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PUBLIC ADMINISTRATION

Name of Candidate	Sai Krishna	Test Code	M106.
Schedule		Registration No.	718
Place	Mumbai	Time	Module	6
Classroom	___	Distance Learning ✓	Classroom & Distance Learning ___

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.	①		
2.			
3.	⑦		
4.	⑲		
5.	⑬		
6.			
7.			
8.	㉕		
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) The Candidate should fill the index table, especially for him/her.

2. In the left margin, she/he should write only question number and in the right margin, nothing should be written.

3. 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.

4. All Parts of the questions should be written at one place.

5. No Supplementary sheet shall be provided by the management. So the candidate is advised to accommodate required information within the space provided.

6. The candidate need not write anything in his/her answer that derogates the dignity of an individual or an organization.

7. The candidate should respect the instructions, given be the invigilator.

8. The Examinee has to submit the answer sheet to the invigilator after completion of examination.

9. However, he/she is allowed the take away the question paper.

103, 1ˢᵗ Floor B/1-2, Ansal Building, Behind UCO Bank, Dr. Mukherjee Nagar, Delhi-09

on No.
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1(a) The above statement is critique to the fact that Administrative Reforms have never really been Holistic and entigrative in India.

The basis of the above statement can be briefly summed up under :-

(a) continuation of historical institutions and structures as they a were

(b) Lack of any empirical evidence of a complete overhaul of any administrative component

(c) Poor implementation record of Administrative Reform Recommendations

(d) The glaring gap between administrative capabilities and expectation from people.

Many of our laws - CrPC, Indian penal code and several of others like Forest laws etc are the continuation of British era laws. The philosophical/ideological underpinnings behind them were totally different from present and yet they continue. Almost all important Administrative structure owe themselves to historical legacy and the maximum that had been done is to tweak them occasionally.

There is an abysmal record of implementation of any administrative reform record recommendation may it be police reforms, Bureaucratic reforms etc.

The reasons for the piecemeal approach can be reasoned as lack of will to effect groundbreaking changes in the era of coalition politics, increased opposition from Bureaucracy to any changes that removes them from comfort zones. Also, the fact that India still is a developing country were masses lack awareness to importance of such issues.

The ways in which this can be tackled is by learning from not just west but from other developing countries in east and latin america. Developing a strong administrative reform culture and encouraging merit and change in the system. Administrative reforms ought to be seen not in isolation but in relation with their importance as means to achieve socio-economic development.

The piece meal argument is also not right in its entirety as there have be changes like the adoption of constitution, 74th and 78rd amendments as reform measures with the liberalization ware but that still needs to reach a climax to be really termed as Holistic Administrative Reforms.

16) The term development has changed its meaning from being something that was delivered from top to something that now is driven bottom-up. Same holds true for Rural Development.

Earlier Rural development in Indian context was seen much in context of Agricultural development amply reflected in the Common Development Programme and National Extension Service, 1953.

Now it is recognised that Agricultural development though very vital is just a part of the holistic Rural Development aspect. It just covers the economic aspect and hopes a spillover to other dimensions like social, political but that may not always happen. Hence, the increased focus on integrated approach that considers all social, cultural, Political and gender angles of development.

The issue with more focus on agricultural development is that it neglects other rural profession like Handicrafts, handloom etc on the economic from. On the social and political front it continues the system of power divide on the basis of caste and class. This cannot hence be called development in real sense.

Almost all government committees post Independence have focused on political empowerment and decentralization as a measure to ensure proper Rural development. And then

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③

linking of schemes to this decentralised structure 73rd amendment imputated a political decentralization at the local rural level with safeguards using adequate reservation on the basis of caste and gender for the same reasons.

ARC II also sees rural development as hinged onto the successful decentralization and empowerment. It recommends that the state empower local bodies by devolving power through the principle of subsidiarity and convergence. Help them gather their own finances and encourage accountability mechanisms.

• ARC II also recommends that development measures by Governments keep the structure in mind and use Panchayat system. The approach paper to 12th FYP also recommends empowerment of PRIs and their successful incorporation into Bharat Nirman, NREGA and NRLM programs. Also, agriculture development schemes like Insurance etc are to be routed through panchayats.

Hence, we can see that rural development is certainly much broader concept than agricultural development.

1(c) NHRC was formed under the Protection of Human Rights Act, 1993. The act offers independence and impartiality to the body in the following ways :-

(a) Autonomy of the commission is derived from the way of appointment from a committee comprising of PM, leader of opposition, Home Minister, Speakers etc. Also, the members are retired chief Justice as chairman and other judiciary members from It also consists of representatives from commissions for minorities, women etc as members.

(b) It has all powers of a civil court - like - summoning and enforcing attendance, receiving affidavits, production of documents etc

(c) On functional terms it has power of suo-motu enquiry, intervening in cases before courts with permission from courts, visiting jails, asking questions to governments, reviewing laws etc.

(d) For operational purposes, it also has a separate investigation wing headed by a Director General of Police.

Though the above seems like sufficient enough to ensure independence and impartiality. There are some shortcomings :-

(a) The suggestions of the committee are of recommendatory nature hence not taken seriously

(b) considering the expanse of country and growing awareness on Human Rights it is relatively a small body.

(c) There is lack of adequate coordination of NHRC with Judiciary, NGOs and media

(d) Many claims filed are ignored by the commission because of capacity constraints

Hence, we see that the comment holds strength that though independent and impartial, the NHRC has its loopholes. The loopholes could be plugged by raising awareness among people, making recommendations to hold unless reasons are provided, increasing the capacity of NHRC and making structures for proper coordination with different bodies.

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30. India is experiencing a boom in urbanization. The recent census revealed that the urban population added this decade exceeded that added to the rural. Despite this there hasn't been a great focus on incorporating the urban populace into planning process.

The issues due to increasing urbanization and lack of planning are :-

(i) Lagging infrastructure - roads, water, energy etc to serve growing population

(ii) Unstructured urban growth

(iii) Problem of slums

(iv) Lack of preparedness for disasters that are characteristic of urban areas or take disproportionate proportions in the context.

It is equally important to understand the impact of urban areas on peripheral towns and village.

The 74th Amendment made provisions for devolution at urban areas and planning through Metroplanning Planning committees but because the specifications and implementation was left to the state there is high variation across states and most planning bodies are virtually functionally defunct.

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Also, because there is lack of expertise and proper coordination with the Municipal councils they are deemed uneffective.

Also, there are areas of overlap where Urban and Rural geographies overlap in terms of roads, public transport facilities etc. There need good coordination between both bodies but that is largely absent.

The 12th approach paper to FYP lists lack of comprehensive planning, rigid planning process - lack of integrated approach, lack of proper plan-finance linkages and inadequate capacity as the major bottleneck in Urban planning.

Recommendations :—

The ARC II recommends that Urban local bodies be provided higher financial and administrative autonomy and that planning body be subsumed into the Municipal councils as an integral part. Government to encourage innovative planning through proper incentives. It also stresses that Municipal councils be devolved more powers through the principle of subsidiarity and planning to be taken

closer to people through wards, ward committees and Area sabhas.

The Approach paper to 12th FYP lays the importance on structuring urban growth along the Industrial corridors, providing stratigic and financial guidance to District and Metropolitan planner, strategic densification of cities, technical capacity building and devising proper legal frameworks.

Thus it can be appreciated that Urban centres are going to form the nucleous around which cities districts would grow and improper growth due to inadequate planning would be of bad consequence for the entire district. Hence, it is important that urban planning is taken up on urgent basis.

d(b) The role of centre and centrally sponsored ~~seo~~ schemes that are either disguised tied grants or means to side track state administration process are one of the biggest bone of contention as pointed out by both Punchi and Sarkaria commission.

<u>centre's view</u> :-

There is a perception that most of the corruption occurs at the level of state hence centre's reluctance in giving grants directly is justified. At the same time, there are aspects that fall in the concurrent list on which centre has a role to play. Also, centre perceives states as lacking the efficiency and effectiveness in terms of policy planning and execution with proper accountability mechanisms. Hence, the justification of CSS. Also, the ~~so~~ centre says that the funds are anyway being spent at state level so states shouldn't be so sceptical.

<u>State's perspective</u>: They see centre as arrogating powers and as against the spirit of federalism. They cite centre's apprehension

of funding as the main cause of the poor plight of state apparatus. States believe they are better in touch with the ground realities and hence can be more effective. Also, because administration on the Local government level is a responsibility given to the state they see this as even the more a reason why Centre should not interfere.

Punchi and Sarkaria commission are of the opinion that in a fedual spirit the finances ~~ord~~ between state and centre should be rationalised and centre should stop interfering through the means of tied grants and centrally sponsored schemes as it leads to multiplicity of efforts, thereby increasing costs and reducing accountability. Punchii commission talks about constitutional amendments to give states more power over taxation and hopes GST would solve the same.

ARC II also stresses on the need for making Local bodies more autonomous. It points to the fact that states are apprehensive about devolving powers to the local level as was centre to the state. It talks about increasing the capacity of local bodies to

generate their own Tax base and the State and centre to play an important role in encouraging the same.

• Empirical evidences are there in the form of Gujarat and Kerala where there is substantial devolution of financial power at the local level by the state and the outcomes have exceeded what the state or centre would have achieved by a top down approach.

Hence, in the spirit of federalism to the lowest level and in the spirit of decentralisation and empowerment it is only right to say that it is in the best interest of the country that as much financial devolution takes place to the local bodies as possible following the principle of subsidiarity.

50) The 73rd and 74th constitutional Amendments envisaged encouraging planning at the local level. The same was also recommended by earlier committees like Balwant Rai Mehta and Ashok Mehta committees.

The idea is to encourage a bottom +up approach to planning as one of the pillars of ~~the~~ effective Decentralization.

Because local administration is a state subject and the Amendments also left it to the states to detail the structure and organization of District planning and development boards, their structures differ across state. But a general outline could be described as:-

(i) District planning boards are required to assimilate plans from the local levels and feed them into the state plan.

(ii) They are supposed to collect requisite information and act as a resource house of ground level data.

(iii) They are required to review the implementation of plans and recommend changes if necessary.

(iv) They should provide guidance to village or local levels to ensure proper planning.

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13

Despite the seemingly noble task, the planning bodies at district level have fail to match upto expectations. Reason being :-

(i) They lack expertise and finances to perform their tasks.

(ii) Many states have established them on paper but not in spirit.

(iii) The extensive prevalance of centrally sponsored schemes defeate their purpose.

(iv) They lack Funds, Functions and functionaries to a great extent

Recommendations to improve could be :-

(i) Ensure implementation in spirit through proper empowerment ~~seat~~ (ARC-II)

(ii) Stop centrally sponsored schemes and tied grants (Punchii commission)

(iii) Make District planning an integral part of District council (ARC-II)

Hence, we see that though extremely important planning is neglected at District level. It is high time that steps are taken to address the lacunae.

56) Though Decentralization is corner stone of democracy as it takes governance more close to people, there are good number of impediments to be over come. The problems can be broadly categorized as :-

(i) Problems of economy of scale.

(ii) Elite capture

(iii) Increasing inter-regional inequalities

(iv) conflicts between local and national interests

(v) Inherent complexity.

(vi) Other political factors - Role of Centre & State

Decentralization implies increase in localised procurements and taking up of contracts. Many experts see this as an expensive process if done in a disintegrated manner.

In a country that is highly stratified on the basis of caste, gender etc, there is a high possibility that elites (Upper castes, dominant castes) dominate the scene. This is empirically observed across geographies in India.

One of the outcome of high diversity is that some regions are better off than the others. Hence, there exists a case for a centralised effort that looks into redistribution aspects.

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Many-a-time the local interests may be at loggerheads with the national interests and may become unsolvable If the centre is weak eg: Displacement for development activities like Infrastructure etc

Apart from the above, there are political reasons. States see themselves in an Hourglass situation - tapered at the in the middle sandwiched by State on oneside and Local governments on the other and hence are wary of effective decentralization. Centre on the other side disrupts decentralization through Centrally sponsored schemes developed from above.

All of this has led to poor capability building at local levels

Hence we see that democratic decentralization is not just affected by the usual problems but also heavily due to the entrenched interests of centre, state and local elite.

5(c) The concept of community policing see the people at the centre of policing, who are the main drivers, and stakeholders in local policing. This is a new dimension to the idea of police as a "service", than "repressive hand of state". One of the most used statement in this regard is – "People is police & Police is people". It is quite well established in UK. and USA but yet to take proper roots in India.

India has a history of police as a repressive instrument than service due to the colonial legacy. If one looks closely at the structure and the institution in terms of the laws one finds several examples of the same - discretion with the station officer to file FIRs or not, provision for appointment of locals at SPOs, Criminal Tribes Act etc. This has resulted in a huge difference in perspective over what is needed for community policing. Also, the trust people vest in police is on a low.

Though there are examples like Mohalla committees in Bhiwandi-Maharashtra, Maithri in Andhra Pradesh and 'Friends of Police' in Tamil Nadu.

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(17)

There is still a long way to go.

ARC II has given some recommendations in improving the community policing aspects :-

(i) It states that local policing should be given completely under local governments like in US and UK.

(ii) The concept of beat policing needs to be reintroduced

(iii) Interaction with people should be organised through community liason groups.

(iv) convergence with activities of other departments should be tried.

4(a) Regulatory bodies are meant to provide a level playing field in a market place where both government and private players play a part. The concept first emerged in USA but is accepted worldwide as of today.

Issues that concern independent regulatory bodies in India are as follows.

Firstly, the whole idea of Regulatory bodies is new to India and as such has not matured yet. Secondly, there is a lack of standardization in the way they are formed and many corporates complain that they are always manned by high level Bureaucrats and that there should be more representativeness it it.

Thirdly, there are still issues of interference from the government. Fourthly, the regulatory bodies don't have their functions delineated properly which results in frequent overlaps on their domains. The recent example of ULIPs which were claimed under their domain by both SEBI and IRDA led to lot of litigations and wastage of money over court cases.

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(19)

The above shortcomings are often reasons for lack of faith in Regulatory commissions and thus poor investor confidence that affects efficient functioning of markets.

To counter these affects, the commission also indicated measures:-

Firstly, the selection and formation of the Boards for commission should be transparent and standardised. Secondly, it also recommended that the functions of all regulatory commissions should be properly delineated. Thirdly it recommends signing of Memorandum of Understanding or management statements clearly specifying the sphere of influence and tasks to accord greater autonomy and independence.

Going ahead, ARC also recommends a system to review the role of regulators from time to time and recommend suggestions.

A further input from corporate bodies like CII, ASSOCHAM etc is that the membership of Regulatory boards should be made

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more inclusive and experts from outside the government should also be involved.

It should be appreciated that as India move towards greater economic development, the role of markets and private players - both domestic and foreign would only increase. It would be of utmost ~~simp~~ necessity that ~~tract~~ there are neutral arbitrators in such a scenario. It would also be required that there is complete faith in the regulatory bodies by the market players to ensure healthy competition.

Hence, it is totally required that the recommendations of the commission are implemented at the earliest to remove the current roadblocks.

A(b) The fact that there is still a lot to be done on the front of actively incorporating PRI into the implementation part of Development programs has been highlighted by ARC II and also in the recent approach paper for the 12ᵗʰ FYP.

It is important that locals are involved in implementation of development programs because they are the best source of information on grassroot realities and hence might help, fine tuning the implementation to yield maximum impact. The involvement needs to be institution-alised otherwise it wouldn't sustain.

The factors responsible for this short-coming are :-

(i) In most places District planning bodies as envisaged by 73ʳᵈ and 74ᵗʰ Amendments have not been instituted in spirit.

(ii) Many state programs are also not delivered through local bodies. Centrally sponsored scheme also overlook the local aspect as most of the schemes are similar across the country.

(iii) States view empowerment of local bodies

and their increasing role in development policies as a danger to their clout and hence don't pursue it actively.

(iv) There is lack of proper accountability mechanisms at the local level in terms of proper structures and hence the apprehension at giving finances freely to panchayat bodies etc.

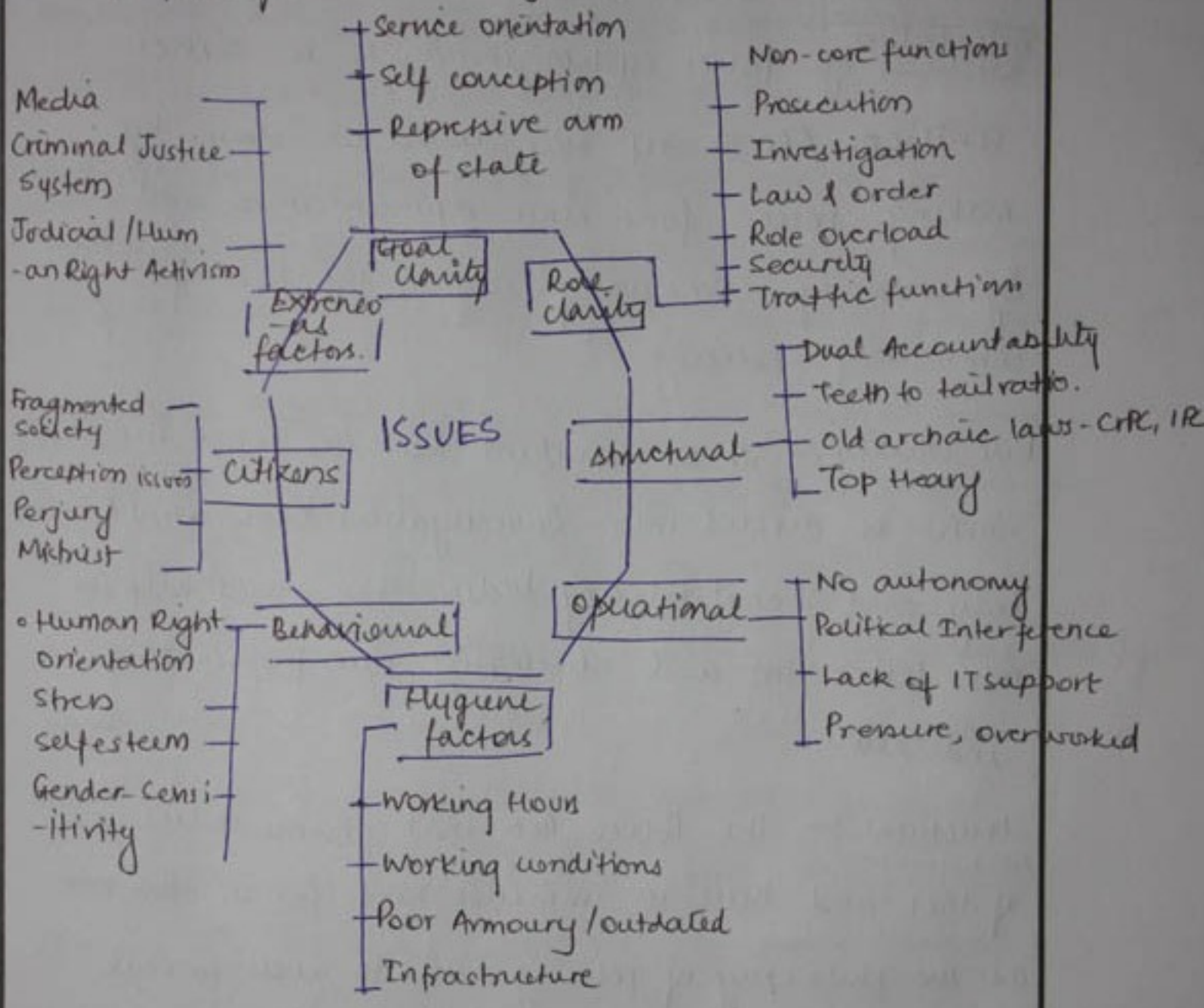(v) Financial devolution is yet to take place properly.

ARC II considers the above shortcomings and has forwarded certain recommendations like involving locals effectively in the planning process and by making District Planning councils an integral part of District councils. Empowering local organization by adequate devolution of Funds, Functions and functionaries. It also recommends that plans at state and central levels be made with due sensitivities to the structures at local levels and use them to the extent possible for implementation and accountability mechanisms. It also emphasises role of NGOs etc in social audits.

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23

The Approach paper to 12th FYP also stresses on the need to integrate local administration into State/central schemes. It also talks about convergence of schemes like NRLM and MNOREGA to ensure proper participation without duplication of efforts.

Andhra Pradesh governments' Indira Kranti Pathakam is a great step at incorporating locals into implementation of development schemes, ensuring adequate reach and preventing duplication of efforts.

Hence, it can be said that though the participation has not been great but there is a strong case for it. Also there exist examples in India that have achieved it and can be learnt from them.

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8(a) The current situation that Police or the Law and Order machinery is currently faced with can be diagrammatically represented as :—

The diagram (ISSUES mind-map) contains the following elements:

Goal clarity
- Service orientation
- Self conception
- Repressive arm of state

External factors
- Media
- Criminal Justice System
- Judicial/Human Right Activism

Citizens
- Fragmented society
- Perception issues
- Perjury
- Mistrust

Behavioural
- Human Right Orientation
- Stress
- Self esteem
- Gender Sensitivity

Hygiene factors
- Working Hours
- Working conditions
- Poor Armoury/outdated
- Infrastructure

Role clarity
- Non-core functions
- Prosecution
- Investigation
- Law & order
- Role overload
- Security
- Traffic functions

Structural
- Dual Accountability
- Teeth to tail ratio.
- old archaic laws - CrPC, IPC
- Top Heavy

Operational
- No autonomy
- Political Interference
- Lack of IT support
- Pressure, overworked

Having outlined the major issues with the Police system, It can be appreciated that a rapidly changing Law and Order profile will only complicate matters unless addressed in due time.

Following are some of the key recommend-ations :-

Goal clarity : There is a need to change the orientation ~~attitude~~ of police system india to be service centric. ARC II says this could be done by making police force more representative and by involving community, say in the form of community policing.

Role clarity :- It is important that the police function-aries be divided into Investigation body, Law & order body and Local policing bodies. This would help in role delineation and developing new performance indicators.

Structural :- The Police Act that governs police is of 1861 and there is immense need for a new one as the philosophy of policing needs to undergo real change. There is a need to rationalise the constablary numbers and provide them with proper growth opportunities (PADC, Soli Sorabjee). There is need for specialization in Investigation through specialised Prosecution wing, Forensics wings (ARC-II). Proper checks should be in place to discourage corruption.

Operational :- There is need to cut down political interference to ensure that state interferes only in matters related to Efficiency and by providing legislative inputs (National Police Commission). They need to be made more autonomous.

Hygiene Factors : The working hours needs to be rationalised. Housing, Gratuity, Pension schemes need to be streamlined. Also, proper armoury should be provided (ARC II)

Behavioural Aspects :- There need to be training programmes to impart gender sensitivity and HR orientation. Also, interaction needs to be service oriented.

The above changes if made would automatically ensure that citizens, media and other stakeholders with change their orientation towards police. The police also will develop into being more community friendly and at the same time more autonomous and effective.

8(b)

The crisis management structure prior to 2005 Disaster Management Act consisted of a 3 tier structure with many layers of reporting in betweeen. This had rendered the response mechanism time lagged and quite ineffective.

Since the Gujarat Earthquake, Government has taken important policy decisions as follows:-

(i) Disaster management with reference to rapid onset disasters was moved from Agriculture to Home Ministry.

(ii) State governments were advised to have a separate Disaster Mangement Dept and to constitute Disaster Management Authorities at state and District levels.

(iii) A specialised force - Nationalised Disaster Response force was constituted.

(iv) Emergency Operations Centre is to be setup at National, State and District levels.

(v) Capacity building for Disaster management was institutionalised in the form of - National Institute of Disaster Management and by including Disaster Management in school syllabus.

Also, the tiered system of approach has been replaced by a more integrated system with much lower and reliance on approvals and permissions through the National Disaster Management Act 2005.

The above changes indicate a change in thinking that Disaster Management requires a concerted/integrated approach that is quick and effective. It appreciates the fact that it is best to involve locals in Disaster planning because they know the landscape better and are the biggest stakeholders who are affected by Disasters. It also lays focus on the relevance and importance of technological innovation like the INCOK system for Tsunami warnings in Hyderabad and Earthquake awareness.

Apart from those there is a greater focus on construction of buildings that are earthquake proof, fire-safe. ("ARC-II) There is

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also an increased focus on Mock drills and evacuation processes to educate people better. Also, there are attempts to ensure International cooperation and coordination for disasters.

Hence, we see that thinking on Disaster management has changed on many grounds-awareness, involving locals, ensuring International coordination and using technology. All of this is further grounded in making legislative structures than ensure smooth execution. Thus, one can see a sea change in the type of thinking that has gone under disaster management.

Doubt :- I don't have a habit of underlining keywords. Do you think that is affecting my answers?
Should I focus more on it or is it just fine.

— Thanks! (Sai)