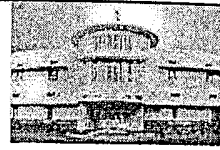


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ANSWER SHEET

Name of Candidate

ARAVIND MENON

Test Code

Subject

PUBLIC ADMN TEST 6

Registration No.

EVALUATION INDICATORS

1. Alignment Competence
2. Context Competence
3. Content Competence
4. Language Competence
5. Introduction Competence
6. Structure – Presentation Competence
7. Conclusion Competence

INDEX TABLE

Q.No.	Page No.	Maximum Marks	Marks Obtained
1.			
2.			
3.			
4.			
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6.			
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8.			
9.			

Total Marks Obtained

Remarks :

Signature of Examiner

INSTRUCTIONS:

1. Do furnish the appropriate details in the answer sheet (viz. Name, ID Number and Test Code)
2. The Candidate should fill the index table, especially for him/her.
3. In the left margin, she/he should write only question number and in the right margin, nothing should be written.
4. The page number should be coded by the candidate himself and the range of page number related to the answer of the question should be used to complete the index table.
5. All Parts of the questions should be written at one place.
6. No Supplementary sheet shall be provided by the management. So the candidate is advised to accommodate required information within the space provided.
7. The candidate need not write anything in his/her answer that derogates the dignity of an individual or an organization.
8. The candidate should respect the instructions, given by the invigilator.
9. The Examinee has to submit the answer sheet to the invigilator after completion of examination. However, he/she is allowed to take away the question paper.

SECTION A

1 a)

The administrative machinery of India is more a centralised one than a decentralised one.

It means that ~~the~~ either the Central government or state government officials are carrying out all the programmes without much local participation both in urban and rural areas.

The enactment and implementation of the 73rd and 74th Constitutional Amendment act has contributed significantly to enhance local participation in policy making and decision making. But ~~the~~ there has not been any significant changes in the administrative machinery. The District Collector is still the important functionary at

the district level, even though some states like Gujarat and Maharashtra have appointed developmental commissioners to look after the developmental programmes. There is a lack of a separate machinery for each programme is costing too much. For example, the officials from the state health department are entrusted with the implementation of NRHM, but they are not aware of the local problems. The local governments have a minimal role in such national and state programmes - they are not entrusted with sufficient funds nor do they have a proper administrative machinery.

The working of MGNREGS is a welcome change and the people's participation including social audit is a must to ensure efficiency.

b India has a parliamentary system of governance in which the executive is a part of the parliament and is accountable to it in all matters. Financial matters are no different.

Under Article 112, the President is required to ensure that an annual financial statement is submitted in Parliament every year. The budget is discussed ~~the~~ thoroughly by ~~the~~ ~~diff~~ respective departmental standing committees and changes if required are recommended. The executive cannot impose any new tax without the approval of the Parliament (Article 117). All the revenues of the Government of India are ~~are~~ deposited in

The Consolidated Fund of India (Article 266) and the executive cannot use the money until the Appropriation Bill is containing various allocations are passed by Parliament. The proposals for expenditure ~~can~~ can be subjected to the various cut motions like policy cut, efficiency cut and token cut motions which will result in decrease in the proposed expenditure. The expenditure of each department is periodically audited by Comptroller and Auditor General whose report is placed in the Parliament by the President (Article 148).

Thus the Constitution of India itself empowers the Parliament to ensure the financial accountability of executive which has been enhanced by various parliamentary procedures.

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c)

The enactment of the 73rd and 64th amendment of Constitution, 1992 was a landmark achievement for local governing institutions in India. Being a Union law in a State matter, it contains many provisions which are mandatory for the States and many others which the states have flexibility in implementation.

The mandatory features include the Constitution of a 3-tier panchayati raj system throughout the country with a tenure of 5 years. The power of the state government to supersede a local body is reduced and it is mandatory that elections should be held within 6 months of such supersession. The Act

also provides for ~~the~~ reservation of women (now 50%) and SC/ST (according to their population) in seats and posts of chairperson.

The Act also provides for ~~the~~ constitution of a State Election Commission to conduct ~~the~~ local body polls every five years.

It is mandatory for ~~the~~ State Government to set up a State Finance Commission to determine ~~the~~ transfer of funds to local governments ~~to~~ and to suggest ways to improve their financial conditions. The Act also provides

for a list of 29 functional items like irrigation, education etc in which sufficient ~~out~~ powers and resources must be delegated to ~~the~~ local bodies for their meaningful, autonomous functioning.

2 a)

The Comptroller and Auditor General (CAG) of India was described as the most important constitutional functionary in India by Dr B.R. Ambedkar. He is the guardian of public purse of the country.

The CAG is appointed by the President of India for a fixed tenure of 6 years. He cannot be removed from office except in cases of proved misbehaviour or incapacity.

The process for removal is same as that of Supreme Court judges.

Both houses of Parliament should pass a resolution to that effect with a 2/3rd majority. The expenditure of the office of CAG

is charged upon the Consolidated Fund of India and hence not subject to the vote of Parliament. He cannot accept any office under the Government after he deems his post.

The CAG was, in its early years confined to the regulatory audit. But since the 1970s he has started doing the efficiency and outcome audit. Recently the CAG has shown some activism & and is auditing Government departments and PSUs for their propriety and the outcomes results of the policy decisions. The audit report on telecommunication sector (relating to 2G scam) and petroleum sector (contract awarded to RIL in KG basin) shows the trend.

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His activism has helped to dig out corruption and brought to light the loss to the exchequer. But his role is limited to that of an auditor only. He is not the controller of the public purse. He has no control over the expenditures of the departments before it is being spent which is not the case in UK. His work is in the form of 'post-mortem'. Also many departments deliberately delay and even deny certain information sought by the CAG.

The above mentioned drawbacks must be rectified by suitable legislation to make him a fully autonomous guardian of public purse.

2 b)

National Human Rights Commission is a statutory body constituted in 1992 to ensure the dignity of human values and to probe into cases where human rights are violated. It is chaired by a retired Chief Justice of India. The Commission is provided with the security of tenure and the ~~the~~ ^{process of} removal of the Chairperson is same as that of a Supreme Court judge. The expenditure of the Commission is charged upon the Consolidated Fund of India. The Commission will have the powers of a civil court and its proceedings cannot be challenged in any other court.

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All these measures provide for the autonomy of the Commission. The Commission can take action on the basis of a complaint received or suo-moto. Ever since its inception, NHRC has been fighting for the sustenance of human rights. It took notice of the Gujarat riots in 2002, Shopian murder in Kashmir, Communal riots in ~~Delhi~~ Kandhamal region of Orissa, and the bad plight of civilians in the Maoist insurgency affected areas etc. It conducts regular visits to jails and other places of detention to enquire whether the basic rights of the detenus are upheld.

The major drawback of NHRC is that it does not an

an adequate machinery to conduct investigations and has to depend on other agencies more oftenly. Besides there is a procedural delay in clearing cases as the number of complaints are going on increasing every year. The law enforcing agencies often try to protect their colleagues who are accused of human rights violation by delaying and the information sought by NHRC. The Commission is often powerless when the violator is the Government and that too using the legislative and administrative mechanisms. The forcible acquisition of land is such an example.

Even though NHRC is independent and impartial it does have some functional loopholes.

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3a

Public Order is a subject under State list, but the Union Government has the powers to maintain army, navy and air force to protect the national security and integrity. Thus law and order administration is done combined by the State Central and State governments.

The State governments raise police forces to maintain the law and order in the state.

The hierarchy of State police is

- DGP, IG, DyIG, SP, DySP, CI, SI, Constables. The DGP is the head of the state police force. A state is divided into many zones which is controlled by IGs. SP is in charge of a district and Inspectors look after the police

stations allotted to them.
The state police investigates all the cases of law and order violation in the state and seeks the coordination of other states if it is necessary. Sensitive cases involving terrorism, smuggling, financial fraud of higher magnitude, inter-state racketeering etc are handed over to Central Investigating Agencies. Also sensational murder cases and politically motivated cases are also handed over to them. The Central agencies include CBI, IB, NIA and RAW. Besides these are other para-military forces like BSF, CRPF, CISF, ITBP, RAJ Assam Rifles, Sashastri Seema Bal etc entrusted with

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maintaining security at borders, in industrial units and during riots. By the 42nd Constitutional Amendment Act the Centre can deploy armed forces in states even without their consent to maintain security. The Armed Forces Special Powers Act provides for reaching powers to the armed forces in areas where it is in operation, and this has been a cause of resentment by the local people. The Anti-Maoist operation involving central CRPF and state police and state appointed SPOs is an example of combined forces.

Thus even though the activities are not legislatively demarcated they are very well demarcated in practice.

3 b)

Citizen-administration interface is an important aspect of good governance. In a developing country like India, the citizen's participation in administration is necessary to solve the unique problems in the society.

The advent of the concept of welfare state has hugely benefitted the growth of the relations between citizens and administration. Many mechanisms have been evolved in India to foster this relation.

Citizen's Charter is a major development in this scenario. Many departments display the services that they offer including the details of cost, the time schedule. This enables the citizens to demand the services to which they are entitled.

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Public Grievance Redressal Mechanism
has been started at various levels including at department, state and Centre. The aggrieved citizens can submit their complaint and get it redressed within stipulated time through this mechanism.

The Right to Information Act, 2005 has opened the floodgates ^{to} government records and now people can retrieve important files and policy decisions affecting them through this. RTI has ensured transparency in the working of government and instilled a sense of accountability among administrators, increasing the efficiency of administration.

²⁴⁹ ARC has recommended setting up of Grievance Redressal Cells at each department on the lines of RTI

with penalty for not settling the grievance within a stipulated time.

The promotion of e-governance has increased the effectiveness of public service delivery. and made the administration more SMART - Simple, moral, accountable, responsive and transparent. The presence of strong Civil Society groups has also ensured that the administration takes into account the views of public.

The ~~more~~ wider use of social audit especially in government programmes like MGNREGA has deepened the ^{scope of} relations between citizen and administration.

The widening of the interface between citizens and administration is the order of the day and ~~we~~ ^{must accept} that they are servants of people & not masters.

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SECTION - B

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The Ribeiro Committee on police reforms was set up in 1992 after the Bombay riots on the directives of the Supreme Court. The Committee reviewed the police administration including selection, training and posting of officers and suggested suitable reforms.

The Committee criticised the police organisational set up in which the constabulary consisted of 88%, Inspectors (SI, TI) - 11% and higher level officers (Dy SP to DGP) under 1%. It recommended reducing the constables and increasing the number of inspector level officials. It also insisted upon prescribing higher educational qualifications

for recruitment. The committee also faulted the training given to the police. It suggested better, uniform training procedures throughout the country and it should include specific instructions as to the actions to be taken at particular circumstances. Also the training should include ethical and behavioural aspects also. The committee also favoured security of tenure for higher officers and promotion criteria to include merit also in addition to seniority.

The committee made recommendations regarding various practical aspects of police administration including political interference, citizen interaction and adequate training.

b)

Historically, India has been a country prone to natural disasters and with the rapid economic development, the chances of man-made disasters has also increased. Learning from the mistakes disasters like Bhopal Gas tragedy, Bhuj earthquake and Tsunami in 2006, the government has put in place a suitable mechanism to tackle crisis situations. The Ministry of Home Affairs is the nodal ministry for crisis management in the country. National Disaster Management Authority (NDMA) with Prime Minister as its ex-officio chairman is the supreme decision making authority. The Central Government has passed a National Disaster

Management Act, which provides for setting up of a institutional mechanism for crisis management.

It envisages a disaster management authority at national level and at state level. The plan consists of 4 stages - 1) mitigation 2) preparedness 3) response and 4) rebuilding. Mitigation refers to reduce the effects of crisis and various government issues guidelines regarding safety of industries and housing. Preparedness ~~is~~ is the process by which ~~the~~ early warnings are issued, ^(by IMD or others) and people are ~~evacuated~~ evacuated. (by local authorities).

The Response at the time of crisis is mainly done by local authorities and if situation warrants emergency response teams are sent.

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c) Administrative reforms are a part of administrative development which is a necessary condition for development administration.

Indian administration is hugely dependent on the legacy of British system which was intended to expand the colonial power. Various committees and commissions have been constituted but ~~the~~ major recommendations were not implemented due to stiff resistance from bureaucracy which wanted to maintain status quo.

The highly secret nature of working of certain departments even after the implementation of RTI is working against reforms. Also the vastness of the country prohibits the implemen-

tation of ~~the~~ uniform reforms throughout ~~the~~ country. Corruption is another obstacle as corrupt officials does not want reforms as ~~the~~is chance will be lost.

The politics-administration-criminal nexus is aiding ~~the~~. The lack of professionalism in various services and attitude of some civil servants as masters of ~~the~~ people ~~are~~ also hampering reforms. The lack of adequate ~~and~~ training to mould ~~the~~ administrators to accept change and act as change-agents also acts against reforms.

The ecological factors like ~~the~~ backwardness of ~~the~~ society, lack of awareness among people also delay ~~the~~ administrative reforms in India.

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6 a)

The enactment of 73rd Amendment Act, was a landmark in the history of local governing institutions in India. Though the Act provides constitutional safeguards for the Panchayati Raj Institutions (PRIs) many practical problems still remain.

The major concern is the lack of adequate powers and resources with the PRIs to carry out the functions entrusted to them. There is a district development authority at each district comprising of elected representatives from PRIs and urban local bodies. But in many states, the role played by district collectors and MPs and

MLAs hamper the initiative of the elected representatives. Even if their voices are included in the District plan, the plan might be amended to any extent at State level or Union level.

Another major problem area is the all-round deficiency of funds for the P.R.I.s. Although the Act provides for a State Finance Commission to decide the amount to be allocated and grants-in-aid, the money allotted is often not adequate and gets delayed in most cases. This seriously affects the effectiveness of Panchayat initiated projects. ~~and~~ The other duty that P.R.I.s collect is affecting the free movement of goods. So it must be done away

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With and the PRIs must be properly compensated. The PRI staff requires sufficient training and there is no uniform procedure in the country for this. The cases of State Governments superseding PRIs have considerably reduced but not eliminated. There should be a proper mechanism to evaluate the constitutionality of such acts. The major development programmes are either centrally administered or ^{centrally} sponsored and ~~don~~ work done by State Government. The PRIs have no significant role in it except in MGNREGA.

The powers of PRIs should be increased and sufficient resources must be ~~produced~~ ^{provided} to them at least in the functions allotted to them like irrigation, health care, education etc.

6 b)

Controller General of Accounts and his office was created in 1971, when accounts of the ~~the~~ Central Government was separated from its audit. The CAG was left with duty of auditing. The CGA maintains the accounts in the form prescribed by the President on the advice of CAG. This mechanism provides more time for CAG to concentrate on auditing which will increase its efficiency and more discrepancies can be brought to book. It also saves the embarrassment of the CAG to audit the accounts created by his office itself, and ~~can~~ find faults. Independence of the office of CGA is ensured by providing him security

31 Question No.
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