salaries account for over 90% of the non-plan budget in education and nearly half of the resources that is allocated to education are potentially being wasted.



CHECK YOUR PROGRESS

Q.7. Name one recommendation given by DARPG for effective functioning of citizen's charter.

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Q.8. Is there any inefficiency in Public Service delivery in India?

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.....



13.10 LET US SUM UP

- The role of people as 'participant's in administration have been gaining ground in recent times. Participation and empowerment have gained wide currency in recent development literature.
- Nationally and Internationally search for appropriate methods for poverty alleviation in the developing world has been going on over the past five decades.
- Peoples' participation has become an important part of present day administration as its scope and objectives have increased day by day in the modern welfare state.
- It is from the year 1960, that the term people's participation has been gaining popularity. It basically represents a revived interest in the philosophy of participatory democracy, which was promoted by French political philosopher Alexis de Tocqueville.
- Peoples' participation on the administration process can be understood though participation in decision-making process and participation in policy formulation.
- There are different types of participation like popular participation, community participation, authentic participation, pseudo participation etc.

- Participation is basically a two-way process, as in it both the administrator and the people become co-learners and the community basically learns from its own involvement.
- The idea of citizen's charter provides the trust between the service provider and its users. The concept was for the first time implemented in United Kingdom by the conservative Government of John Major in 1991 as a National programme.
- There are basically six principles of citizen's charter.
- With regard to the Public Service delivery in India there are certain drawbacks that has failed to give appropriate results.



13.11 FURTHER READING

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13.12 ANSWERS TO CHECK YOUR PROGRESS

Ans. to Q. No. 1.

Participation aroused as a intervention Methodology in 1970s.

Ans. to Q. No. 2.

The two types of participation are popular participation and community Participation.

Ans. to Q. No. 3:

Popular participation is basically related to appropriate mechanisms, which includes mainly election, Panchayati Raj etc., through which people are involved in political, economic and social life of a nation.

Ans. to Q. No. 4:

Community participation denotes direct involvement of the people, specially the poorer and more disadvantaged section of the population in local development affairs.

Ans. to Q. No. 5.

Yes, there are criticisms against community participation in Administrations.

Ans. to Q. No. 6.

The full form of DARPG is Department of Administrative Reforms and Public Grievances in Government of India.

Ans. to Q. No. 7.

DARPG recommended the creation of database on consumer grievances and redress.

Ans. to Q. No. 8.

Yes, in India there exist inefficiency in Public service delivery.



13.13 POSSIBLE QUESTIONS

Short Answer Types

Q.1: What is the full form of DARGP? Mention two recommendations forwarded by DARGP for effective functioning of citizen's charter.

Q.2: Write a short note on community participation.

Q.3: What are the major differences between authentic and pseudo participation?

Long Answer Questions:

Q.1: Explain the importance of peoples' participation in developmental process.

Q.2: Describe the different types of participation.

Q.3: Elaborate the benefits of people's participation in administrative set-up.

Q.4: What is Citizen's Charter? Explain its basic principles.

Q.5: Write a note on Public Service Delivery in India.

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UNIT 14: ADMINISTRATIVE REFORMS IN INDIA

UNIT STRUCTURE

14.1 Learning Objectives

14.2 Introduction

14.3 Reforms in Pre-Independent India

14.4 Post-Independence Reforms

14.5 Meaning and Nature of Administrative Reforms in India, its various aspects

14.6 Paul Appleby Report on Public Administration in India

14.7 Major Concerns for Driving Administrative Reforms; Problems of Administrative Reform

14.8 Gorwala Report on Public Administration

14.9 Administrative Reforms Commissions

14.10 Let Us Sum Up

14.11 Further Reading

14.12 Answers to Check Your Progress

14.13 Possible Questions

14.1 LEARNING OBJECTIVES

After going through this unit, you will be able to:

- explain the reforms in pre-Independent and post-Independent India
- describe the meaning and nature of Administrative reforms in India.
- evaluate the Paul Appleby Report on Public Administration in India
- describe the various aspects of administrative reforms
- explain the major concerns for driving administrative reforms in India
- evaluate the Gorwala Report on Public Administration
- describe about the various provisions of Administrative Reforms Commission in India.

14.2 INTRODUCTION

It is regarded that the civil service system is the backbone of the

administrative machinery of the country. The civil servants, both at the centre and in the states play an important role in maintaining the administrative fabric of our country.

The word 'reform' generally means to make something better, to improve something or to remove the defects of something, mainly by the way of changing its behaviour or structure. Reform is an important feature of public administration because of the constant growth of its functions for catering to the ever increasing demands of the society and to remain relevant in the changing circumstances. The wagon of reform can be dated to the second half of the 19th century.

A single definition of administrative reform is yet to come up. However, there are mainly two ways or approaches for understanding it:

(i) Reform of Administration as a complex rebuilding of it.

(ii) Reform to be a particular change within administration or just a modernising or improvising of Administrative procedures.

14.3 REFORMS IN PRE-INDEPENDENT INDIA

The historical foundations of the bureaucracy of the Modern state are expectedly quite old one. It is noted that agrarian bureaucracy was an important component of governance in Indian history. It is observed that the ancient Mauryan state is supposed to be a centralized Bureaucratic Monarchy, the Medieval Mughal state, a feudal Monarchy and the Modern British colonial state, a colonial bureaucratic Monarchy, which had mainly pioneered in introducing a merit-based centralized bureaucratic apparatus.

The civilian bureaucracy prevalent in British India, mainly during the phase of the East India company, was mainly a patronage and venal bureaucracy. Under the Charter Act of 1833, a limited competitive examination was introduced among the candidates nominated by the court of Directors. It was in the year 1892, that in a major civil service reform, the covenanted civil service was renamed as the Indian Civil Service (ICS), and the uncovenanted civil service was made the Provincial Civil service and the statutory civil service was abolished.

After the end of First World War, under the Government of India Act 1919, remarkable civil service reforms, which also includes Indianization of services, ensured as the principle of limited responsible Government, came to be introduced at the state level. The Government of India Act, 1935, which introduced diarchy at the centre, provided for the appointment to the All India Services by the Governor General and to the Provincial Civil services by the respective Governors.

14.4 POST-INDEPENDENCE REFORM OR REFORM SINCE INDEPENDENCE

With the attainment of Independence, a new and bigger challenge appeared before the country, as it was under the obligation to bring about social and economic improvement which will in turn bring about development upon the lives of people in all its spheres. The Government is committed to the Directive Principles of State Policy (DPSP) enumerated in the Indian constitution, which obliged to work for the economic and social well-being of the people. The DPSP are included from Articles 36-51 of the constitution and its sole purpose was the attainment of a welfare state with its singular focus upon the mixed economic model, where both the public and private sector would function side by side.

It is also to be noted that apart from reforming the administrative machinery, there is a need to reform the attitudes of the civil services from a colonial hang over of domination and non-transparency to becoming sub-servient to the people of India as envisaged in the Preamble of Indian Constitution.

The most remarkable reform in public administration since Independence began with the introduction of the parliamentary form of Government based upon Universal Adult Suffrage. It transformed the civil services to an instrument in the hands of the popularly abetted Government for implementation of its policies and basically a service provider to the public.

Another step which was a major administrative reform was the establishment of the All India Services, Central Services and State Services

Machinery. Decentralisation reform was another major significant reforms introduced after Independence. However, the constitutional status was conferred upon local self-Governments in rural and urban areas, which greatly enhanced the functions of public administration.

However, it should be noted that the founding fathers of our constitution did not give much importance to the thought, relating to the type of administrative machinery required for an independent India. They were of the opinion that the inherited machinery was doing its job well and also argued that the political and constitutional changes were of major consequences that would automatically make public administration undergo the requisite transformation under the impact of such changes. But, with the emergence of planning commission and its development plans, the weak and inadequate administrative system was discovered. Thus, the five years plan called for reforms again. In 1953, the Staff reorganisation unit was setup mainly to review the staffing in Government agencies with a view to achieve economy in staff consistent with administrative efficiency. In 1954, the O & M agency in the Government located in the cabinet Secretariat was established, to begin and sustain administrative efficiency in all branches of public administration which brought in some hope for real administrative reforms.

14.5 MEANING AND NATURE OF ADMINISTRATIVE REFORMS IN INDIA, ITS VARIOUS ASPECTS

Administrative reform is generally regarded as a conscious process, related with well-considered change which is mainly carried out in a public sector organization or system for the purpose of improving its structure, operation or the quality of its workhorse. Glared Codeine defined administrative reform as “the artificial inducement of Administrative transformation against resistance.”

Administrative reforms mainly aim at wide and sometimes radical changes in a system. Reforms are always normative and are introduced with specific purpose in mind. For instance, the Reformation Movement in Europe was launched with certain specific purposes and these were to reform the outdated concepts and dogmas of Christianity. These, reforms

also sometimes assumes the character of Movement. As they are normative in nature, they are introduced for the attainment of specific purpose. In fact, there is a close relation between Reform and Ideology. In an ideology there are certain attitudes which are mainly, political, economic and social issues. The scholars of Ideology believe that through the application of Ideology, objectives can be achieved. At the same time the concepts of Industrialisation and Modernisation are constantly changing and the public administration will have to adjust with all these changes and hence the reform of public administration is important. In Marxism-Leninism, there has been special faces of public administration in the development process of society.

Various aspects of administrative reform are:

(i) Political
(ii) Legal
(iii) Institutional
(iv) Technical
(v) Personnel
(vi) Financial
(vii) Social
(viii) Psychological



CHECK YOUR PROGRESS

Q.1. When did the concept of Administrative Reform originate?

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.....

Q.2. What is full form of DPSP?

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14.6 PAUL H. APPLEBY REPORT ON PUBLIC ADMINISTRATION IN INDIA

Paul H. Appleby Report on Public Administration in India was published in the year 1953. His report on public administration mainly focused

upon the following areas:

(i) He opined that that there should be more decentralisation of functions, so that the administrative work is more conveniently carried away.

(ii) Appleby suggested that the rigidity of the acres that exist in public services and the immobility which results from existing modes of recruitment, the present expensive pre-occupation with service rights and the lack of 'administrative action and human-relations orientation' is to be destroyed, by making entry and exit from the public service easier.

(iii) In the report of Appleby, there are pertinent paragraphs regarding the lag between tax intentions and tax laws and tax laws and tax collections.

(iv) In the report there is a valuable appraisal from the non-British point of view of budget methods. Appleby wanted to regard Government as a going concern and for this purpose it is necessary that one should be able to assess its assets and liabilities and assess functionally the net expenditure of the public sector in India. He wants that an alternative budgetary classification is to be prepared, which in turn will furnish the necessary information regarding the even growing activities of the public sector.

Apart from the above mentioned areas, there are also some observations in the report regarding the value of federation and the danger of local autonomy.

14.7 MAJOR CONCERNS FOR DRIVING ADMINISTRATIVE REFORMS; PROBLEMS OF ADMINISTRATIVE REFORM

Some of the major concerns for driving Administrative Reforms in India are:

(i) Efficiency and Economy.

(ii) Specialisation.

(iii) Effective co-operation and coordination.

(iv) Administration and development of personnel.

(v) Accountability.

(vi) Corruption.

Some of the problems for implementing Administrative Reforms are:

(i) The foremost problem that lies in the way of administrative reforms is the lack of political will.

(ii) Lack of bureaucratic will.

(iii) The bureaucratic strangle hold over Administrative reforms.

(iv) There is also lack of long term strategizing agency for Administrative reforms free of bureaucratic strangle hold.

(v) There is also lack of Information dissemination among people and stockholders of reforms being carried out.

(vi) Over staffing and bander over the exchequer for paying salaries instead of diverting it to reforms implementations is its another problem.

(vii) Another problem is the lack of comparative study and interaction of administrative practices and administrators internationally as well as with public.

(viii) Lack of practical solutions and recommendations by the commissions and committees at many times due to theoretical attitude or lack of practical experience in the subject.

(ix) Another loophole is the lack of awareness among public with regard to their rights and the public officials' duties and responsibilities towards them.

(x) Lastly, corruption and vested interests and weak anti-corruption agencies stands as a major problem in the way of proper implementation of Administrative Reforms.



CHECK YOUR PROGRESS

Q.3. In which year was Appleby report on public administration published?

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Q.4. Mention two important areas that were focused in the Paul H. Appleby report.

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Q.5. Mention one problem that lies in the way of effective implementation of Administrative Reforms in India.

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14.8 GORWALA REPORT ON PUBLIC ADMINISTRATION

The A.D. Gorwala committee Report on Public Administration was published in the year 1951. Gorwala mainly submitted two reports on public Administration Report on public Administration (1951) and Report on the efficient conduct of State Enterprise (1951).

The Gorwala Committee Reports have mainly formalized the ideas and institutions of a 'mixed' economy with a dominant state sector allowing some space to private enterprise as well. The main argument of the report was the establishment of a semi-governmental Indian Institute of Public Administration in New Delhi, the setting up of Organization & Method (O&A) divisions at various levels of governments and the streamlining of recruitment and training of Administrators and their relationship with the parliament and state legislative, planning commission and the Comptroller and Auditor General of India.

14.9 ADMINISTRATIVE REFORMS COMMISSIONS

The Administrative Reforms Commission or ARC is the committee appointed by the Government of India for giving recommendations for reviewing the public Administration system of India. The first ARC was established on 5th January, 1966 and the second ARC was instituted on 31st August, 2005.

First Administrative Reforms Commission

The first ARC was constituted by the Ministry of Home Affairs under Government of India by resolution no. 40/3/65-AR (P). The commission was constituted in order to give mandate to the need for ensuing the highest standards of efficiency and integrity in the public services, and for making public administration a reliable instrument for carrying out the social and economic policies of the Government and in order to achieve social and economic goals of development, which is responsive to the people. The commission is to consider the following areas:

(i) The machinery of the Government of India and its procedures of work.
(ii) Centre-state relationships.
(iii) Financial Administration.
(iv) Personnel Administration.
(v) Economic Administration.
(vi) District Administration.
(vii) Agricultural Administration.

The commission submitted and recommended over 20 reports before winding up on Mid-1970s.

(i) Problems of Redress of citizens Grievances. (Interim)
(ii) Public Sector Undertakings.
(iii) Finance, Accounts & Audit.
(iv) Administration of UTs & NEFA.
(v) Life Insurance Administration.
(vi) Railways.

(vii) Treasuries.

(viii) RBI.

(ix) Post and Telegraphs.

(x) Scientific Departments etc.

Second Administrative Reforms Commission:

The Second ARC was formed on 5th August, 2005, mainly as a committee of inquiry to prepare a detailed blueprint for revamping the public Administration System. The commission was given mandate to give and suggest measures to achieve a proactive, accountable, sustainable and efficient and effective administration for the country at all levels of the Government. The commission mainly considers the following areas–

(i) Organisational structure of the Government of India.

(ii) Ethics in Governance.

(iii) Steps to ensure effective administration at the state levels.

(iv) Local self-Government / Panchayati Raj.

(v) Promoting e-governance.

(vi) Issues of Federal polity.

(vii) Crisis Management.

(viii) Public Order

The commission has basically presented the following 15 reports to the Government for consideration. Some of them are–

(i) Right to Information

(ii) Combating Terrorism.

(iii) Social Capital

(iv) Citizen Centric Administration

(v) Strengthening Financial Management Systems.

(vi) State and District Administration.



CHECK YOUR PROGRESS

Q.6. When was the first ARC established?

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Q.7. When was the A.D. Gorwala Report published?

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Q.8. Write a short note on Gorwala Committee Report.

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14.10 LET US SUM UP

- The civil service system is the backbone of the administrative machinery of the country. The civil servants, both at the centre and in the states play an important role in maintaining the administrative fabric of our country.
- The origin of the concept of reform can be dated back to the second half of the 19th century.
- The historical foundation of the bureaucracy of the Modern State is expectedly quite old.
- The Government is committed to the DPSP enumerated in the Indian constitution, which obliged to work for the economic and social well-being of the people.
- The most remarkable reform since Independence began with the introduction of the parliamentary form of Government based upon Universal Adult suffrage.
- A major administrative reform was the establishment of the All India Services, Central Services and State Services Machinery.
- Reforms are always normative in nature and are introduced with

specific purpose in mind. Administrative Reforms mainly aims at wide and sometimes radical changes in a system.

- There are different aspects of administration. Some of them are: Political, Legal, Institutional, Personnel, etc.
- Paul H. Appleby submitted its report on Public Administration in the year 1953.
- Gorwala Report was published in the year 1951.
- The first ARC was constituted in 1966 and the second ARC was constituted in 2005.



14.11 FURTHER READING

1) Bhattacharya, Mohit (2007). *Public Administration*. Kolkata: The World Press Private Ltd.

2) Mehta, Vinod. (2000). *Reforming Administration in India*. Har- Anand Publications.



14.12 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q No. 1:

The concept of Administrative Reforms originated in second half of 19th century.

Ans to Q No. 2:

The full form of DPSP is Directive Principles of State Policy.

Ans to Q No. 3:

Paul. H. Appleby report was published in the year 1953.

Ans to Q No. 4:

i) There should be more decentralisation of functions, so that the administrative work is more conveniently carried away.

(ii) Appleby suggested that the rigidity of the acres that exist in public services and the immobility which results from existing modes of recruitment, the present expensive pre-occupation with service rights and the lack of 'administrative action and human-relations orientation' is to be destroyed, by making entry and exit from the public service easier.

Ans to Q No. 5:

One problem of implementing Administrative Reform is lack of Information dissemination among people and stockholders of reforms being carried out.

Ans to Q No. 6:

The first ARC was published in 1966.

Ans to Q No. 7:

A.D. Gorwala report was published in 1951.

Ans to Q No. 8:

The A.D. Gorwala committee Report on Public Administration was published in the year 1951. Gorwala mainly submitted two reports on public Administration : Report on public Administration (1951) and Report on the efficient conduct of State Enterprise (1951).

The Gorwala Committee Reports have mainly formalized the ideas and institutions a 'mixed' economy with a dominant state sector allowing some space to private enterprise as well. The main argument of the report was the establishment of a semi-governmental Indian Institute of Public Administration in New Delhi, the setting up of Organization & Method (O&A) divisions at various levels of governments and the streamlining of recruitment and training of Administrators and their relationship with the parliament and state legislative, planning commission and the Comptroller and Auditor General of India.



14.13 POSSIBLE QUESTIONS

Short Answer Questions

Q.1: What are the various aspects of Administrative Reform?

Q.2: What is meant by Administrative Reform?

Q.3: Write a note on Gorwala Report of Administrative Reforms.

Long Answer Questions

Q.1: Give a detailed picture of Administrative reforms in Pre-Independence and post-Independence India.

Q.2: Evaluate Paul Appleby Report on Public Administration in India.

Q.3: What are the major concerns for Administrative Reforms? Discuss its main problems.

Q.4: Explain the major recommendations of the first ARC and the second ARC.

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1) Approximately how many hours did you spend for studying the units in the course? ☐☐☐

2) Please give your opinions (by ✓ mark) to the following items based on your reading of the block:

Sl. No.	Statements	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
I)	The SLMs of the course fulfil the learning objectives set out in the beginning of each unit					
II)	The units of the SLM could satisfy my academic needs and expectations					
III)	The Unit writers have excellent knowledge about the course contents					
IV)	Language and contents of the units were presented at a level which I could readily understand					
V)	Ample opportunity for participation in the activities provided in the units					
VI)	Used enough Illustrations (Diagrams, tables etc.) for conceptual clarity					
VII)	Quality of content is engaging, relevant, and up-to-date					
VIII)	The self check questions are very helpful					
IX)	The Possible/model questions and the answers to check my progress have benefited me a lot					

Additional Comments: *(Please feel free to provide your open comments)*

1) Which aspects of the SLM, according to you, worked well?

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2) What sort of changes/improvements do you feel KKHSOU could implement to improve the overall quality of the SLM?

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Thank you for taking the time to complete this form.