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Public Administration in India

SEMESTER - VI

POLITICAL SCIENCE

BLOCK - 2

KRISHNA KANTA HANDIQUI STATE OPEN UNIVERSITY

Subject Experts

Dr. Shantanu Chakravorty, Cotton University
Dr. Dhruba Pratim Sharma, Gauhati University
Dr. Subhrajeet Konwer, Gauhati University

Course Coordinator : Dr. Abhijit Bhuyan, KKHSOU

SLM Preparation Team

UNITS	CONTRIBUTORS
8,9	Dr. Nandita Das, Guwahati
10	Dr. Abhijit Bhuyan, KKHSOU
11	Bikash Chandra Das, Cinnamara College, Jorhat
12	Dr. Abhijit Bhuyan , KKHSOU and Dr. Navanita Medhi, J.B.Law College
13	Dr. Navanita Medhi, J.B.Law College
14	Dr. Jonaki Dutta, Guwahati
15	Arpita Das, Pragjyotish College, Guwahati

Editorial Team

Content	:	Dr. Dhruba Pratim Sharma Gauhati University (Units 8, 9, 11, 15) Dr. Subhrajeet Konwer Gauhati University (Units 10, 12, 13, 14)
Language (English Version)	:	Professor Robin Goswami Cotton University (Formerly Cotton College)
Structure, Format & Graphics	:	Dr. Abhijit Bhuyan, KKHSOU

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Headquarter : Patgaon, Rani Gate, Guwahati - 781017

City Office : Housefed Complex, Dispur, Guwahati-781006; Web: www.kkhsou.in

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BACHELOR OF ARTS
POLITICAL SCIENCE
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INTRODUCTION TO BLOCK-2

This is the second block of the first course of Krishna Kanta Handiqui State Open University's B.A. Sixth Semester Programme in Political science. The course is titled "Public Administration in India". The first block of this course contains eight units- (Units 8-15).

The Eighth Unit introduces the learners to the issue of Control over Administration in India including Executive Control, Parliamentary Control and Judicial Control.

The Ninth Unit discusses the issue of Neutrality versus Commitment of Civil Servants.

The Tenth Unit focuses on the Budgetary Process In India and Performance Budgeting In India.

The Eleventh Unit focuses on the structure and functions of the State Secretariat.

The Twelfth Unit discusses District Administration in India.

The Thirteenth Unit discusses the office of the District Collector or the Deputy Commissioner.

The Fourteenth Unit focuses on the Machinery for Redressal of Public Grievances including Lokpal and Lokayukta. The unit also discusses the Right To Information Act, 2005.

The Fifteenth Unit focuses on Administrative Reforms in India

While going through the units of the block, you will find that unit is further divided into certain sections and sub-sections, wherever necessary, for your better understanding. The units carry certain *activities* after a particular section where needed. These "ACTIVITIES" will provide you the opportunity to practically apply your own thoughts based on the knowledge gained from reading the text in a particular section. 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 intereted in learning more elaborately about the concepts discussed in a particular unit. Furthermore, the category called "MODEL QUESTIONS" is intended to give you a hint of the type of questions you are likely to get in the examination.

UNIT 8: CONTROL OVER ADMINISTRATION IN INDIA:EXECUTIVE CONTROL, PARLIAMENTARY CONTROL AND JUDICIAL CONTROL

UNIT STRUCTURE

8.1 Learning Objectives

8.2 Introduction

8.3 Means of Executive Control in India

8.4 Means of Parliamentary Control in India

8.5 Means of Judicial Control in India

8.6 Let Us Sum Up

8.7 Further Reading

8.8 Answers to Check Your Progress

8.9 Model Questions

8.1 LEARNING OBJECTIVES

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

- discuss the various means of control over administration in India, including executive, parliamentary and judicial control
- explain the various means of executive control over administration in India
- explain the means of parliamentary control over administration in India
- explain the means of judicial control over administration in India

8.2 INTRODUCTION

Administrative Responsibility is the system of controls in Public Administration. According to Dr. White, administrative responsibility is “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 action.‘‘Responsibility means the responsiveness of the public servants to public will. Responsibility

is subjective and works from within. In a constitutional and democratic government, personal responsibility though important, cannot be the sole condition of administrative responsibility.

The role of public servants in the political, economic, social and cultural life of the people is highly important and necessary. The modern public servant is not only a docile executor of the public policy but is also its initiator and formulator. Therefore, the instruments of administrative responsibility should be such as to safeguard the fundamental liberties of the individual without curbing the civil servant's discretion. The objective is two-fold: i) the checks should fully safeguard the individual's liberties and ii) the checks should not hamper or hinder the normal activities of the administrator. The effectiveness of a system of administrative responsibility will be judged by these criteria.

8.3 MEANS OF EXECUTIVE CONTROL IN INDIA

In a Parliamentary democracy, ministerial responsibility is a cardinal principle. Under this system , the ministers are collectively and individually responsible to the Legislature for all the departmental activities. The Cabinet or the Council of Ministers is collectively in charge of the whole administration and also each minister is individually in charge of one or more departments. Every activity of the administration or branch of admimistration falls under the control of some minister. The Minister is in full charge of his or her Ministry or Department which he or she manages with the help of a Secretary, a senior officer of the Civil Service or a Board.

The means of executive control over administration are discussed under the following heads:

- **Political Control:**The Cabinet is composed of the leaders of the party in power and is responsible for policy-formulation. The Cabinet lends directionto administration and brings about coordination among and exercises control over the various branches of the administration. It provides leadership to administration. The Executive control is a stimulating, guiding and directing force.

- **Budgetary System:** The Budgetary system determines the total financial and personnel resources which no department can exceed. It gives an effective controlling power to the Executive which prepares the budget, finds the resources and settles the targets. When the budgetary system is effective, then no official can escape the control of the Executive. Every programme agency has to remain under the effective and continuous control of the Executive.
- **Recruitment System:** This is another system of executive control. The recruitment to civil service is usually placed in the hands of an independent recruiting agency and the general rules of recruitment are laid down by the Government of the day including qualifications, experience, age, etc. To the higher posts of the Civil Service, the Executive has a free hand. The ministers select their own secretaries and heads of departments. Ministers exercise full control over the administration of the department through their appointees.
- **Executive Law Making:** The Executive exercises large powers of sub-legislation. Most of the laws passed by Legislature are skeletal in character and empower the Executive to fill in the details. In India the Executive has the power of passing Ordinances which have the authority and power of an Act for a specified period. An Ordinance may be promulgated by the Chief Executive during the recess of Parliament or the Legislature as the case may be to meet with any circumstances that require immediate action.The maximum duration of an Ordinance unless previously terminated by Parliament is six months and six weeks.The President or the governor as the case may be is the sole judge to determine the circumstances for promulgation of Ordinances. Courts cannot question whether there existed reasonable necessity for such an action.

Executive control gives a positive and continuous guidance to the administrative operations and it thus sets up practical standards of work. In addition to this,executive control keeps the administration always alert and on its toes.



CHECK YOUR PROGRESS

Q 1: Write about Political Control as a means of executive control over administration.

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8.4: MEANS OF PARLIAMENTARY CONTROL IN INDIA

The Parliamentary system of government as we find in India and in Great Britain is based on the principle of collective responsibility. It means that the ministers are responsive to Parliament for their powers and actions. Thus, legislative control over administration under such a system is only indirect, that is through ministers. The officers cannot be held responsible to Parliament directly. They take shelter behind the principle of ministerial responsibility. In other words, it is the minister who assumes responsibility for the actions of the administrators working under the ministry. The following are the various means through which legislative control could be enforced in a Parliamentary system:-

- **Law making:** It is the primary function of Parliament. Parliament lays down the policies of the government by making or changing or cancelling the laws. Parliamentary laws determine and condition the organization, structures, power, functions and procedures of the administration. However, the control exercised by Parliament through the law making process is in broad and general terms. Parliament makes laws in a skeleton form and authorize the executive to make detailed rules and regulations within the framework of the parent law. This is known as 'delegated legislation' or 'executive legislation'.

- **Control of Appropriation:** A more effective control over administration by the Legislature is through the appropriation system. Unless appropriated by an Act of the Legislature, no money can be spent in modern democratic governments. The Legislature controls the activities of the administration by its control over the strings of the public purse. However, the Legislature in a parliamentary democracy cannot turn down the executive's request for grants as long as the Executive is in a majority in the House.
- **Audit and Report:**The Legislature also controls the administration through the means of Audit and Report. The Constitution provides for the appointment of an Auditor- General and he audits all the accounts of the government annually and reports about the financial transactions of the government to the Legislature. The Legislature also appoints a committee of experts from among its own members called the Public Accounts Committee which fully scrutinizes the Report and may also review the financial dealings of the different departments of the government turn by turn.It then reports back to the Legislature and the Legislature discusses Auditor-General's Report in accordance with the findings of the Committee.
- **Question Hour:** The first hour of every parliamentary setting is known as 'Question-Hour'. During this time, the members of Parliament ask questions and the ministers reply to the questions. The Parliamentary questions are of three types that is Starred, Unstarred and Shortnoticed.

A 'starred question' is one which is distinguished by an asterisk mark (*) . It requires an oral answer and supplementary questions could follow.

An 'unstarred question' on the other hand, is one which is not distinguished by an asterisk mark. It requires a written answer and hence supplementary questions cannot follow.

A 'short notice question' is one which is asked by giving a notice of less than 10 days. It is answered orally.

- **Zero-Hour:** Unlike the Question-Hour, the Zero-Hour is not mentioned in the rules of procedure. Thus, it is an informal device

available to the members of Parliament to raise matters without any prior notice. The Zero-Hour starts immediately after the Question- Hour and lasts until the agenda for the day is taken up. In other words, the time gap between the Question- Hour and the agenda is known as the Zero-Hour.

- **Half-an-Hour Discussion:** It is meant for raising a discussion on a matter of sufficient public importance which has been subjective to a lot of debate and the answer to which needs elaboration. There is no formal motion or voting before the House.
- **Short Notice Discussion:** The members of Parliament can raise a question on a matter of urgent public importance with notice shorter than ten days. The Speaker can allot two days in a week for such discussion. There is neither a formal motion before the House nor voting.
- **Other Discussions :** In addition to the above discussions, there are various other occasions available to the members of Parliament to raise discussions and debates to examine and criticize the administration for its lapses and failure. This include the following-

a) Inaugural speech of the President
b) Introduction of several bills for enactment of laws
c) Introduction and passing of resolutions on matters ofgeneral public interest.

- **Committee on Assurances:** The government in course of debates, questions and answers and discussions, might be made to give assurances, promises or undertakings on the floor of the House. So in order to ensure the assurances given to the House are being properly implemented or not, in reasonable time and in the manner in which the House desired their fulfillment, the Rules of Procedure of the Indian Houser of the People provide for the setting up of a Committee on Assurances. The Committee is required to report to the House on these matters from time to time. The establishment of the Committee on Assurances has strengthened the machinery of Parliamentary control over the administration.

- ***Other Committees of the Legislature:*** As Parliaments meet only periodically, it appoints committees oftheir own members which specialize in their particular sphere of activity and thus keep constant and close watch over the administration. The Committees include Estimates and Public Accounts Committee, Committee on Subordinate Legislation, Petitions Committee.
- **Calling Attention:** It is a notice introduced in Parliament to call the attention of a minister to a matter of urgent public importance and to seek an authoritative statement from him on that matter. It has been mentioned on the rules of procedure and conduct of business of the House.
- **Adjournment Motion:** It is introduced in Parliament to draw the attention of the House to a matter of urgent public importance. This motion needs the support of 50 members. If the motion is allowed, the normal business of the House is suspended. It involves an element of censure against the government and hence Rajya Sabha is not permitted to make use of this device.

Thus, administration is accountable to the Legislature though in a very general way.



CHECK YOUR PROGRESS

Q 2: Write about adjournment motion as a means of parliamentary control in a political system.

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8.5 MEANS OF JUDICIAL CONTROL IN INDIA

The purpose of the Legislative and Executive control of administration is principally to control the policy and expenditure of the government. Judicial

control is exercised to ensure the legality of the officials' acts and thereby to safeguard the fundamental and other essential rights of the citizens.In fact, in modern times judiciary has assumed the role of a guardian of the citizen's private rights. With the increase in the powers and discretion of the public officials, this role of the judiciary has become more important.

There are two alternative systems of legal remedies against encroachments of government officials. First is called the Rule of Law system and other one is called Administrative Law system. In India, the Rule of Law system is followed.

Legal Remedies under Rule of Law System: The theory of Rule of Law means that everybody high or low, official or private citizen is subject to the same law, the ordinary law of the land and that the official cannot take shelter behind state sovereignty in committing mistakes in his official capacity. Ordinarily, the aggrieved party (the citizen whose rights have been violated) shall have all those legal remedies against the offending official as are available to him against a private citizen. In India, the Supreme Courtunder Article 32 has been empowered to issue directions or orders or writs including writs in the nature of Habeas Corpus, Mandamus, Prohibition, Quo warranto and Certiorari for the enforcement of the Fundamental Rights of the citizens of India while the High Courts have been empowered to issue the same writs under Article 226. The Supreme Court has the right to issue writs only for the enforcement of the Fundamental Rights as given in Part III of the Indian Constitution, while the High Courts have the right to issue writs both for the enforcement of the Fundamental Rights as well as for that of other ordinary rights. Thus, so far as the cases under the Fundamental Rights are concerned, the aggrieved party can seek recourse in either the High Court or the Supreme Court but under Article 32 application lies in the first instance to the Supreme Court without first resorting to the High Court under Article 226.

The means of judicial control over administration are discussed under the following heads :

- **Habeas Corpus:** Habeas Corpus is an ancient Common Law writ. It is issued in the nature of an order calling upon the person who

has detained another to produce the latter before the Court, in order to let the Court know on what grounds he has been confined and set him free if there is no legal justification for the imprisonment. Literally, Habeas Corpus means "to have the body of". The Court through this writ gets the custody of the person detained from his or her detainer and to set him or her free if he or sheis wrongfully detained.The Indian Constitution empowers the Courts not only to issue the writ of Habeas Corpus but also other judicial writs in the nature of Habeas Corpus.

- **Mandamus:** Mandamus literally means 'command'. It is a command issued from the High Court of Justice, to a public official to do a thing which is part of his or her official duty but which he or she has failed to do. This writ can be available against any public authority.
- **Prohibition:** It is a judicial writ issued by a superior court to an inferior court preventing it from usurping jurisdiction with which it is not vested. This writ is of a negative type, that is, it commands the lower court not to do a thing which it is not authorized to do.A Prohibition writ can be issued only against judicial authorities including quasi-judicial tribunals like the Income Tax Commissioners, Election Commission, Assessment Committee, etc.
- **Quo Warranto:**This writ is the remedy or proceeding whereby the State inquires into the legality of the claim which a party asserts to an office or franchise, or to oust him from its enjoyment, if the claim is not well founded or to have the same declared forfeited and recover it.The purpose of the writ is to try a claim to a public office.
- **Certiorari:**It is judicial writ issued by a superior court for transferring the records of proceedings of a case from an inferior court or quasi-judicial tribunal or authority to the superior court for the purpose of determining the legality of its proceedings or for giving fuller or more satisfactory effect to them than could be done in the inferior court. The writ of certiorari is in principle similar to the writ of prohibition as both are meant to supervise the work of judicial authorities.

- **Injunction:** It is a writ which is issued against executive officials. It is issued by the court restraining an official from committing an action invading the legal right of another.
- **Suit for Damages:** An aggrieved party can sue the official for damages for the wrong done to him. Such a suit can be brought in civil as well as criminal cases. But it can be brought against the official only asan individual.



CHECK YOUR PROGRESS

Q 3: Write the meaning of Prohibition ?

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Q 4: Mention any two writs issued by the Supreme Court and High Courts in India.

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8.6 LET US SUM UP

- In a democratic administration there are some constitutional means of holding the public official accountable. Fistly, an official is responsible to the Legislature, then to the Executive, then to the Judiciary and lastly to the citizens.
- The purpose of the Legislative and Executive control of administration is principally to control the policy and expenditure of the government while judicial control is exercised to ensure the legality of the officials' acts and thereby to safeguard the fundamental and other essential rights of the citizens.

- The theory of Rule of Law means that everybody high or low, official or private citizen is subject to the same law, the ordinary law of the land and that the official cannot take shelter behind state sovereignty in committing mistakes in his official capacity.
- Some of the means of executive control over administration includepolitical control, recruitment system, budgetary system and executive law making
- Some of the means of parliamentary control over administration include law making, control of appropriation, audit and report, question hour ,etc.
- Some of the means of judicial control over administration include writs, injunction, etc.



8.7 FURTHER READING

1. Bhagawan, Vishnu and Bhusan, Vidya, *Public Administration*. S.Chand&Company Ltd.
2. Bhattachrya, Mohit(2007), *Public Administration*. World Press.
3. Sharma, Dr. M.P. and Sadana, Dr. B.L., *Public Administration in Theory and Practice*. Allahabad. Kitab Mahal. 46th edition, 2010.
4. Tyagi, A.R. (2004), *Public Administration*. Delhi. Atma Ram & Sons Publisher.



8.8 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q No 1: The Cabinet is composed of the leaders of the party in power and is responsible for policy-formulation. The Cabinet lends direction to administration and brings about coordination among and exercises control over the various branches of the administration. It provides leadership to administration. The Executive control is a stimulating, guiding and directing force.

Ans to Q No 2: It is introduced in Parliament to draw the attention of the House to a matter of urgent public importance. This motion needs

the support of 50 members. If the motion is allowed, the normal business of the House is suspended. It involves an element of censure against the government and hence Rajya Sabha is not permitted to make use of this device.

Ans to Q No 3: It is a judicial writ issued by a superior court to an inferior court preventing it from usurping jurisdiction with which it is not vested. This writ is of a negative type, that is, it commands the lower court not to do a thing which it is not authorized to do. A Prohibition writ can be issued only against judicial authorities including quasi-judicial tribunals like the Income Tax Commissioners, Election Commission, Assessment Committee, etc.

Ans to Q No 4: Habeas Corpus and Certiorari



8.9 MODEL QUESTIONS

A) Very Short Questions

Q 1: Mention any two means of executive control over administration.

Q 2: A 'starred question' is one which is distinguished by an asterisk mark (*). (True/ False)

B) Short Questions (Answer in about 150 words)

Q 1: What is Habeas Corpus?

Q 2: What is a 'starred question'?

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

Q 1: Discuss the means of Legislative control over administration in India.

Q 2: Discuss the Executive control over administration in India.

Q 3: Explain Habeas Corpus, Mandamus, Prohibition, Quo warranto and Certiorari as a means for the enforcement of the Fundamental Rights of the citizens of India.

Q 4: Write four means of parliamentary and four means of executive control over administration in India.

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UNIT 9: NEUTRALITY VERSUS COMMITMENT OF CIVIL SERVANTS

UNIT STRUCTURE

9.1 Learning Objectives

9.2 Introduction

9.3 Political Neutrality of Civil Service in India

9.4 The Issue of Committed Bureaucracy

9.5 Check Your Progress

9.6 Let Us Sum Up

9.7 Further Reading

9.8 Answers to Check Your Progress

9.9 Model Questions

9.1 LEARNING OBJECTIVES

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

- explain the concept of civil service neutrality
- discuss the issue of political neutrality of civil service in India
- explain the concept of committed bureaucracy in India
- discuss the issue civil service neutrality and committed bureaucracy in the context of India

9.2 INTRODUCTION

Neutrality of the public services is a tradition mainly developed in Britain, and which is largely followed by some other countries following the British pattern of administration like Australia, Canada and partially India, Malaysia, Pakistan, etc. Neutrality is one of the traditional virtues of Civil Service.

9.3 POLITICAL NEUTRALITY OF CIVIL SERVICE IN INDIA

- **Concept of Political Neutrality of Civil Service**

The main ingredients of the British concept of Civil Service neutrality are :i) public confidence in the freedom of Civil Service from all political bias; ii) minister's confidence in obtaining loyal service from the civil servants irrespective of what political party is in power; iii) high staff morale based on confidence that promotions and other rewards depend upon on merit alone.

The civil servants would necessarily refrain from all political activities that would affect adversely their ability to perform their official duties fairly.It is the product of the merit system and secures neutral, apolitical public service.

Neutrality of civil service means that the civil service must be above party politics. A civil servant serves different regimes/parties with the same enthusiasm and staying away from political affiliation. The concept of neutrality in the civil service requires that civil servants are able to serve governments of any party with the same degree of commitment. Civil servants must be non-partisan and should serve the present political regime the same way as they have served the earlier one. Max Weber, recommended that the first and most important quality of bureaucracy would be neutrality.

The main postulate of neutral or depoliticized bureaucracy is that the public bureaucracy by training and tradition could be brought up to be a political institution which would implement public policies without the influence of political views of their own.

The traditional concept of neutrality has been challenged on many grounds. Firstly, the concept is based on a belief in politics-administration dichotomy. But now, the traditional idea of ministers or political executive framing policies and the civil servants or permanent executive just executing them is no longer valid. The role of the Civil Service has been changing

from being a mere agent of the political executive to that of collaboration with it. Nowadays, policy formulation is an all pervasive process and a cooperative endeavour. Then secondly, the concept is based on a confusion between party politics and policy politics. Party politics should be avoided at all costs by the public officials, but not policy politics. Appleby has pointed out that all administration today is political since it must be responsive to the public interest. The modern public officials need to win public approval of the government policies and secure their co-operation in their implementation. Thirdly, the role of the civil servant has changed with a shift in the nature and purpose of the state from negative to positive. In order to create a welfare society, the state requires a new type of positive-minded, action-oriented and humanely-inclined public official.

- **Political Neutrality of Civil Service in India**

India inherited from the British one of the finest bureaucracies in the world. It was often described as the 'steel frame' of the British empire.The tradition of ministerial responsibility did not exist before the independence ofIndia as there was no popular government at the central level. Then when India became independent, it adopted the parliamentary system of government and with that the tradition of ministerial responsibility was also adopted. Justice M.C. Chagla, who was appointed in 1958 to enquire into the Mundhra case (a case of financial scam)stated in his report that constitutionally the minister is responsible for the action taken by his secretary. A minister must take the responsibility for actions done by his subordinates instead of taking shelter behind them nor he can disown their actions. The minister has complete autonomy within his own sphere of authority. As a necessary corollary, the minister must take full responsibility for the actions of his servants. If any subordinate fails to carry out his duties loyally regarding policy or does not reflect the policy of the minister, then he may be punished ordismissed but however, the responsibility of his action must be assumed by the minister. The Minister cannot be permitted to say that his subordinates did not reflect his policy or acted contrary to his wishes or direction. For example, Mr. T.T. Krishnamachari, the then Finance Minister

had to resign owning the responsibility of the act of his Secretary. Thus, the principle of anonymity of the civil service is also associated with the concept of neutrality as the civil servants serve under different political regimes and policies may differ from one government to another.

The Administrative Reforms Commission observed that the cabinet system of government as established in India postulates:

a) the obligation of every public servant to implement faithfully all policies and decisions of the ministers even if these be contrary to the advice tendered by him.
b) the freedom to public servants to express themselves frankly in tendering advice to their superiors including minister.
c) the observance by public servants of the principles of political neutrality, impartiality and anonymity.

However, unfortunately the British pattern of minister-civil servant relationship could not survive for long. The concept of neutrality worked for about two decades but after that it came under great strain.The changes began to appear in the period of 1950s but became more apparent in the 1960s, especially after the fourth general elections in 1967. During this period, the bureaucracy started taking more interest in politics and political activities.Recently, there has been a growing trend in which frank, fearless and impartial exercise of responsibility by the civil servant is looked upon by the ministers as an obstructionist attitude. The ministers gradually have begun to show their preference for officials who generally support their line of action without raising uncomfortable questions or doubts. The critical and neutral officers are looked upon as hostile elements and attempts are made to clip their effectiveness and authority. It has given rise to a new tribe of 'yesmen' among the civil servants whose main concern is their career prospects. Their main concern lies in preparing notes in accordance with the desires of the political executive. Accordingly, the political leadership in India succeeded in coercing the civil service into a position of subservience and personalized commitment. This is mainly because the minister

enjoys the power to transfer and post officers, power to promote and also the power to suspend.The S.R. Das Commission on Prevention of Corruption, confirmed the presence of large scale politico-administrative corruption in India. The Vohra Committee Report on criminalisation of politics exposed a nexus between politicians, bureaucrats, individual criminals and the mafia.This was admitted by the Union Government. In fact, politicians prefer to surround themselves with officers who will tow their line and who will not put a dissenting note. Thus, under such a situation bureaucracy faces the risk of being politicized.



CHECK YOUR PROGRESS

Q 1: Neutrality of civil service means that the civil service must be above party politics.

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Q 2: Mention any two observations of the Administrative Reforms Commission regarding the cabinet system of government as established in India.

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9.4 THE ISSUE OF COMMITTED BUREAUCRACY

In the 1960s, the former Prime Minister of India Mrs. Indira Gandhi felt that in the name of neutrality the bureaucrats were displaying their utmost apathy to the progressive measures of the government. Mrs. Indira Gandhi expressed her dissatisfaction at the slow rate of socio-economic change in the country and blamed the bureaucracy for sabotaging the government programmes. During that time, she expressed the view that only a *committed bureaucracy* could bring about social transformation envisaged in the Five Year Plans and in progressive legislation. Therefore, Mrs. Indira Gandhi wanted a committed bureaucracy which meant the neutrality of bureaucracy was to be sacrificed. Civil service must be

committed to national objectives and responsive to the developmental needs of the country. Ultimately, civil service must remain committed to the national cause. It must be mentioned here that in India and in other developing countries, bureaucrats need to be much more than an impartial instrument of implementing policy. In a situation where the country is engaged in the gigantic task of socio-economic development and restructuring the society; when the caste, communal linguistic and regional conflicts are putting tremendous strain on the body politic, bureaucrats cannot expect to remain aloof and become mechanical implementers of policies.

The concept of committed bureaucracy as put forward by Mrs. Indira Gandhi is compatible with the idea of development administration whichis a "goal-oriented" administration. It is the means through which the goals of development like social justice, modernisation, industrialisation and economic growth can be achieved. As developing countries are facing a host of socio-economic problems, the administration has to set definite priorities and goals and aim at achieving the same within stipulated targets. Development administration is the means through which the goals of development are achieved. These goals include equity, social justice, modernisation, equitable distribution of income and wealth, increasing industrial and agricultural growth, generation of employment, etc. Development administration focuses on progressive thought and action. It is interested in identifying and applying new and innovative structures, methods, procedures, techniques, policies, planning projects and programmes so that the objectives and goals of development are achieved with minimum possible resources and time. The civil servants are therefore expected to play a very active role in this regardand contribute effectively in policy formulation in a country like India. Thus, the suggested model for India may loosely called positive neutrality wherein the civil servants become actively participate in policy formulation and policy implementation with a high degree of commitment to the socio-economic goals proclaimed by the Constitution of India. However, if it is found that anyprogramme iscoloured by party ideology and not suitable for welfare of all the people, bureaucracy must be able to raise their concern and advise the government

accordingly. The civil service may then remain committed yet not lose its politically neutral character.



CHECK YOUR PROGRESS

Q 3: The concept of committed bureaucracy as put forward by Mrs. Indira Gandhi is compatible with the idea of ……..administration which is a "goal-oriented" administration. (Fill in the Blank)

.....

.....

Q 4: Write briefly about committed bureaucracy.

.....

.....



9.5 LET US SUM UP

- Neutrality of the public services is a tradition mainly developed in Britain, and which is largely followed by some other countries following the British pattern of administration like Australia, Canada and partially India, Malaysia, Pakistan, etc. Neutrality is one of the traditional virtues of Civil Service.
- Neutrality of civil service means that the civil service must be above party politics. A civil servant serves different regimes/parties with the same enthusiasm and staying away from political affiliation.
- The concept of neutrality in the civil service requires that civil servants are able to serve governments of any party with the same degree of commitment.
- Civil servants must be non-partisan and should serve the present political regime the same way as they have served the earlier one.
- Max Weber, recommended that the first and most important quality of bureaucracy would be neutrality.
- The traditional concept of neutrality has been challenged on many grounds. Firstly, the concept is based on a belief in politics-

administration dichotomy. But now, the traditional idea of ministers or political executive framing policies and the civil servants or permanent executive just executing them is no longer valid.

- The role of the Civil Service has been changing from being a mere agent of the political executive to that of collaboration with it. Nowadays, policy formulation is an all pervasive process and a cooperative endeavour.
- The concept of neutrality worked for about two decades but after that it came under great strain. The changes began to appear in the period of 1950s but became more apparent in the 1960s, especially after the fourth general elections in 1967.
- During this period, the bureaucracy started taking more interest in politics and political activities. Recently, there has been a growing trend in which frank, fearless and impartial exercise of responsibility by the civil servant is looked upon by the ministers as an obstructionist attitude.
- The S.R. Das Commission on Prevention of Corruption, confirmed the presence of large scale politico-administrative corruption in India. The Vohra Committee Report on criminalisation of politics exposed a nexus between politicians, bureaucrats, individual criminals and the mafia.
- In the 1960s, the former Prime Minister of India Mrs. Indira Gandhi felt that in the name of neutrality the bureaucrats were displaying their utmost apathy to the progressive measures of the government.
- During that time, she expressed the view that only a *committed bureaucracy* could bring about social transformation envisaged in the Five Year Plans and in progressive legislation. Therefore, Mrs. Indira Gandhi wanted a committed bureaucracy which meant the neutrality of bureaucracy was to be sacrificed.
- Civil service must be committed to national objectives and responsive to the developmental needs of the country. Ultimately, civil service must remain committed to the national cause. It must be mentioned

here that in India and in other developing countries, bureaucrats need to be much more than an impartial instrument of implementing policy.

- In a situation where the country is engaged in the gigantic task of socio-economic development and restructuring the society; when the caste, communal linguistic and regional conflicts are putting tremendous strain on the body politic, bureaucrats cannot expect to remain aloof and become mechanical implementers of policies.
- The concept of committed bureaucracy as put forward by Mrs. Indira Gandhi is compatible with the idea of development administration which is a "goal-oriented" administration. It is the means through which the goals of development like social justice, modernisation, industrialisation and economic growth can be achieved.
- The civil servants are therefore expected to play a very active role in this regard and contribute effectively in policy formulation in a country like India.
- Thus, the suggested model for India may loosely called positive neutrality wherein the civil servants become actively participate in policy formulation and policy implementation with a high degree of commitment to the socio-economic goals proclaimed by the Constitution of India.
- The civil service may then remain committed yet not lose its politically neutral character.



9.6 FURTHER READING

1) Avasthi, Amreswar, &Avasthi, Anand Prakash (1999).*Indian Administration.*Agra:LakshmiNarain Agarwal.

2) Bhagwan, Vishnoo, &Bhushan, Vidya.(2007). *Public Administration*. New Delhi:S.Chand& Company Ltd.

4) Maheshwari, S.R. (2003). *Indian Administration*. New Delhi:Orient Longman.

5) Sharma, Dr.M.P. ,&Sadana, Dr.B.L. (2000). *Public Administration in Theory and Practice.* Allahabad: Kitab Mahal.



9.7 ANSWERS TO CHECK YOUR PROGRESS

Answer to Q.1 : True

Answer to Q2 :(a)The obligation of every public servant to implement faithfully all policies and decisions of the ministers even if these be contrary to the advice tendered by him.

(b) The freedom to public servants to express themselves frankly in tendering advice to their superiors including minister.

Answer to Q3 :development

Answer to Q4 : In the 1960s, the former Prime Minister of India Mrs. Indira Gandhi felt that in the name of neutrality the bureaucrats were displaying their utmost apathy to the progressive measures of the government. During that time, she expressed the view that only a *committed bureaucracy* could bring about social transformation envisaged in the Five Year Plans and in progressive legislation. Therefore, Mrs. Indira Gandhi wanted a committed bureaucracy which meant the neutrality of bureaucracy was to be sacrificed. Civil service must be committed to national objectives and responsive to the developmental needs of the country. Ultimately, civil service must remain committed to the national cause. It must be mentioned here that in India and in other developing countries, bureaucrats need to be much more than an impartial instrument of implementing policy. In a situation where the country is engaged in the gigantic task of socio-economic development and restructuring the society; when the caste, communal linguistic and regional conflicts are putting tremendous strain on the body politic, bureaucrats cannot expect to remain aloof and become mechanical implementers of policies.



9.8 MODEL QUESTIONS

A) Very Short Questions

Q 1: The Vohra Committee Report on criminalisation of politics exposed a nexus between whom?

Q 2: Max Weber, recommended that the first and most important quality of bureaucracy would be neutrality. (True/Fasle)

B) Short Questions (Answerin about 150 words)

Q1: Write a note on civil service neutrality in Indian administration.

Q2: Explain the meaning of committed bureaucracy in the context of India.

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

Q1: Discuss issue of political neutrality of civil service versus in committed bureaucracy in India.

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UNIT 10: BUDGETARY PROCESS IN INDIA; PERFORMANCE BUDGETING IN INDIA

UNIT STRUCTURE

10.1 Learning Objectives

10.2 Introduction

10.3 Budgetary process in India

10.4 Performance Budgeting in India

10.5 Let Us Sum Up

10.6 Further Readings

10.7 Answers to Check Your Progress

10.8 Model Questions

10.1 LEARNING OBJECTIVES

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

- 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

10.2 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 the budgetary process in India. Besides, we shall also discuss the technique of performance budgeting and its practice in India. A performance budget is aimed at streamlining the budgetary process in a country.

10.3 BUDGETARY PROCESS IN INDIA

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 revenueand expenditure. It details the revenue generated and expenses incurred in the previous financialyear 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.

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.

- **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 LokSabha.

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 mid-February. The Budget is presented to the Parliament in two parts, the **Railway Budget** and the **General Budget**. The Railway Budget exclusively deals with the receipts and expenditure of the railways. It is separately presented to the LokSabha by the Railway Minister. The General Budget deals with estimates of all the departments of the Government of India excluding Railways. It is presented in the Parliament by the Finance Minister. The procedure followed in the case of the Railway Budget and the General Budget is the same. The presentation of the Railway Budget precedes that of the General Budget. By convention, the Railway Budget is presented by the Railway Minister sometime in the third week of February while the General Budget is presented by the Finance Minister usually on the last working day of February by way of a speech known as the Budget Speech.



Cut-motion: Acut-motion gives the members of the Lok Sabha the veto power to oppose a demand in the financial bill discussed by the government. In case of passage of a cut-motion in the Lok Sabha, the government is obliged to resign.

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 LokSabha 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 discussionrevolves 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

Contingency Fund of India: It is a fund from which advances are meant to be made for the purposes of meeting unforeseen expenditures.

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 foreach 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***.



Consolidated Fund of India: It is a fund to which are credited all revenues received by the Government by way of taxes, etc.



Contingency Fund of India: It is a fund from whichadvances are meantto be made for the purposes of meeting unforeseen expenditures.

LET US KNOW

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 LokSabha. 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 expenditureare 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 end of April. 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.

The various stages in budgeting are represented in the diagram below:

Preparation of the Budget

↓

Enactment of the Budget

↓

Presentation of the Budget on the floor of the LokSabha

↓

General discussion on the budget

↓

Voting of demand for Grants

↓

Appropriation Bill and its passage

↓

Finance Bill and its passage



CHECK YOUR PROGRESS

Q 1: Mention the three components of the Annual Financial Statement.

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.....

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Q 2: Mention the five stages in the enactment of the budget.

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Q.3: The Rajya Sabha has the power of amending the Appropriation Bill. (True/False)

.....

Q 4: 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 ..... Bill. (Fill in the blank)

10.4 PERFORMANCE BUDGETING IN INDIA

The concept of Performance Budgetingis 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 Commissionintroduced 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. It was ***Paul H. Appleby*** who for the first time made the first study regarding the relevance of performance budgeting to the institutional set up of India. The Estimates Committee of the Lok Sabha recommended performance budgeting in its 20threport. It reiterated its recommendations in its 73rd report in 1960.It

was stated in the report that the performance-cum-programme system of budgeting would be ideal for a proper appreciation of the schemes and outlays included in the budget, especially in the case of large-scale developmental activities.

The Planning Commission in 1964 held that appropriate methods of performance budgeting should be evolved so that such methods would become an integral part of the machinery for planning and supervision of the fulfillment of plan targets. A significant milestone in the performance budgeting in India is the Administrative Reforms Commission (ARC)'s Report on Finance, Accounts and Audit submitted in 1964. The report suggested that a programme and activity classification should be made for each department or organisation selected for the purpose of performance budgeting. It recommended an early introduction of performance budgeting both at the Central and State levels. Subsequently, the Union Government accepted the recommendations of the ARC. Since 1968, the Government of India has been gradually introducing performance budgeting. At present, most departments of the Union Government are covered under this scheme including all its developmental departments. Many state governments have also been preparing performance budgeting. The Budget Division of the Ministry of Finance played a special role in promoting performance budgeting within the Union and State governments. A special cell was created to coordinate the efforts of various ministries and state governments by issuing proper instructions and guidelines. Subsequently, working groups were formed as part of the budget and account cells of the respective departments and ministries of the government with a view to formulating suitable programme and activity structures and for generating performance data.



Paul Henson Appleby (September 13, 1891 – October 1963): He was a leading American scholarand theorist of Public Administration. Appleby served as the Dean of the Maxwell School of Citizenship and Public Affairs, of Syracuse University.

- **Limitations of Performance Budgeting**

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

- 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 qualitativeclassification.
- The process of allocation of cost estimates over programmeelements is difficult. These estimatesmay 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 inso 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 programmesand for evaluating their performance.



CHECK YOUR PROGRESS

Q 5: Which Commission introduced the concept of performance budget?

.....

Q 6: Which American scholar made the first study regarding the relevance of performance budgeting to the institutional set up of India?

.....

Q 7: Mention any two limitations of performance budgeting.

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Q 8: The ..... Committee of the LokSabha recommended performance budgeting in its 20th report.
(Fill in the blank)

.....

.....



10.5 LET US SUM UP

- A budget is the official statement of revenue and expenditure. The financial year in India starts on April 1 and ends on March 31.
- It is the Finance Ministry which has the overall responsibility in the matter of preparation of the budget.
- In the Parliament, the budget goes through four stages - presentation of the budget on the floor of the Lok Sabha; general discussion on the budget; voting of Demand for Grants; and passing of the taxation proposals, that is, the Finance Bill.
- The Budget is presented to the Parliament in two parts, the Railway Budget and the General Budget.
- The General Budget deals with estimates of all the departments of the Government of India excluding Railways. It is presented to the Parliament by the Finance Minister. The procedure followed in the case of the Railway Budget and the General Budget is the same.
- It is the Speaker of the LokSabha who fixes a date on which a general discussion on the Budget is to take place. The general discussion on the Budget takes place simultaneously in both Houses of the Parliament. At the end of the debate, the Finance Minister makes a general reply.
- The general discussion is followed by the voting of demands for grants not charged on the Consolidated Fund of India. The voting of demands is the exclusive privilege of the LokSabha. The RajyaSabha does not take part in it.

- All the demands for grants voted by the LokSabha 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 LokSabha. The RajyaSabha has neither the power of amending nor rejecting the Appropriation Bill. 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 is necessary as an Appropriation Act embodies the authority given by the Parliament with the assent of the President to the Government to withdraw money from the Public Fund and spend it as authorized in the Act. The Appropriation Act authorizes the Government to appropriate money from the Consolidated Fund.
- In order to meet additional unforeseen expenditures, provision has been made for the following kinds of grants- (a) Supplementary Grants (b) Votes on Account (c) Exceptional Grants and (d) Votes on Credit (e) Excess Grant (f) Token Grant
- A performance budget presents public expenditure in terms of functions, programmes and activities. It is thus different from the traditional or line item budget which lays stress on the items of expenditure such as staff, furniture, equipment, etc.
- As far as the history of performance budgeting is concerned, the United States is found to have 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. Subsequently, many countries in Asia, Africa and Latin America adopted performance budgeting.
- Performance budgeting is not without limitations. However, despite limitations, the adoption of performance budgeting is useful as 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.



10.6 FURTHER READING

1) Avasthi, Amreswar, & Avasthi, Anand Prakash (1999).*Indian 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.



10.7 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q No 1: 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.

Ans to Q No 2:

a) Presentation of the Budget on the floor of the LokSabha.

b) General Discussion on the Budget

c) Voting of Demand for Grants

d) Annual Appropriation Bill and its passage

e) Consideration and passing of the taxation proposals, that is, the Finance Bill

Ans to Q No 3: False

Ans to Q No 4: Appropriation Bill

Ans to Q No 5: First Hoover Commission

Ans to Q No 6: Paul H. Appleby

Ans to Q No 7: (1)The technique of performance budgeting focuses on quantitative rather than qualitative classification.

(2) The process of allocation of cost estimates over programme elements is difficult. These estimates may not often be as meaningful as they should be.

Ans to Q No 8: Estimates



10.8 MODEL QUESTIONS

A) Very Short Questions

Q 1: Is the President bound to give his/her assent to the Appropriation Bill?

Q 2: Who fixes the date on which a general discussion on the Budget is to take place in the Parliament?

Q 3: Which Commission in India suggested that a programme and activity classification should be made for each department or organisation selected for the purpose of performance budgeting?

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

Q 1: Discuss the Appropriation Bill and the Finance Act.

Q 2: Discuss the General Discussion and Voting of Demand for Grants stages in the process of enactment of the budget.

Q 3: Discuss the history of performance budgeting with special reference to India.

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

Q 1: Discuss the preparation and enactment of the budget in India.

Q 2: Discuss performance budgeting with special reference to its meaning and history in India? Discuss the limitations of performance budgeting?

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UNIT 11 : STATE SECRETARIAT: STRUCTURE AND FUNCTIONS

UNIT STRUCTURE

11.1 Learning Objectives

11.2. Introduction

11.3. State Secretariat

- 11.3.1 Structure of the State Secretariat
- 11.3.2 Functions of the State Secretariat

11.4 Chief Secretary

- 11.4.1. Appopintment
- 11.4.2 Tenure
- 11.4.3 Functions of the Chief Secretary
- 11.4.4 Role and importance of the chief Secretary in State Government.

11.5 Let Us Sum Up

11.6 Further Reading

11.7 Answers to Check Your Progress

11.8 Model Questions

11.1 LEARNING OBJECTIVES

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

- explain the structure of the State Secretariat
- discuss the functions of the State Secretariat
- explian the functions of the Chief Secretary
- analyse the role and importance of the Chief Secretary in State Government

11.2 INTRODUCTION

The Constitutions of India has introduced a federal government in India. Therefore, the powers and functions have been divided between the Central Government and the State Governments

through the three lists of subjects, namely, Central List, State List and the Concurrent List. Because of this division of powers, the subjects falling under Union or Central Government have to be dealt with by the Union Council of Ministers and the Central Secretariat and the subjects falling under the State Governments have to be dealt with by the State Council of Ministers and the State Secretariat. Besides the Secretariat there are of course some other staff agencies and the departments to conduct day to day administrative functions of the Central and State Governments.

In this unit, we will discuss the structure or organisations of the State Secretariat, functions of the Secretariat alongwith the functions of the Chief Secretary and his or her role and importance in the State Government.

11.3 STATE SECRETARIAT

India is a Union of States. The Constitution vests the executive power of the State in the hands of the Governor. He is the Constitutional head of the State. He is advised by a Council of Ministers headed by the Chief Minister, who infact is the head of the State Government. For the sake of administrative convenience, the administrative structure of the state government of India is divided into many departments like the central government. A ministry normally consists of one or two or even more departments and a Miniter is in charge of these departments. Ministers are political heads of the departments and they are not permanent; but on the other hand, secretaries are administrative heads of the departments and they are permanent officers. These secretaries are career civil servants or I.A.S. officers. The Secretary is the Secretary to the government as a whole, not to the individual Minister concerned.

Literally speaking, the Secretaiat is the office of the Secretary. The expression ‘Secretariat’ means a conglomeration of all the departments of the government. Therefore, the place where the Ministers and the Secretaries have their offices is known as the Secretariat, which is always located in the State capital . Each State has a Secretariat of its own, which is the highest level office of the

State administrative structure, offering a base for the exercise of authority by the State government. The Secretariat is the only organisation of the government which ensures - "objectivity, continuity and consistency" in the administration. It is the principal authority to frame rules-regulations and principles of procedure for the working of the government activities.

Like the Central Government, State Government has also three essential parts or elements, these are namely - Minister (political head), the Secretary (administrative head) and the Executive head (head of the executive department). The Minister mainly formulates the policies and take decisions on the matters related to the policy. The Secretaries provides the data, information and all other relevant documents to the Minister at the time of taking decisions on various policies of the government and also keep a watch on implementation of these policies. The heads of the different executive departments or branches implement the various policies and decisions, etc of the government. On the other hand, the Secretariat helps the Ministers and the Secretaries in the disposal of business and in fact it functions with collective responsibilty like the Council of Ministers.

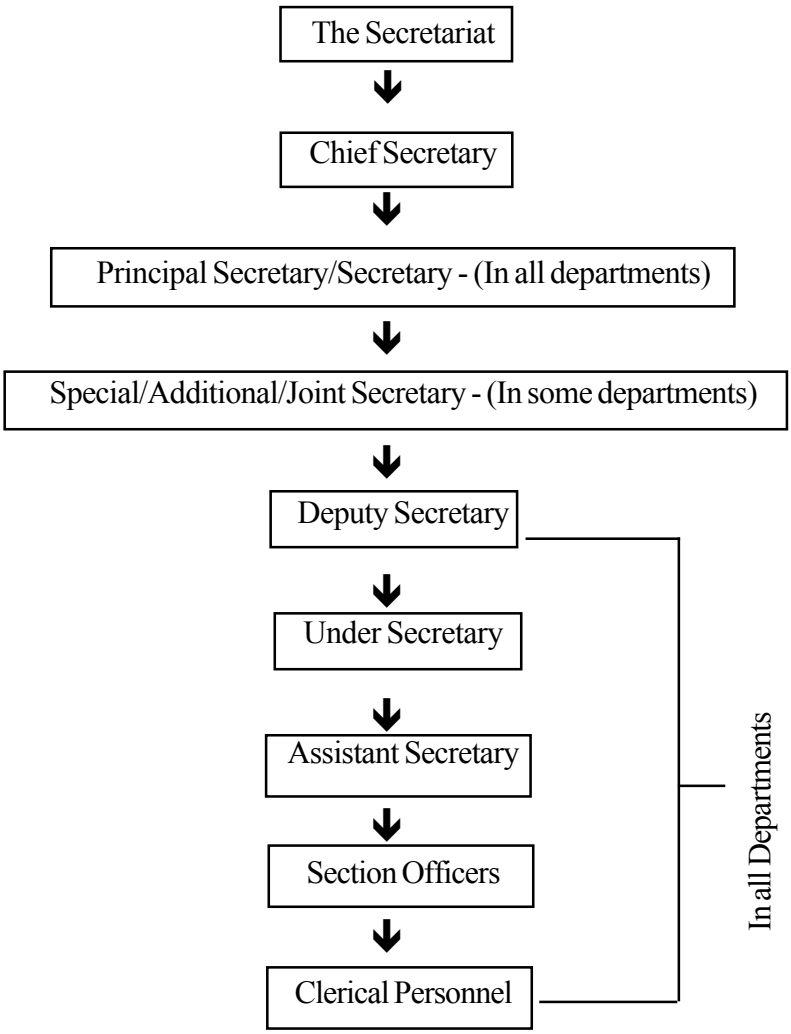
11.3.1 Structure of the State Secretariat

As mentioned earlier, the 'Secretariat' implies the complex of departments which are administratively headed by the Secretaries and politically by the Ministers. That means the Secretariat is divided into a number of departments.

The Ministers are in charge of these departments. Below the Ministers, each department has its own Secretary who belongs to the I.A.S. cadre. The number of Secretariat departments is usually more than the number of Secretaries. Because in practice, more than one department is entrusted to a Secreatry. Organisation of each department follows the hierarchy or scalar principle and as per this principle the Secretary is the official head. Each Secretary is assisted by the Deputy Secretary, Under Secretary, Assistant Secretaries. Sometimes, when the work load is heavy in some

departments the Secretray has a Special Secretary, or additional. Secretary or Joint Secretary. Each department is divided into a number of sections, each section being headed by a section officer. He is assisted by clerical personnel like assistants, clerks, typists, computer operators, etc. Above all, there is one Chief Secretary who is head of the Secretariat in every State. He functions as the central point of interdepartmental coordination at the officer's level.

The following diagram will help the learners to understand the structure or organisation of the State Secretariat:



All the officers of the Secretariat except those from the Secretariat civil service are subject to the tenure system and appointed to the

Secretariat for a fixed term. But the Chief Secretary is an exception to the tenure system. Besides, the exact number of the Secretariat departments vary from State to State. But there are some common departments to all States, viz., General Administration, Home, Personnel, Finance, Agriculture, Land Reforms, Forests, Public Works, Labour & Employment, Industries, Jail, Revenure, Survey and Settlement, Commerce, Co-Operatives, Education, Irrigation, Health & Family Welfare, Economic & Statistics, Transport, Excise and Taxation, Panchayati Raj and Rural Development, Municipal Administration & Town Planning, Power Planning and Development, Tribal and Social Welfare, Local Self government, Supply, Rehabilitation etc. etc. Moreover each State has experiemented from time to time with new departments according to the needs of the time. For instance, after 1985, Assam Government has opened a new department namely 'Assam Accord implementation Department' to implement the various clauses and promises made by the Central government in Assam Accord signed between the AASU, the Central Government and the Assam government.

11.3.2 Functions of the State Secretariat

Being the highest office in the State Government, the Secretariat has to perform many functions. Some of the following categories of functions are usually found in most of the State Secretariats.

(A) General Functions:

(i) All matters of general policy

(ii) Inter-departmental Co-Ordination

(iii) Correspondence with the Government of India and other State Governments.

(iv) Matters involving the framing of new legal enactments or rules or amendments in the existing ones, involving interpretations or relaxation of existing rules of government orders.

(v) All matters realting to the preparation or adoption of new plan schemes and important modification in the existing schemes.

(vi) Review of the progress of plan schemes, both physical and financial.

(vii) Inspection, reports and tour notes, recorded by the heads of department.

(viii) All India conferences and important conferences at the State level.

(ix) Delegation of powers.

(x) Public Accounts Committee, Estimates Coomittee, State Legislative Assembly and Parliamentary Questions.

(xi) Litigation Notices under Section 80, CPC.

(xii) Teritorial changes and changes at Head Quarters, and

(xiii) Appeals, revisions etc. wihtin the powers of the State government.

(B) Finance related Functions :

(i) All proposals involving new items of expenditure.

(ii) Sanction of expenditure from the Contingency Fund

(iii) Financial sanctions not within the competence of the heads of departments

(iv) Scrutiny and approval of development budget, estimates, major appropriation of accounts, surrender of funds and Supplementary grants.

(C) Service related functions:

(i) Approval of service rules and amendments thereto;

(ii) Matters relating to senior appointments, promotions, transfers and cases of disciplinary proceedings against gazetted officers.

(iii) Creation of posts, their extensions and continuance, re-employment, resignations, special pay, allowances and pensions not within the powers of the head of department.

(iv) Initial appointment of officers beloning to the State Service and infliction of major punishment upon them.

From the above discussions regarding the structure and functions of the State Secretariat, we may sum up that the State Secretariat like any other Secretariat is a repository of authority of State government. It serves as a think tank and coordinating nodal agency. It is essentially a policy processing agency, but it does offer advice, directions and guidance to field staff and prescribe procedures of work for the executive units in districts and below.



CHECK YOUR PROGRESS

Q 1: What do you mean by the Secretariat?

.....

Q 2: Mention the name of the principle followed by a department of the Secretariat for its structure.

.....

.....

Q 3: Mention the name of the new department opened after 1985 by the Assam Government.

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Q 4: Mention any two general functions of the State Secretariat.

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11.4 CHIEF SECRETARY

The Chief Secretary holds a vitally important and desired position in the State. The head of the Secretariat in every State of India is the Chief Secretary. He is an indispensable person of the State Secretariat. He is always in charge of the General Administration Department of which the

Chief Minister is the political head. He provides desired leadership to the administrative system of the State. He also acts as the chief ommunication link and coordinator between his government and the Central and other State governments.

11.4.1 Appointment

The Chief Secretary is appointed by the Chief Minister. By tradition, the Senior most IAS officer of the State Cadre is Choosen as the Chief Secretary, but in many cases this is not so. The Chief Minister can consult with the Central government regarding the appointment of Chief Secretary, but this consultation is not binding. Similarly, the Chief Minister may consult with his ministerial colleagues but the decision of the Chief Minister is final. Generally three factors are considered at the time of appoinment of the Chief Secretary, these are - (i) the seniority (ii) the service record, performance and merit and (iii) confidence of the Chief Minister.

11.4.2 Tenure

There is no fixed tenure for the post of Chief Secretary. His office has been excluded from the operation of the tenure system. He either retires after holding this post like other offices of the State government or is given still more important assignments at the centre. However, the practice is that the tenure of the Chief Secretary depends upon his or her administrative experience, rapport with the state government and the capacity to take objective decisions.

11.4.3 Functions of the Chief Secretary

There is no clear mention in our Constitution regarding the powers and functions of the Chief Secretary. On the other hand, his functions are lying with the rules of business of the State government. His functions can be described as follows:

(i) To act as the principal adviser of the Chief Minister and help him or her to carry out all the duties and to materialize all the development plans and programmes.

(ii) As a Secretary to the State cabinet, the Chief Secretary prepares the agenda, makes arrangements for the cabinet meeting and also maintains the minutes of its proceedings.

(iii) The Chief Secretary exercises general supervision and control over all the departments of the Secretariat.

(iv) As head of the Civil Service in the State, he or she controls the appointments, promotions and transfer of higher officers of the State government. Besides, all the government orders, directives, etc., are sent to the different high ranking officials of the State government departments through the Chief Secretary.

(v) The Chief Secretary represents his or her State in the Zonal Council and also acts as its Secretary on rotation basis.

(vi) The Chief Secretary exercises administrative control over the Secretariat buildings including allocation of room in them.

(vii) It is the Chief Secretary who control the Staff attached to the Minister.

(viii) He or she exercises control over the central record branch, the Secretariat Library and Archieves, the security personnel of the Secretariat, etc.

(ix) As head of the State Secretariat, the Chief Secretary is the ex-officio chairperson as well as a member of various committees which take significant and important decisions in administrative affairs of the State.

(x) The Chief Secretary looks after all those matters which are not falling in the jurisdiction of other Secretaries.

(xi) During the time of National or State emergencies and any kind of crisis or natural calamity, the Chief Secretary acts as the chief coordinator of his or her State.

(xii) All the important and confidential documents sent by the Central government to the State government must be recieved by the Chief Secretary only and the same should be submitted to the Chief Minister by him or her.

These wide ranging activities and operations with regard to the office of the Chief Secretary render him or her as the centre of gravity, a hub around which the political and administrative machinery of the State rotates.

11.4.4 Role and importance of Chief Secretary in State Government

The post of the Chief Secretary is encadred within the Indian Administrative Service (IAS) i.e. only an IAS officer may hold this position. The Chief Secretary holds the same rank and scale as a Secretary to the Government of India.

As an adviser of the Cabinet and head of the government machinery, the Chief Secretary plays an important and influential role in the policy making process of the State government. The role of the Chief Secretary of a State is much wider than the role of the Cabinet Secretary of the Central Government. Because, in the Central Government the burden of responsibility of the Cabinet Secretary is shared by some Secretaries of important departments like Home, Finance, Prime Minister's Office, etc. But in case of the Chief Secretary of a State, he is the leader of the State's administrative machinery as well as the chief public relations officer of the state government . All these have made the post of the Chief Secretray too powerful and a very responsible one.

Importance of the Chief Secretary can be understood in the observation made by the Supreme Court in 1974 in a landmark case where it stated that the post of the Chief Secretary is a highly sensitive post and the Chief Secretary is a lynchpin in the administration and smooth functioning of the administration requires that there should be complete rapport and understanding between the Chief Secretary and the Chief Minister.

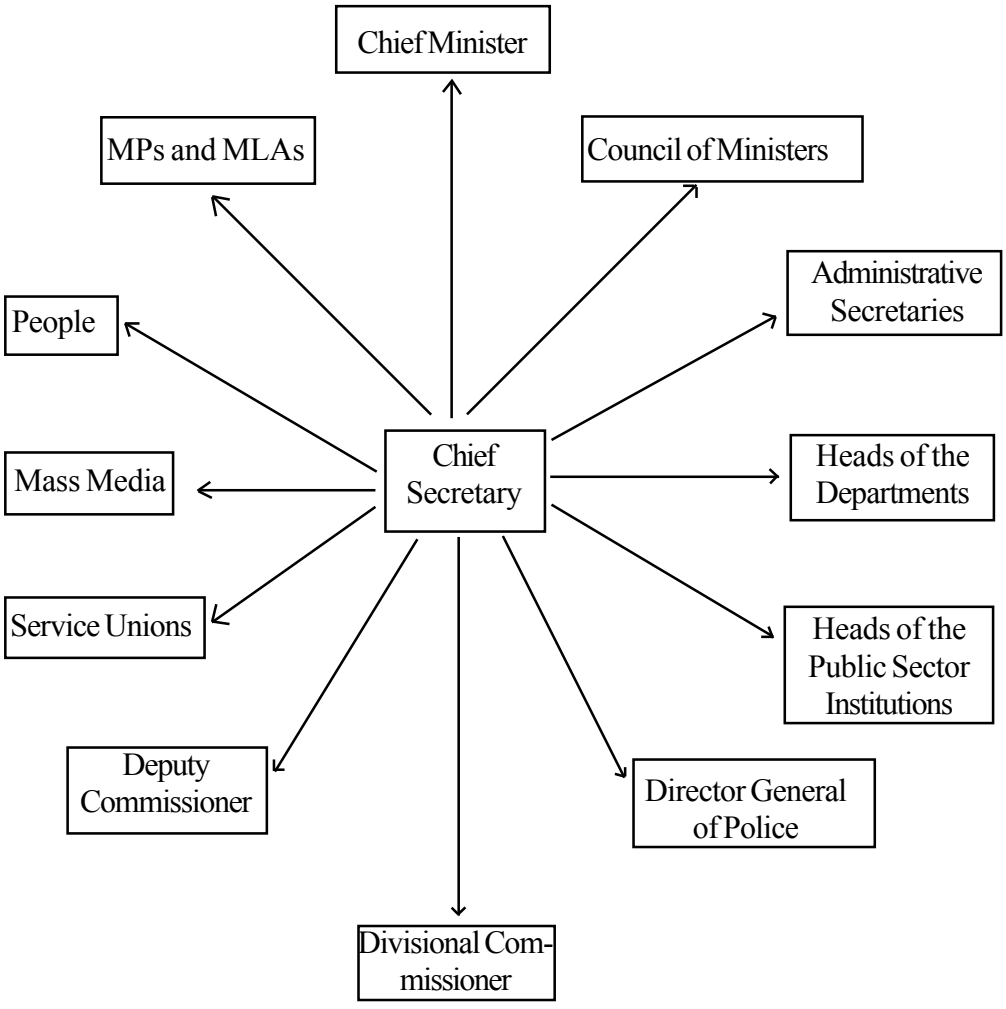
Apart from the departments with whom the Chief Secretary is directly involved, he or she also coordinates the activities of different other departments and brings parity among the work and policies

adopted by the State government in different fields from time to time.

When the Cabinat Secretary of the central government convenes meetings of the Chief Secretaries of the States, they get a scope to present the problems of the States properly before the Centre and thus they act like an administrative bridge between the centre and the states.

Most of the time, the Chief Minister of a State generally has to depend upon the ideas, experiences, skills, co-ordinating capacities and advice of his or her Chief Secretary for running his or her government successfully.

The role and importance of the Chief Secretary in the State administration can be understood properly from the following diagram:



In the conclusion, we may sum up that, being the captain of the team of Secretaries to the State government, the Chief Secretary should be a Senior person of outstanding ability. According to Administrative Reforms Commission - " The selection of the Chief Secretary should be made with great care. He should usually be the Senior most fit person who by virtue of his ability, experience, integrity and impartiality commands the respect and confidence of all officers.



CHECK YOUR PROGRESS

Q 5 : Who appoints the Chief Secretary of a State?

.....

.....

Q 6 : What is the tenure of the Chief Secretary?

.....

.....

Q 7 : Mention any two finance related functions of the State Secretariat.

.....

.....

Q 8 : Write any two functions of the Chief Secretary.

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11.5 LET US SUM UP

- Secretariat means a conglomeration of all the departments of the government.
- Secretariat is the only organisation of the government which ensures - objectivity, continuity and consistency in the administration.
- Structure or organisation of each department of the Secretariat follows the principle of Hierarchy .

- The exact number of the Secretariat departments vary from State to Sate. But there are some common departments to all the States.
- Functions of the State Secretariat can be discussed under three different categories, such as - General functions, Finance related functions and Service related functions.
- The Chief Minister appoints the Chief Secretary of a State.
- There is no fixed tenure for the post of the Chief Secretary.
- The Chief Secretary acts as the principal adviser of the Chief Minister, as the Secretary of the State Cabinet.
- Only a Senior I.A.S. officer can hold the post of the Chief Secretary.
- The Chief Secretary plays an important and influential role in the policy making process of the State Government.



11.6 FURTHER READING

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2. Bhagawan Vishnoo and Bhushan Vidya - Indian Administration - S. Chand and Company Ltd.
3. Singh Hoshiar and Singh Pankaj - Indian Administration - Pearson.
4. Arora. Ramesh. k. and Goyal Rajni - Indian Public Administration - Institutions and Issues - New Age International Publishers.
5. Sachdeva and Gupta, Singh K.S. - A simple study of public Administration (Including Indian Administration) - Ajanta Prakashan.
6. Sen. Dr. Sanjay and Debnath Lakhi - Indian Administration - Mahaveer Publications.



11.7. ANSWERS TO CHECK YOUR PROGRESS

Ans. to Q. No.1 : Secretariat means a conglomerations of all the departments of the government.

Ans. to Q. No.2 : Hierarchy or Scalar Principle.

Ans. to Q. No.3 : Assam Accord Implementation Department.

Ans. to Q. No.4 : (i) All matters of general policy

(ii) Inter-departmental Co-Ordination

Ans. to Q. No.5 : Chief Minister of the State.

Ans. to Q. No.6 : There is no fixed tenure for the post of Chief Secretary.

Ans. to Q. No.7 : (i) Sanction of expenditure from the Contingency Fund. (ii) Security and approval of development budget, estimates, major appropriation of accounts, surrender of funds and supplementary grants.

Ans. to Q. No.8 : (i) To act as the principal adviser of the Chief Minister and help him or her to carry out all the duties and to materialize all the development plans and programmes. (ii) The Chief Secretary exercises general supervision and control over all the departments of the Secretariat.



11.8 MODEL QUESTIONS

A. Very Short Questions

Q 1: Mention any two functions of the Chief Secretary.

Q 3: Mention any two Service related functions of the State Secretariat.

B. Short Questions (Answer each in about 150-200 words)

Q 1: Write a short note on the role and importance of the Chief Secretary in the state government..

Q 2: Write about the appointment and tenure of the Chief Secretary.

Q 3: Explain the service related functions of the State Secretariat.

Q 4: Discuss the organisation of the State Secretariat.

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

Q 1 : Explain the organisation and functions of the State Secretariat.

Q 2 : Discuss the functions of the Chief Secretary.

Q 3 : Describe the role and importance of the Chief Secretary in State Administration.

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UNIT 12: DISTRICT ADMINISTRATION IN INDIA

UNIT STRUCTURE

12.1 Learning Objectives

12.2 Introduction

12.3 History, Organisation and Functions of District Administration in India

12.3.1 History of District Administration in India

12.3.2 Organisation of District Administration

12.3.3 Functions of District Administration

12.4 Let Us Sum Up

12.5 Further Reading

12.6 Answers to Check Your Progress

12.7 Model Questions

12.1 LEARNING OBJECTIVES

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

- explain the history of District Administration in India
- describe the organisation of District Administration
- discussa few important officials of the District Administration
- discuss the functions of District Administration

12.2 INTRODUCTION

A district constitutes the primary territorial unit of administration in India and district administration refers to the management mechanism of the affairs of this unit.District administration is a form of field administration. Most departments of the State Government outside the State Secretariat have field offices and services which are located at the level district. The sum total of the activities of these departments and some others connected with the Union Government together constitute the administration of a district.

To look after the administration of the district is the responsibility of the District Collector who is also known as the Deputy Commissioner in some States. The District Collector is responsible for the over-all

performance of the district through different departments placed under respective departmental heads.

12.3 HISTORY, ORGANSIATION AND FUNCTIONS OF DISTRICT ADMINISTRATION IN INDIA

12.3.1 History of District Administration in India

India has been experiencing the existence of district administration in one form or the other at various stages of its history. The Mauryan Empire was the first historically identified empire in India. The empire was divided into provinces which were further sub-divided into districts known as *ahars*, *vishyas* and *pradeshas*. Ashoka's inscriptions refer to *pradeshikas* as officers charged with the welfare of the *pradeshas* or districts which constituted important administrative divisions of the Mauryan Empire. Under the Guptas too, the kingdom was divided into provinces which were again divided into *vishyas* or *mandalas* and the officer in-charge of *vishayas* was called the *ayukta* or *vishayapati*. The Mughal emperors continued to follow this system. For the purpose of administration and revenue collection, they divided the empire into provinces or *subahs* which in turn were sub-divided into *sarkars* or districts.

Under the British rule, the earlier system of area administration was retained and the district was developed into a basic unit of administration. The district virtually became a sub-capital both in administrative and political terms. In independent India, the district continues to retain its pride of place. It is at this level where the policies of the government are actually implemented. It is in the district that the big and the complex machinery of the government is in operation and it is by its accomplishments at this vital centre that we can measure the extent of success of government policies, plans and programmes. It may be truly said that the district is the unit of administration with which almost every citizen comes into contact. Every village and town in the country forms parts of a district. Each

district operates under the supervision and control of the Deputy Commissioner or the District Collector of who is the chief executive in the district.

12.3.2 Organisation of District Administration

Most of the Departments of the State are represented at the district level by their own officers. As a result, the district headquarters have become a sort of sub-capitals of the States. Both the number and the names of the Departments represented at this level vary from State to State. Some of them can be enumerated as follows :

Departments	**Heads of the Departments in the District**
1. Agriculture	1. District Agriculture Officer/ Assistant Director of Agriculture.
2. Education	2. District Education Officer/ Inspector of Schools.
3. Sales Tax	3. District Sales Tax Officer
4. Excise	4. District Excise Officer/ Superintendent of Excise.
5. Forests	5. District Forest Officer.
6. Judiciary	6. District and Sessions Judge.
7. Medical	7. District Medical Officer/ Joint Director of Health Services.
8. Police	8. Superintendent of Police.
9. Public Works	9. Executive Engineer.
10. Treasury & Accounts	10. District Accounts Officer/ Treasury Officer.
11. Veterinary and	11. District Veterinary Officer/ Assistant Director Animal Husbandry of Veterinary Services.

The Deputy Commissioner or the District Collector is the linchpin of district administration. He is the head of the district. All other district functionaries work under his supervision. He generally belongs to the Indian Administrative Service and is a generalist

while most other officers are technical personnel and belong to, in general, specialised state services.We shall learn more elaborately about the District Commissioner in the subsequent unit.

Let us discuss a few important officials of the district administration, all of whom operate under the overall supervision of the Deputy Commissioner of the district.

- **District and Sessions Judge**

The District and Sessions Judge heads the judicial organisation of the district. As an appellate authority, the District and Sessions Judge hears appeals in both civil and criminal cases from the courts of magistrate and subordinate judges in the district.The District and Sessions Judge also performs certain administrative duties like supervising the work of civil and criminal courts in the district.

The head of the police administration in the district is the Superintendent of Police (SP). They arepolice officers belonging to either the State Police Service or the Indian Police Service. In some districts where there is a Senior Superintendent of Police as the head of the police administration district , the Superintendent of Police remains incharge of a large urban or rural area in the district.The SP gets assistance from the Deputy Superintendents of Police, Inspectors, Sub-inspectors etc., in his task of maintaining peace in the district. The police force of the district is placed under the general control and direction of the Deputy Commissioner of the district as the latter is the head of administration in the district. The Police force is the instrument provided by the government to the Deputy Commissioner in order to enable him to maintain his primary responsibility of maintenance of law & order. The Deputy Commissioner has to act in coordination with the Superintendent of Police so that there prevails peace and tranquility in the district and public order is maintained at all times.

- **Executive Engineer**

The engineering establishment in the district is headed by the Executive Engineer. The depart-ment of the Executive Engineer is the Public

Works Department (P.W.D.) which deals with the construction and maintenance of government buildings, roads, bridges, tanks and wells.

- **Sub-Divisional Officer**

A district is further sub-divided into sub-divisions. A Sub-Divisional Officer heads the sub-division. The SDO is either a new recruit of the IAS or a member of the State Civil Service. The SDO discharges administrative functions like the District Collector within the sub-division. The SDO is an integral part of the district administration as he offers vital field assistance to the District Collector in managing the affairs at the sub-divisional level. The SDO performs Revenue functions, Magisterial functions and Disaster Management related functions at the sub-divisional levels.



LET US KNOW

The District Collector is also known as the Deputy Commissioner in some States like Assam, Punjab and Haryana. In some other States, where judicial powers are still vested with the District Collector is termed as District Magistrate as well.

12.3.3 Functions of District Administration

The district administration includes all the agencies of the Government, the individual officials and functionaries, public servants - all institutions for the management of public affairs in the district. The functions of the district administration can be categorised in the following way :

(a) Regulatory Functions - The regulatory functions of the district administration include maintenance of law and order, control of crime and administration of justice.

(b) Developmental Functions - Functions related to agricultural production, co-operation bodies, animal husbandry and fisheries, and welfare activities like public health, education, social security etc. are regarded as developmental functions of the district administration.

(c) **Functions concerning local bodies** - the District Administration is responsible for the administration of the local bodies. The municipalities and the Panchayati Raj institutions work under the supervision of the district administration.

(d) Electoral Functions - The district administration is responsible for looking after the activities related to elections at different levels - Parliament, State legislatures and local self government bodies.

(e) Emergency Functions – It is the responsibility of the district administration to deal with the emergency situations both man-made as well as natural.

Besides the above mentioned functions, the district administration has to perform certain tasks which have not been precisely defined and there is no separate representative of the Government in the district to perform them.



ACTIVITY 12.1

Try to find out the number of districts in Assam at present. Make a list of their names.

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CHECK YOUR PROGRESS

Q1: The officers charged with the welfare of districts during the Mauryan Empire were called ..... (Fill in the Blank)

Q 2: Discuss the developmental functions of district administration?

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Q 3: Discuss the regulatory functions of district administration.

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Q 4: Who is the head of the police administration in the district?

…….



12.5 LET US SUM UP

- A district constitutes the primary territorial unit of administration in India and district administration refers to the management mechanism of the affairs of this unit. District administration is a form of field administration.
- Most departments of the State Government outside the State Secretariat have field offices and services which are located at the level district . The sum total of the activities of these departments and some others connectedwith the Union Government together make the administration of a district.
- India has been experiencing the existence of district administration in one form or the other at various stages of its history. The Mauryan Empire was the first historically identified empire in India. The empire was divided into provinces which were further sub-divided into districts known as *ahars*, *vishyas* and *pradeshas*.
- Ashoka's inscriptions refer to *pradeshikas* as officers charged with the welfare of the *pradeshas* or districts which constituted important administrative divisions of the Mauryan Empire.
- Under the Guptas too, the kingdom was divided into provinces which were again divided into *vishyas* or *mandalas* and the officer in-charge of *vishayas* was called the *ayukta* or *vishayapati*. The Mughal emperors continued to follow this system. For the purpose of administration and revenue collection, they divided the empire into

provinces or *subahs* which in turn were sub-divided into *sarkars* or districts.

- Under the British rule, the earlier system of area administration was retained and the district was developed into a basic unit of administration. The district virtually became a sub-capital both in administrative and political terms.
- In independent India, the district continues to retain its pride of place. It is at this level where the policies of the government are actually implemented.
- Most of the Departments of the State are represented at the district level by their own officers. As a result, the district headquarters have become a sort of sub-capitals of the States. Both the number and the names of the Departments represented at this level vary from State to State.
- The District and Sessions Judge heads the judicial organisation of the district. As an appellate authority, the District and Sessions Judge hears appeals in both civil and criminal cases from the courts of magistrate and subordinate judges in the district. The District and Sessions Judge also performs certain administrative duties like supervising the work of civil and criminal courts in the district.
- The Deputy Commissioner has to act in coordination with the Superintendent of Police so that there prevails peace and tranquility in the district and public order is maintained at all times.
- The engineering establishment in the district is headed by the Executive Engineer. The depart-ment of the Executive Engineer is the Public Works Department (P.W.D.) which deals with the construction and maintenance of government buildings, roads, bridges, tanks and wells.
- A district is further sub-divided into sub-divisions. A Sub-Divisional Officer heads the sub-division. The SDO is either a new recruit of the IAS or a member of the State Civil Service. The SDO performs Revenue functions, Magisterial functions and Disaster Management related functions at the sub-divisional levels.

- The district administration includes all the agencies of the Government, the individual officials and functionaries, public servants - all institutions for the management of public affairs in the district.
- The functions of the district administration can be categorisedas Regulatory Functions , Developmental Functions , Functions concerning local bodies , Electoral Functions , Emergency Functions



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2) Bhagwan, Vishnoo, &Bhushan, Vidya.(2007). *Public Administration*. New Delhi:S.Chand& Company Ltd.

4) Maheshwari, S.R. (2003). *Indian Administration*. New Delhi:Orient Longman.

5) Sharma, Dr. M.P., & Sadana, Dr.B.L. (2000). *Public Administration in Theory and Practice.* Allahabad: Kitab Mahal.



12.7 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q No 1: "Pradeshikas"

Ans to Q No 2: The Regulatory Functions of the District Administration include maintenance of law and order, control of crime and administration of justice.

Ans to Q No 3: Functions related to agricultural production, co-operation bodies, animal husbandry and fisheries and welfare activities like public health, education, social security etc. are regarded as developmental functions of the District Administration.

Ans to Q No 4: Superintendent of Police



12.8 MODEL QUESTIONS

A) Very Short Questions

Q 1: Mention any two departments of the district.

Q 2: Under the Guptas the kingdom was divided into provinces which were again divided into *vishyas* or *mandalas*. (True/False)

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

Q 1: Mention India's experience of district administration in ancient times.

Q 2: Write briefly about the Sub-Divisional Officer (SDO) as an integral part of district administration.

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

Q 1: Briefly describe the organization of district administration in India.

Q 2: Describe the functions of district administration in India.

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UNIT 13: THE DISTRICT COLLECTOR OR THE DEPUTY COMMISSIONER

UNIT STRUCTURE

13.1 Learning Objectives

13.2 Introduction

13.4 The District Collector or the Deputy Commissioner

- 13.4.1 Emergence of the office of the District Collector
- 13.4.2 Functions of the District Collector
- 13.4.3 Role and Position of the District Collector

13.5 Let Us Sum Up

13.6 Further Reading

13.7 Answers to Check Your Progress

13.8 Model Questions

13.1 LEARNING OBJECTIVES

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

- describe the emergence of the office of the District Collector
- discuss the functions of the District Collector as the Administrative Officer
- discuss the functions of the District Collector as Collector,
- discuss the functions of the District Collector as District Magistrate,
- discuss the miscellaneous functions of the District Collector
- explain the role of the District Collector

13.4 THE DISTRICT COLLECTOR OR THE DEPUTY COMMISSIONER

The District Collector or the Deputy Commissioner plays a pivotal role in the administration of a district. He is the official under whose control and supervision all the functionaries of the various departments in the district work. He has great responsibility to carry out the administration of the district efficiently.

13.4.1 Emergence of the office of the District Collector

The present office of the District Collector is the creation of the British Government. It dates back to the year 1772, when the East India Company took it upon themselves the entire care and administration of revenue and appointed the office of the "Collector of revenue". Warren Hastings introduced the office of the District Collector in 1772 as the head of the district . Sir George Campbell, Lieutenant-Governor of Bengal from 1871-1874, intended to make the District Collector as the general controlling authority over all departments in each district. District Collectors were members of the Indian Civil Service and were charged with supervising general administration in the district. In 1787, the administration of revenue, civil justice and magistracy was united in the office of District Collector. Steadily, the District Collector's authority and power increased and before long, he emerged as the pivot of district administration, representing the State Government in its locality. The office of a collector during the British Raj was entrusted with multiple responsibilities – as collector, he was the head of the revenue organization, charged with registration, alteration, and partition of holdings; the settlement of disputes; the management of indebted estates; loans to agriculturists, and famine relief. As district magistrate, he exercised general supervision over the inferior courts and in particular, directed the police work. The office was meant to achieve the "peculiar purpose" of collecting revenue and of keeping the peace. The Superintendent of Police (SP), inspector general of jails, the surgeon general, the Divisional Forest Officer (DFO) and the chief engineer (CE) had to inform the collector of every activity in their departments. The post of the district collector was initially confined to only British officers. But later with the introduction of open competitive examinations for the Indian Civil Service, the office was opened to Indians as well. Among the first few Indians who became district collectors during the colonial rule were Romesh

Chandra Dutt, Sripad Babaji Thakur and Anandaram Baruah respectively.

After independence, the district continued to be focal point of administration. However, the traditional role of the district collector underwent a transformation. The judicial powers of the district collector were gradually transferred to judicial magistrates in the district. Again, the responsibility of the district collector was no longer confined to merely marinating law and order and collecting revenue, but he or she was expected to be the kingpin of development administration in the district. With the launch of the National Extension Services and Community Development Programme by the Nehru government in 1952, the District Collector was entrusted with the additional responsibility of implementing the Government of India's development programmes in the district. Today, the District Collector is still the most powerful functionary in the district. Other public functionaries posted in the district look to him for guidance and instructions.

https://en.wikipedia.org/wiki/District_magistrate_(India)

13.4.2 Functions of the District Collector

The District Collector is the highest authority of the Government at the district level. His principal duty is to maintain law and order in the district, which is the basis for leading a peaceful and orderly life. Prompt and fair collection of land revenue and other taxes is his second important duty. The third important duty is to direct and carry out developmental plans. And fourthly, he is to act as a kind of a bridge between the citizen and the administration.

The duties and responsibilities of the District Collector are changing day by day and they have been increasing. The functions of the District Collector can be discussed in the following way.

(a) As Administrative/District Officer:

Some of the functions performed by the District Collector as Administrative/District Officer are as follows:

1. To look after postings, transfers and leave of the Gazetted Officers within the district.
2. To look after postings, transfers and leave of the naib tehsilders and tehsilders.
3. To appoint the punishing authority in respect of ministerial and inferior servants of the collectorate and tehsil staff and other allied offices.
4. To deal with pension cases of the district staff.
5. Controlling, drawing and disbursing officer of the district staff.
6. Submitting annual budget estimates.
7. In-charge of the Treasury, District Stamp Officer and responsible for verification of the security of Government treasurer.
8. Chairman or President of various local institutions.
9. Issuing tentative tour programmes of ministers and VIPs.
10. Acts as protocol officer in the district.
11. To supervise the proper conduct of civil suits in which the state is a party.
12. To countersign the grants-in-aid bills for various educational institutions.
13. To ensure that public grievances against the administration in the district are properly and effectively dealt with.
14. Bringing about co-ordination in the work of all the district level officers and to preside over the District Plan Implementation Committee.

(b) As Collector:

The following are the functions performed by the District Collector in his or her capacity as Collector:

1. Collection of land revenue.
2. Collection of canal dues.
3. Collection of other Government dues.
4. Distribution of *taqavi* loans and their recovery.
5. National calamities - assessment of losses of crop and recommendation of relief.

6. Relief of fire sufferers.
7. All matters relating to land records.
8. Control over land record establishment.
9. Collecting and furnishing multifarious agrarian statistics regarding rainfall, crop production etc.
10. Land acquisition work.
11. Sanctioning land revenue assignments.
12. Payment of Zamindary Abolition Compensation and Rehabilitation Grant.
13. Assessment and realisation of agricultural income tax.
14. Enforcement of the Stamp Act.
15. Management of Government estate.
16. Taking relief measures in case of scarcity conditions caused by natural calamities like fire, drought, flood, water logging, excessive rain etc.

(c) As District Magistrate:

The District Collector has to perform certain judicial functions as District Magistrate. Some of these are as follows:

1. Control and supervision of the subordinate magistracy and to order magisterial postings during festivals.
2. To promulgate orders whenever there is any danger to breach of public peace.
3. Disposal of all the petitions and miscellaneous general complaints received from Government and others.
4. Making jail inspections.
5. Premature release of prisoners.
6. Dealing with mercy petitions from prisoners.
7. Controlling and directing the actions of the police.
8. Submitting an annual criminal report to Government.
9. Accidents.
10. Labour problems, strikes etc.
11. Infringement of the Trade Mark Act.
12. Grant and cancellation of many kinds of licences.

13. Enforcement of the Press Act.
14. Recommendations of schemes for the development of forests.

(d) Miscellaneous functions:

The District Collector or the Deputy Commissioner has some other responsibilities as well. He works as the Returning Officer for elections to Parliamentary and Vidhan Sabha Constituencies and has the responsibility for coordination of election work at the district level. He is also the District Census Officer who is responsible for the conduct of census operations in the district. He is also the supervising authority over the municipalities in the district. He has also some responsibilities in regard to civil supplies. The District Collector or the Deputy Commissioner is also the Chairperson of the District Disaster Management Authority (DDMA). The District Collector is also the Chairperson of a number of official committees such as the Soldiers and Sailors Welfare Fund, Staff Welfare Committee, Public Grievances Committee, Family Planning Committee and others. He is to co-ordinate the development activities of different departments and to supervise them.

LET US KNOW



The Directive Principles of State Policy of the Indian Constitution under Article 50 prescribes that the State shall take steps to separate the judiciary from the executive in the public services of the State. Many States of the Indian Union have already done this. In such States, judicial powers have been taken away from the District Collector and the same have been entrusted to a new class of exclusive judicial officers in the form of Judicial Magistrates. In such cases, the District Collector can deal with only non-judicial functions such as regulation of prosecutions, control of police, preventive detention, making jail inspections, etc.

13.4.3 Role of the District Collector

The District Collector or the Deputy Commissioner is the centre of every activity in the administration of a district. Though the Deputy Commissioner no longer holds 'darbars' or confers titles and enjoys that glamorous position of the British days, yet his authority in the district can hardly be under estimated. He still remains the representative of the State Government in the district. He serves as the channel of communication between the Government and the inhabitants of the district.

During the pre-independence period, the District Collector was the real ruler of the district. In the administrative hierarchy, his position came after the Governor General, Governors and Divisional Commissioners. He exercised immense authority and his presence was felt by the people in every step of their life. People looked to him as their "saviour" as other higher officials were out of their reach. Yet, there existed a wide gap between the District Collector and the general people. He performed his duties as a ruler or a master. However, there has occurred a marked change in the position of the District Collector after the independence of the country. Now, he is more a public servant than a ruler. India being a democratic state with a parliamentary form of government, the role the District Collector has transformed from being an agent of a paternalistic alien rule to a tool of a popularly elected government aimed at serving the people.

With the emergence of the concept of the welfare state, the District Collector, like all other political and permanent functionaries, has become the custodian of the welfare of the people under the jurisdiction of the district. He has to address the problems of the people of the district. He has become a part of the "people's government". The District Collector is no longer the instrument of oppression and people do not obey him only because of fear like that of the British period. Rather, the people have an easy access to the District Collector to present their grievances. He is to be people

friendly. He is to use his powers for protecting and promoting the interests of the people. People expect him to deliver the service for the all round development of the society. So, he has to make efforts to rise to the expectations of the people.



LET US KNOW

The District Collector or the Deputy Commissioner is normally a member of the Indian Administrative Service (IAS). The post of the District Collector is also occupied by officers who were originally recruited to the State Civil Services and were subsequently in their careers promoted to the IAS.



CHECK YOUR PROGRESS

Q 1: Discuss some of the functions of the District Collector as the Chief Executive of the District.

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Q 2: Discuss some of the functions of the District Collector as the District Magistrate.

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Q 3: Discuss the role of the District Collector after independence.

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13.5 LET US SUM UP

- The present office of the District Collector is the creation of the British Government. It dates back to the year 1772, when the East India Company took it upon themselves the entire care and administration of revenue and appointed the office of the "Collector of revenue".
- Warren Hastings introduced the office of the District Collector in 1772 as the head of the district .
- District Collectors were members of the Indian Civil Service and were charged with supervising general administration in the district. In 1787, the administration of revenue, civil justice and magistracy was united in the office of District Collector.
- Steadily, the District Collector's authority and power increased and before long, he emerged as the pivot of district administration, representing the State Government in its locality.
- The office of a collector during the British Raj was entrusted with multiple responsibilities – as collector, he was the head of the revenue organization, charged with registration, alteration, and partition of holdings; the settlement of disputes; the management of indebted estates; loans to agriculturists, and famine relief.
- After independence, the district continued to be focal point of administration. However, the traditional role of the district collector underwent a transformation. The judicial powers of the district collector were gradually transferred to judicial magistrates in the district.
- Again, the responsibility of the district collector was no longer confined to merely marinating law and order and collecting revenue, but he or she was expected to be the kingpin of development administration in the district.
- With the launch of the National Extension Services and Community Development Programme by the Nehru government in 1952, the District Collector was entrusted with the additional responsibility of implementing the Government of India's development programmes in the district.

- Today, the District Collector is still the most powerful functionary in the district. Other public functionaries posted in the district look to him for guidance and instructions.
- The District Collector is the highest authority of the Government at the district level. His principal duty is to maintain law and order in the district, which is the basis for leading a peaceful and orderly life. Prompt and fair collection of land revenue and other taxes is his second important duty. The third important duty is to direct and carry out developmental plans. And fourthly, he is to act as a kind of a bridge between the citizen and the administration.
- The duties and responsibilities of the District Collector are changing day by day and they have been increasing.
- The District Collector or the Deputy Commissioner is the centre of every activity in the administration of a district. Though the Deputy Commissioner no longer holds 'darbars' or confers titles and enjoys that glamorous position of the British days, yet his authority in the district can hardly be under estimated. He still remains the representative of the State Government in the district. He serves as the channel of communication between the Government and the inhabitants of the district.



13.6 FURTHER READING

1) Avasthi, Amreswar, & Avasthi, Anand Prakash (1999).*Indian Administration.* Agra:Lakshmi Narain Agarwal.

2) Bhagwan, Vishnoo, & Bhushan, Vidya.(2007). *Public Administration*. New Delhi:S.Chand & Company Ltd.

4) Maheshwari, S.R. (2003). *Indian Administration*. New Delhi:Orient Longman.

5) Sharma, Dr.M.P. , & Sadana, Dr.B.L. (2000). *Public Administration in Theory and Practice.* Allahabad: Kitab Mahal.



13.7 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q No 1: The District Collector is responsible for carrying out the following functions as the Chief Executive of the District.

1. Posting, transfers and leave of the Gazetted Officers within the /District.
2. Dealing with pension cases of the district staff.
3. Controlling, drawing and disbursing officer of the district staff.
4. Submitting annual budget estimates.
5. In-charge of the Treasury, District Stamp Officer and responsible for verification of the security of Government treasurer.

Ans to Q No 2: The District Officer has to perform some judicial functions as the District Magistrate.

1. Control and supervision of the subordinate magistracy and to order magisterial postings during festivals.
2. Promulgation of orders whenever there is any danger to breach of public peace.
3. Disposal of all the petitions and miscellaneous general complaints received from Government and others.
4. Making jail inspections.
5. Premature release of prisoners.

Ans to Q No 1: After the independence of the country, there has occured a worked change in the position of the District Collector. The inception of Parliamentary Form of Government has transformed the role of the District Collector from being an agent of a paternalistic alien rule to a subservient tool of a popularly elected Government. He has now become a servant of the people. In fact, he has been responsible to look after the people and to remove the problems (whatever) they may be facing in the district.



13.8 MODEL QUESTIONS

A) Very Short Questions

Q 1: Who introduced the office of the district collector in 1772 as the head of the district ?

Q 2: In which year was the National Extension Services and Community Development Programme launched by the Nehru government ?

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

Q 1: Mention any two functions performed by the District Collector as Administrative/District Officer are as Administrative Officer.

Q 2: Some of the functions performed by the District Collector as Administrative/District Officer are as collector.

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

Q 1: Discuss the emergence of the office of the District Collector. Explain the functions of the District Collector.

Q 2: Discuss the role of the District Collector during the British Period.

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UNIT 14: MACHINERY FOR REDRESSAL OF PUBLIC GRIEVANCES : LOKPAL AND LOKAYUKTA; THE RIGHT TO INFORMATION ACT, 2005

UNIT STRUCTURE

14.1 Learning Objectives

14.2 Introduction

14.3 Institution of Ombudsman

14.4 Development of the Institutions of Lokpal and Lokayukta

- 14.4.1 Institution of Lokpal
- 14.4.2 Institution of Lokayuktas in States

145 The Right to Information Act, 2005

- 14.5.1 Background of the Right to Information Act, 2005
- 14.5.2 Development of the Right to Information Act, 2005
- 14.5.3 Provisions of the Right to Information Act, 2005

14.6 Let Us Sum Up

14.7 Further Reading

14.8 Answers to Check Your Progress

14.9 Model Questions

14.1 LEARNING OBJECTIVES

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

- discuss 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
- discuss the development of the Right to Information Act, 2005
- describe the provisions of the Right to Information Act, 2005

14.2 INTRODUCTION

This unit introduces you to the various aspects of Right to Information (RTI) as well as the institutions of Lokpal and Lokayukta. We shall read here about the evolution of the concept of RTI, as to how it came into limelight

and also how the institutions of Lokpal and Lokayuktas came into focus. While discussing the RTI, as well as Lokpal and Lokayukta, we will discuss its development in different countries, including India, so that you can compare the development in different countries. First, we will discuss the institutions of Lokpal and Lokayukta i.e., machinery for redressal of public grievances, and then we will go on to the discuss the 'Right to Information'.

14.3 THE INSTITUTION OF OMBUDSMAN

The ultimate goal of the government in a civilized society, and more particularly in a democratic set-up, is to promote the 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 & 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 know about 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 it was ..... in 1962.(Fill in the blank)

.....

.....

Q 3: Mention any ombudsmanic institution in India.

.....

.....

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

.....

.....

14.4 DEVELOPMENT OF THE INSTITUTIONS OF LOKPAL AND LOKAYUKTA

14.4.1 Institution of Lokpal

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. For example, the Tek Chand Committee (1949), The Railways Corruption Inquiry Committee (also known as the Kripalani Committee) (1953), Vivian Bose Commission (1956) etc.

Also in 1962, the Government of India appointed the

Committee on Prevention of Corruption and in 1964 took an important step in establishing the Central Vigilance Commission.

However, search for a new and more effective solution of the problem was going on. The need for the establishment of an ombudsman type of institution had been expressed in all forums.

Shri M.C. Setalvad, former Attorney General of India, in his speech at the All India Lawyers' Conference held in 1962, suggested the idea of establishing an institution similar to that of an 'Ombudsman'. The idea was extensively investigated by the Administrative Reforms Commission and a definite suggestion was placed before the government in its Interim Report dated October 14 , 1966. On the basis of the recommendations, 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 United Front Government introduced the Lokpal Bill in the Lok Sabha in September 1996. The Bill sought to provide a mechanism to look into allegations of corruption against public functionaries. Again in 1998, the BJP led coalition government introduced the Lokpal Bill in the Parliament. The Bill empowered the Lokpal to inquire into complaints against public functionaries which would include the Prime Minister's Office, Cabinet Ministers, Ministers of State, Deputy Ministers and MPs. The latest in the series was the Lokpal Bill, 2003, when the National Democratic Alliance 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 materialise, as Parliament was dissolved before the Bill could be passed.

In 2010 the Government of India drafted a Lokpal Bill. However, many anti-corruption activists from the civil society considered this bill to be ineffective. Under the banner of India Against Corruption, they drafted a citizen's version of the Lokpal Bill. This was later called the Jan Lokpal Bill. Social activist Anna Hazare was able to galvanize public support for the Jan Lokpal Bill on a nation-wide scale.

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. The chairman of the Lokpal would be person who is or has been a Chief Justice of India or a Judge of the Supreme Court. The Lokpal would be selected by a four-member panel comprising the Prime Minister, Lok Sabha Speaker, leader of Opposition in the Lok Sabha and the Chief Justice of India (CJI).The Prime Minister would come under the purview of Lokpal, provided certain conditions are met. However, the lokpal would only have a prosecution wing but not an investigation wing. The Lokpal cannot initiate any inquiry on its own, but can only respond to a complaint. However, the parallel bill to give constitutional status to the Lokpal could not be passed. A number of amendments to the Lokpal and Lokayuktas Bill, 2011, have been sought and proposed.

14.4.2 Institution of Lokayuktas in States

While the idea of actually implementing the institution of Lokpal at the centre has not made any substantial progress, a number of States have adopted the ombudsman system by enacting Lokayukta laws. Orissa became the first State to enact the Lokayukta Act, 1971. Similarly, there followed the Uttar Pradesh Lokayukta and Up-Lokayukta Act, 1975, Bihar Lokayukta Act, 1973 etc. In 1971, Maharashtra became the first State to appoint a Lokayukta. Lokayukta Acts have also been passed in many other States like Himachal Pradesh, Karnataka, Gujarat, Andhra Pradesh, etc.



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 safegurard against administrative abuse and misuse.

The first All India Conference of Lokayuktas and Upa-Lokayuktas was held at Simla in May, 1986. This Conference after due deliberations passed the following resolutions in order to make the institution of Lokayukta still more effective:

(1) That the institution of Lokayuktas and Upalokayuktas be given a constitutional status.

(2) That the nomenclature of the institution should be Lokayukta in every state.

(3) That there should be uniformity throughout India with regard to the service conditions of the Lokayuktas and the Upa-Lokayuktas.

(4) That there be a separate independent investigating agency under the direct control of Lokayuktas / Upa Lokayuktas.

(5) That suo-moto power of investigation be conferred on the Lokayuktas / Upa-Lokayuktas.



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)

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14.5 THE RIGHT TO INFORMATION ACT, 2005

14.5.1 Background of the Right to Information Act, 2005

Today, we are living in an era of democracy. Democracy is that form of government where people's welfare is the focus of attention. A democratic government acts as the repository of trust bestowed upon it by the people, and must therefore act in an open manner. An open and transparent government is the hallmark of democracy. Therefore, in a democratic set-up, the government is accountable and answerable to the public for its conduct.

However, although openness on the part of the government minimizes administrative faults and is in conformity with the democratic way of life, the government often refuses to give up this right of secrecy. While it cannot be denied that some elements of government administration, particularly dealing with foreign relations, must be kept secret for the sake of national interest or security, the government in the name of preserving national interest, tries to cover up many administrative faults at times. This blanket of secrecy also leads to the growth of corruption.

However, gradually people started demanding for the 'Right to Know'. The rise of the Human Rights movement also accelerated the pace of such a demand. It was argued that if it is truly a democratic government, then it does not have the right to maintain secrecy from its citizens.



LET US KNOW

In 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 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".

14.5.2 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 Article. 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.

14.5.3 Important Provisions of the Right to Information Act, 2005

Here, a careful study of the important provisions of the Right to Information Act, 2005, will help us understand the main objective of the Act:

- The Act empowers the citizens to secure access to information under the control of public authorities with a view to promoting transparency and accountability in the working of every public authority. For the purpose, the Act provides for the constitution of a Central Information Commission and State Information Commissions.
- Section 1 defines the Act as the Right to Information Act, 2005.
- Section 2 of the Act states that the Act shall extend to the whole of India except the State of Jammu and Kashmir.
- Section 3 of the Act bestows the Right to information to all citizens of the country. This has not been given to non-citizens.
- Section 4 deals with obligations of public authorities and Section 5 deals with the key functionaries under the RTI Act.
- Section 6 deals with the request for obtaining information.

- Section 7 deals with the disposal of request. Ordinarily, the information sought has to be furnished within a period of 30 days of the receipt of the request. Where it concerns the life and liberty or liberty of a person, information has to be provided within 48 hours of the receipt of the request.
- Section 8 of the Act is very important and it deals with certain information, which are exempted from disclosure. For example, information which would affect the sovereignty and integrity of India , its security etc., information which has been expressly forbidden to be published by any court of law, information received in confidence from foreign government, Cabinet papers including records of deliberations of the Council of Ministers, Secretaries and other officers etc. Thus, Section 8 tries to strike a balance between the public interest and the protected interest.
- Section 9 deals with grounds for rejection to access in certain cases.
- Section 10 takes care of a situation when part of the information requested for falls under exemptions provided under the Act and part of it is not.

Thus, we have discussed above some of the important sections of the Right to Information Act of 2005. The Act consists of total 31 sections. Some of the **important features** of the Act are as follows:

(i) The Act is not applicable to the State of Jammu and Kashmir.

(ii) The Right to Information is not a Fundamental Right, but it is a statutory right.

(iii) It is available to the citizens only.

(iv) The Act makes it mandatory on the part of public authorities to furnish such information to citizens to which they are otherwise entitled to.

(v) The Act strikes a proper balance between public interest and protected interest. The Act acknowledges that elements of

government administration must be kept secret for ensuring national security.



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 14.1

Do you think there is any issue of public interest in your area wherein you might want to takerecourse to the Right to Information Act ?

.....

.....



CHECK YOUR PROGRESS

Q 9: The Right to Information Act was passed by Parliament on .....

(Fill in the blank)

Q 10: Mention any four provisions of the Right to Information Act, 2005.

.....

.....

.....

Q 11: Mention any two features of the Right to Information Act, 2005.

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.....

Q 12: In which case did the Supreme Court hold that 'Right to Know' is implicit in Fundamental Rights under Article 19(1)(a) ?

.....

.....



14.6 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.
- 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.



14.7 FURTHER READING

1) Avasthi, Amreswar, & Avasthi, Anand Prakash (1999).*Indian Administration.* Agra:Lakshmi Narain Agarwal.
2) Bhagwan, Vishnoo, & Bhushan, Vidya.(2007). *Public Administration*. New Delhi:S.Chand & Company Ltd.
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5) Sharma, Dr.M.P. , & Sadana, Dr.B.L. (2000). *Public Administration in Theory and Practice.* Allahabad: Kitab Mahal.
6) Sood, R.P. (2008). *Right to Information*. Jaipur: Sublime Publications.



14.8 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.

Ans to Q No 9: June 15, 2005

Ans to Q No 10: (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 11: (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 12: S.P. Gupta Vs. Union of India case



14.9 MODEL QUESTIONS

A) Very Short Questions

Q 1: The institution of ombudsman is originally associated with which countries?

Q 2: The Right to Information is available to only citizens. (True/False)

Q 3: Mention the machineries for redressal of public grievances in India?

Q 4: Is the Right to Information available to foreign citizens?

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

Q 1: Write a short note on the institution of ombudsman.

Q 2: Write a short note on the development of the institution of the Lokpal in India.

Q 3: Write a short note on the development of the Right to Information Act, 2005?

Q 4: What are the provisions of the Right to Information Act, 2005?

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

Q 1: Write a note on the Right to Information Act, 2005 with special reference to its background and provisions.

Q 2: Write a note on the the development of the institution of the Lokpal and Lokayuktas in India.

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UNIT 15 : ADMINISTRATIVE REFORMS IN INDIA

UNIT STRUCTURE

15.1 Learning Objectives

15.2 Introduction

15.3 Meaning of and Need for Administrative Reforms

15.4 Overview of the First Administrative Reforms Commission (ARC), 1966 and the Second Administrative Reforms Commission (ARC), 2005

15.6 Let Us Sum Up

15.7 Further Reading

15.7 Answers to Check Your Progress

15.8 Model Questions

15.1 LEARNING OBJECTIVES

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

- explain the meaning of administrative reforms
- explain the need for administrative reforms
- discuss the First Administrative Reforms Commission (1966)
- discuss the Second Administrative Reforms Commission (2005)

15.2 INTRODUCTION

It has been seen that over the years, a consistent attempts have been made to upgrade and improve the administrative machinery of the country, as it has been found, many a time, tobe inadequate to meet the newly emerging situations and challenges. Owing to this, there has always been a visible concern for improvisation of administrativestructures and techniques in proper synchronisation with human resource development. It is in this backdrop that prior and after India's independence, different commissions and committees have been constituted to making fruitful suggestions most of which have contributed vitally to the improvement of the administrative machinery in our country.

15.3 MEANING OF AND NEED FOR ADMINISTRATIVE REFORMS IN INDIA

- **Meaning of Administrative Reforms**

The term reforms means to give a new shape or form so as to bring a better way of life. In simple words, the term "reform" denotes a process of change with a view to transform the structure and behaviour of any system. Viewed in this context administrative reform is conscious, considered change that is carried out in the public sector organisation or system for the purpose of improving its structure, operations or the quality of work force. The very purpose of administrative reforms is to achieve the national objectives or the goals through enhancement and expansion of administrative and managerial capacity of public administration. The subject matter of public administration is very wide as it includes a wide array of subjects ranging from institutional structure, policy making as well as procedural and behavioural aspects of administrative working.

Administrative reforms therefore is an intentionally or rather deliberately planned change in a country's administrative system which is carried out in a planned manner so as to realise the goals that are determined by the larger political and societal systems.

- **Need for Administrative Reforms in India**

It is an universally accepted fact that in every politicalsystem the administrative mechanism of the government must be improved and upgraded so as to cope up with the changing situations as well as to meet up the inadequacies of the system. With the advent of India'sindependence, ourcountry inherited an administrative system which was structurally as well as functionally inadequate to meet the new challenges of economic and social change. This called for the need of reforms and reorganising the administrative system as the shortcomings in the inherited administrative system proved to be hindrances in the path of the rapidly expanding and time-bound developmental programmes that were launched in the post-independent period for socio-economic welfare. The very objective of administrative reforms in India is to transform the administrative system into an efficient, honest and result oriented administrative system.

Attempts for administrative reforms in Indiacan be discussed in twocontexts:

A) **Administrativereforms before independence:** During this period many bodies were constituted by the British rulers so as to suggest ways to reform the administrative system such as Macaulay Committee to conductpublic service exams(1854),the Aitchison Commission(1886-87),the Royal Commission upon Decentralisation(1907-1909),the Maxwell Committee(1935-36), to name a few.

B) **Efforts for administrative reforms since independence:**Since independence with a view to bring about administrative reforms, about fifty commissions and committees were set up at the central level. Some of these committees are the Secretariat Reorganisation Committee, 1947; the Economy Committee,1948;the Ayyangar Committee, 1949;and the Gorwala Report, 1951; to name a few. Besides these committees ,commissions were also set up so as to bring about administrative reforms such as the Administrative Reforms Commission , 1966; and the Second Administrative Reforms Commission, 2005 so as to enable the administrative system to keep pace with the changing scenario.



CHECK YOUR PROGRESS

Q 1: Mention any two committees set up for administrative reforms before independence.

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Q 2: Mention any two committees set up for administrative reforms after independence.

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15.4 OVERVIEW OF THE FIRST ADMINISTRATIVE REFORMS COMMISSION (1966) AND SECONDADMINISTRATIVE REFORMS COMMISSION (2005)

15.4.1 First Administrative Reforms Commission (ARC), 1966

OnJanuary 5, 1966,the Ministry of Home Affairs under the Government of India constituted the First Administrative ReformsCommission (ARC), for giving recommendations for the purpose of reviewing the public administrative system in India.This commission was initially chaired by Morarji Desai, but when Morarji Desai became the Deputy Prime Minister of India, the charge was handed over to K.Hanumanthaiah to chair the commission. The basic purpose of setting up the ARC was to consider certain aspects relating to public administration in India and to bring about desired changes in the areas mentioned below-

A) Centre-State relationship
B) The mechanism for planning at all levels
C) Financial and economic administration
D) State level as well as district administration
E) Mechanismfor redressal of public grievances
F) The machinery of the Government of India and its procedure of work
G) Agricultural administration

Based on the above mentioned subjects the ARC, 1966 submitted 20 reports in all with 537 major recommendations, some of which are as follows:

a) Unified grading structure in administration based on qualification and nature of duties and responsibilities.
b) Recruitment for Class I services should be made on the basis of single competitive examination with the age limit being raised to 26 years.

c) Discontinuation of direct recruitment to Class II services.

d) To recruit clerical staff, the nature of examination should be based on asimple objective type test.

e) Recruitment in certain posts under central government to be made from amongst the state government employees.

f) The commission recommended the maximum number of ministers in the union cabinet should be 16 including the Prime Minister and that the strength of the Council of Ministers should be 40 and in no case should exceed 45.

g) The commission also recommended the abolition of the office of the parliamentary secretaries and suggested that the three tier system of the ministerial set up to be constituted.

h) A new post of Deputy Prime Ministeris created to provide institutional supprot to the office of the Prime Minister.

i) A policy advisory committee should be constituted to assist each and every department so as to formulate all long term policies of major importance.

j) The ARC, 1966 also recommended the establishment of a civil service tribunal for hearing appeals from government employees against major punishments.

- **Implementation of the Recommendations of the ARC, 1966**

Most of the recommendations made by the ARC was of a procedural nature. In consonance with these recommendations, the government implemented some and accordingly certain measures were taken, such as-

(a) The government consented to introduce the desk officer system of staffing and functioning in the central secretariat.

(b) The government also accepted the recommendations of raising the upper age limit for competitive examinations from 24 to 26 years.

(c) The government also accepted the recommendations of recruiting Class I engineering posts through competitive examinations and not through interview.

Though the works of the commission were appreciated and some recommendations were alsoimplemented, however some sections criticised the role of the commission. According to the critics, the recommendations made by the commission were so wide and extensive that to process its reports and suggestions several other commissions would be needed. Again, critics pointed out that the commission was not a professional group and as such its recommendations were more in the nature of warning rather than professional advice. Another criticismfaced by the commission was that the ARC concerned itself only with big things such as creating departments and offices rather than investigating the nature and procedure of day to day work.

However despite the criticisms,the ARC of 1966 deserves appreciation for playing a significant role in terms of suggesting measures for making an attempt to raise the standards of efficiency and integrity in public administration.

15.4.2 Second Administrative Reforms Commission (ARC), August 31, 2005

The Second Administrative Reforms Commission (ARC), 2005 was constituted on August 31, 2005 by the Government of India. The basic purpose of setting up this commission was to prepare a detailed blueprint for revamping the public administrative system and give it a new and improved form. The commission was chaired by VeerappaMoily, former Chief Minister of Karnataka with several other members. The commission was given the responsibility for suggesting a sustainable and accountable government, which also at the same time is proactive, efficient and responsive. The commission was asked to suggest recommendations on the following areas of administration, namely, organisational structure of the government, matters relating to federal polity, crisis management ,measures relating to effective district

administration, local-self government,citizen centric administration, strengthening of financial management systems, social capital, ethics in government and refurbishing of personnel administration .

The commission was however directed to exclude from its purview to make recommendations in matters related to military, defence, railways, external affairs, security and intelligence, centre-state relations, judicial reforms, etc. Based on the subjects mentioned above, the commission presented 15 reports for consideration. Some of the recommendations of ARC, 2005 are mentioned below:

- Setting up an effective mechanism for redressal of citizens' grievances in terms of effective implementation of the Right to Information Act, 2005.
- Devising a mechanism for meeting crisis situations arising out of natural and man-made disasters.
- Undertaking measures to ensure justice for each and peace for all.
- To usher in ethics in governance.
- To focus on the need for effective decentralisation of democratic polity.
- To undertake effective steps for reducing conflicts and adopting strategies for peace resolution.
- Promoting e-governance.
- Recommendations for combating terrorism.
- To undertake measures for improving social capital.
- Recommendations were made in matters relating to recruitment, training, placement of civil servants.
- To device mechanisms for setting up special institutions at national and state commissions so as to safeguard the rights of the vulnerable sections of the society.
- To strengthen financial management system.
- Recommendations were made relating to maintenance of public order and ensuring justice for each.

- Recommendations were made for reforming the structure of the government in India so as to make the administrative system proactive, efficient as well as flexible.
- To undertake measures by the state as well as district administration,so as to keep pace with modernisation, encourage people's participation, effective grievance handling system etc.

In view of the recommendations of the ARC 2005 as stated above,the Government of India constituted a Group of Ministers (GoM) on March 30, 2007, to consider the recommendations of the ARC, 2005 and to implement the same, after due process of review. The decisions made by theGoMwith respect to these reports are at various stages of implementation. The report on "Combating Terrorism (Eighth Report)" has been taken up by the Ministry of Home Affairs and it necessary action has already been taken with respect to this report.



CHECK YOUR PROGRESS

Q 3: The ARC, 1966 recommended the abolition of the office of the parliamentary secretaries. (True/ False)

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Q 4: Mention any four areas of public administration which the ARC, 1966 looked into.

……

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Q 5: Mention any four areas of public administration which the ARC, 2005looked into.

……

……

Q 6: Mention any two recommendations of the ARC, 2005.

……

……



15.5 LET US SUM UP

- The term reforms means to give a new shape or form so as to bring a better way of life. In simple words, the term "reform" denotes a process of change with a view to transform the structure and behaviour of any system.
- Viewed in this context administrative reform is conscious, considered change that is carried out in the public sector organisation or system for the purpose of improving its structure, operations or the quality of work force.
- The very purpose of administrative reforms is to achieve the national objectives or the goals through enhancement and expansion of administrative and managerial capacity of public administration.
- Administrative reforms therefore is an intentionally or rather deliberately planned change in a country's administrative system which is carried out in a planned manner so as to realise the goals that are determined by the larger political and societal systems.
- It is an universally accepted fact that in every political system the administrative mechanism of the government must be improved and upgraded so as to cope up with the changing situations as well as to meet up the inadequacies of the system.
- With the advent of India's independence, our country inherited an administrative system which was structurally as well as functionally inadequate to meet the new challenges of economic and social change.
- This called for the need of reforms and reorganising the administrative system as the shortcomings in the inherited administrative system proved to be hindrances in the path of the rapidly expanding and time-bound developmental programmes that were launched in the post-independent period for socio-economic welfare.

- Before independence many bodies were constituted by the British rulers so as to suggest ways to reform the administrative system such as Macaulay Committee to conduct public service exams(1854),the Aitchison Commission(1886-87),etc.
- Since independence with a view to bring about administrative reforms, about fifty commissions and committees were set up at the central level. Some of these committees are the Secretariat Reorganisation Committee, 1947; the Economy Committee,1948; the Ayyangar Committee, 1949; and the Gorwala Report, 1951; to name a few.
- Besides these committees ,commissions were also set up so as to bring about administrative reforms such as the Administrative Reforms Commission , 1966; and the Second Administrative Reforms Commission, 2005 so as to enable the administrative system to keep pace with the changing scenario.
- On January 5, 1966, the Ministry of Home Affairs under the Government of India constituted the First Administrative Reforms Commission (ARC), for giving recommendations for the purpose of reviewing the public administrative system in India.
- This commission was initially chaired by Morarji Desai, but when Morarji Desai became the Deputy Prime Minister of India, the charge was handed over to K.Hanumanthaiah to chair the commission.
- The basic purpose of setting up the ARC was to consider certain aspects relating to public administration in India and to bring about desired changes in the areas such as Centre-State relationship; the mechanism for planning at all levels; etc.
- Some of the recommendations of ARC, 1966 are Unified grading structure in administration based on qualification and nature of duties and responsibilities; Recruitment for Class I services should be made on the basis of single competitive examination with the age limit being raised to 26 years, etc.

- Most of the recommendations made by the ARC was of a procedural nature. In consonance with these recommendations, the government implemented some and accordingly certain measures were taken.
- The Second Administrative Reforms Commission (ARC), 2005 was constituted on August 31, 2005 by the Government of India. The basic purpose of setting up this commission was to prepare a detailed blueprint for revamping the public administrative system and give it a new and improved form.
- The commission was chaired by VeerappaMoily, former Chief Minister of Karnataka with several other members. The commission was given the responsibility for suggesting a sustainable and accountable government, which also at the same time is proactive, efficient and responsive.
- The commission was asked to suggest recommendations on areas such as organisational structure of the government, matters relating to federal polity, etc.
- The commission was however directed to exclude from its purview to make recommendations in matters related to military, defence, railways, external affairs, security and intelligence, centre-state relations, judicial reforms, etc.
- The ARC, 2005 presented 15 reports for consideration. Some of the recommendations of ARC, 2005 are setting up an effective mechanism for redressal of citizens' grievances in terms of effective implementation of the Right to Information Act, 2005; devising a mechanism for meeting crisis situations arising out of natural and man-made disasters; undertaking measures to ensure justice for each and peace for all; to usher in ethics in governance, etc.
- In view of the recommendations of the ARC 2005 as stated above, the Government of India constituted a Group of Ministers (GoM) on March 30, 2007, to consider the recommendations of the ARC, 2005 and to implement the same, after due process of review.

- The decisions made by the GoM with respect to these reports are at various stages of implementation. The report on "Combating Terrorism (Eighth Report)" has been taken up by the Ministry of Home Affairs and it necessary action has already been taken with respect to this report.



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15.7 ANSWERS TO CHECK YOUR PROGRESS

Ans to Q No 1: (i)Macaulay Committee to conduct public service exams(1854)

(ii) The Aitchison Commission(1886-87)

Ans to Q No 2:(i)the Secretariat Reorganisation Committee, 1947

(ii)theAyyangar Committee, 1949

Ans to Q No 3: True

Ans to Q No 4: (i) Centre-State relationship

(ii) The mechanism for planning at all levels

(iii) State level as well as district administration

(iv) Agricultural administration

Ans to Q No 5:(i)Organisational structure of the government

(ii) Matters relating to federal polity

(iii) Crisis management measures relating to effective district administration

(iv) Local self-government

Ans to Q No 6:(a)Promoting e-governance,

(b) Recommendations for combating terrorism.



15.8 MODEL QUESTIONS

B) Very Short Questions

Q 1: Who initially chaired the First Administrative Reforms Commission, 1966 ?

Q 2: The Second Administrative Reforms Commission was constituted in which year?

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

Q 1: What do you mean by reforms in administration?

Q 2: Identify two reasons for the need of reforms.

Q 3: Briefly write about the efforts for administrative reforms since independence.

Q 4: Mention five recommendations of ARC, 1966.

Q 5: Mention five recommendations of ARC, 2005.

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

Q 1: Write a note on the First Administrative Reforms Commission, 1966.

Q 2: Write a note on the recommendations of the Second Administrative Reforms Commission, 2005.

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