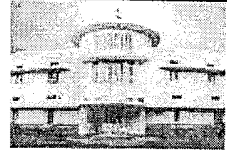


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ANSWER SHEET

Name of Candidate

NIKHIL PAVAN KALYAN

Test Code

MOCK TEST (5)

Subject

PUBLIC ADMINISTRATION

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.	1		
2.	2		
3.	8		
4.	12.		
5.	5		
6.	17		
7.			
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.

Q1. (a) Article 163 provides for the council of ministers with the chief minister at the head to aid and advise the governor. Article 164 provides that the chief minister shall be appointed by the governor and the other ministers shall be appointed by the governor on the advice of the chief minister.

As per these provisions of the constitution, it is clear that the appointment and removal of the council of ministers is in the hands of the chief minister and he can change/modify his council anytime he wants at his will. According to this, the chief minister is ~~definitely~~ definitely ahead in rank than that of the council of ministers.

But, the constitution, in its working is much more than just articles. The final status of an institution is a combination of constitutional principles, statutory laws, judicial pronouncements and finally the established conventions. The council of ministers, with

the chief minister are to be seen as one entity that runs the executive of the state, and they sail together and they fall together, the convention of collective responsibility lays as much stress on the chief minister, as it lays on the council of ministers. Without the council of ministers,

the role of the Chief minister is void, and without the Chief minister, the authority of the Council of Ministers is not void. The Chief minister is, essentially a primus inter pares, the first among equals, his colleagues, the Council of Ministers. Except for the appointment and removal, the role of the Chief minister and the Council of Ministers remain the same, but whenever there is a need to decide on their appointment/removal, the Constitution gives special privilege to the Chief minister.

(b) The Union Public Service Commission is established under the constitutional provisions of Article 315. The functions and the privileges of the Commission (UPSC) are all detailed in the Constitution itself, giving a sacrosanct status to the institution. Even with its high ~~pr~~ status provided by the Constitution, there are some lacunae that are haunting the institution.

When compared with other constitutional bodies like the Election Commission and the Judges of the Supreme Court, the Chairman of UPSC is not appointed by the President under his hand and seal, and also the removal of the Chairman of UPSC is not as stringent as that of the Supreme Court Judge or the CEC.

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These determine the working of the institution overall. Also, the role of UPSC is overshadowed by other departments encroaching on its role.

Functionally, the UPSC is given the mandate to conduct examinations for recruitment, but most of the times, the recommendations are not accepted by the executive. Since the recommendations are not binding on the executive, no more progress happens in this regard. Also, an annual report will be presented by UPSC to the parliament which is to be reviewed as discussed, drafting an Action Taken Report if the recommendations of UPSC are not accepted. But more than many occasions, this ATR is not prepared and the UPSC has no more progress on this either.

(c) The recent statistics from the Census 2011 (provisional data) and the 61st National Sample Survey Organisation report, first time after 90 yrs, there are more people added in the urban areas (91 million) than those added in the rural areas (90.6 million) in the country.

This singular statistic shows the current significance of urban migration, thereby bringing in the need for providing basic services and necessary infrastructure in the urban areas.

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The survey also shows that many new 'urban' centers came up with huge migration of people in search of livelihood from the rural areas.

Unless the cities (urban areas and towns) are improved in their basic service provisions, sustaining the ever increasing urban population will not be possible. A holistic approach needs to be adopted at the metropolitan level (for large urban conglomerations) and at the district / city level for other urban areas. An Urban development policy including Transport and Road policy, drinking water and sanitation, roads and railways for mass rapid transport, housing and slum development, sewage and waste management, education, health and social security etc need to be carefully incorporated into the overall urban infrastructure. The existing government schemes like Jawaharlal Nehru National Urban Mission (JNNURM), Rajiv Awas Yojana, UID - for other towns and cities, with decentralized planning and management at the city / local level is the best way to proceed.

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Q5. The legislative relation between the centre and the states has been carefully drafted under part ~~vii~~^{ix} of the constitution (Article 246). The legislative subjects are divided into central, state and concurrent lists. The subjects in the central list are the exclusive legislative privilege of the central government with states having no role. It has 97 subjects. Similarly the state list with

66 ~~47~~ subjects is the exclusive domain of the states. The concurrent list with 47 subjects is the, as the name implies, domain of both centre and the states (these three lists are mentioned under the seventh schedule of the constitution). The very number of subjects in the respective lists shows the bias in the number of subjects under the central government. Also, Article 246 in its third clause mentions that the residuary powers for all those subjects not mentioned in the state list lies with the parliament. Even on the concurrent and state list subjects, the centre gives broad policy guidelines to be uniformly followed by all states. For example, police is a state subject, yet the Union Home Ministry gives policy guidelines, modernization of police (police reforms) and other details to the states.

- (b) The state secretariat and the state directorate are the staff and line agencies respectively of the state government. The secretariat, headed by the chief secretary is the primary advisory body of the state government with all the departmental secretaries coming directly under the coordination of the chief secretary. The directorates are the implementing agencies with an executive head, as a line agency for each department.

state secretariat

state directorate

- | | |
|----------------------------------------------------|----------------------------------------------------------------------------|
| (i) Staff agency with chief secretary as its head | (i) line agency with executive head. |
| (ii) Generic advisory body | (ii) Technical and sector specific implementation agency |
| (iii) More nearer to the political head. | (iii) Far from the political executive |
| (iv) More eyes and ears of the political executive | (iv) Cutting edge field organisation |
| (v) sits at the head quarters | (v) Geographically distributed with many field offices of the directorate. |
| (vi) Generalist dominated administrators | (vi) Specialists of the sectors with technical expertise. |
| (vii) No implementing / functional responsibility | (vii) Responsible for the implementation of activities. |

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(C) The recent incidents of the UPA II government, with succumbing to the whims of the coalition partners like DMK in post-poll arrangements for the MPs in the union cabinet and few other decision making out of the office of the prime minister cast doubts about the authority of the designation. Yet, the Prime Minister is a very powerful authority of the Indian administration. He is the chairman of the planning commission, and directly oversees the planning process of the country. He chairs the National Development Council (NDC) for planning coordination and the National Integration Council (NIC) for communal harmony related issues. He is the final incharge of all the personnel and recruitment of the centers. He is the spokesperson and the face of administration of the country, and coordinates the activities of the cabinet. Special departments like Department of Space, Atomic Energy etc directly come under his ambit. He is the real head of the executive and draws power directly from the constitution. All the policies and other legislations draw attention from the prime minister. He appoints his council of ministers (with giving advice to the President) and directly administers the union territories in the name of the president.

Though the coalition political arena has considerably shifted the chain of authority away from the prime minister, he is still the head of the government.

Q3. (a) At the center, there is a system of cabinet secretariat which is a coordinating staff agency of all the cabinet ministries of the central government. On the similar lines, there is the staff agency of a secretariat at the state level headed by the chief secretary. Though the status of both of these staff agencies is to coordinate the work of the different ministries and portfolio, conventions, the rules of transaction of business and allocation of business of the centre and the states have provided for different roles for the two organisations. Especially, the role of the state chief secretary is so distinct that the functional counterpart of the chief secretary cannot be found in the union government, though the cabinet secretary comes very near.

The chief secretary, established during the British times itself, as the secretary to the Governor in Council is the chief of the civil services with in the state. He is the prime coordinator for all the ministries of the state government. There is no separate state secretariat with departmental as that of the central secretariat separate from the chief secretary. That is to say, chief secretary is the head of the state secretariat too, which is not the case with the cabinet secretary (He is the coordinator of the cabinet and not the many secretaries of the departments).

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The Chief secretary is the spokesperson and the face of the administrative machinery of the state. There is not CMO (Chief ministers office) as that of PMO (Prime Minister office) to advise the chief minister, and this task is also performed by the Chief Secretary.

As mentioned, he is the head of the civil services within the state and all the district collectors/magistrates and other administrative heads directly report to the chief secretary. He is the head of the secretaries to the Government of India of the various departments of the states, and he takes care of coordinating their work. The chief secretary also works as the secretariat for the cabinet and takes notes, provides advice and other secretarial functions to the state cabinet. He is the head of the disaster response (the first source of action/response) and directly handles the response and rescue operations. He represents the state at the central level in the committee of secretaries and deals with cabinet secretary and other central designates directly. He is the all powerful bureaucrat of the state with no parallel role anywhere in the Indian services.

(b) The role of the district collector has been the most dynamic one during the last two decades and more with the changes in the socio-political and economic structure of governance in the country, there is a new adaptation of the role of the collector.

Some significant changes that came across that led to this change of role are:

(i) Opening of the country to foreign market and the era of liberalization and globalization with more private participation.

(ii) This has led to the change in the role of the state from that of a license-saj and active ~~sector~~ production agency to that of a facilitator or regulator of private activities. Accordingly the role of the local level district administration has to adapt, to take more regulatory work and other developmental work.

The concept of global village with huge interconnected geographies envisage a newly skilled and technical administrators with state of the art and cutting edge technological adaptations.

(ii) On the other hand, and rightly contradictorily to the above position, the enforcement of the 73rd and 74th constitutional amendments

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have led to the emergence of local government bodies the Panchayati Raj Institutions and the Municipalities, at the same level as that of the administration of the collector. The Central/State authority has been decentralized with elected bodies at the district level.

Now parallel bodies in the form of elected Pilla Parishad chairman and administrative (appointed) district collectors exist, with conflicting and overlapping responsibilities. It is in this light that a change of role of the district collector is envisaged. As per the second Administrative Reforms Commission report, as the elected representative bodies, all the development work should go under the Panchayati Raj institutions with the district collector acting as its chief executive at the district level, and the rest of the regulatory and collector (revenue collection) and maintenance of law and order should be the responsibility of the district collector.

(ii) Even though the PRIs have emerged, they are yet to fully establish themselves as democratic institutions and still the district collector handles many of the developmental jobs in varying roles. One good example is the district collector as the chairman of

District Rural Development Agency (DRDA) that handles some of the central sector scheme implementation.

Q4. (a) The relation between the governor of a state, who is appointed by the president (central executive) and the state council of ministers headed by the chief minister, has always been that of tension and mistrust. On more than one occasions, the governor acts as the agent of the center and diverges from the conventions or acts in his discretion, bypassing the authority of the chief minister. The many other discretionary powers given to the ~~present~~ governor are also a bone of contention.

The recent events of the tug of war between the governor and chief minister of Gujarat on the appointment of the Lokayukta Chairman, the continuing tension in the relation in the state of Bihar, the governor of Karnataka directly (bypassing the state executive) recommending the removal of the cabinet ministers, and so on are some of the current evidences of the strained relations. Numerous recommendations by

various committees like

- (i) the first administrative reforms commission
- (ii) National Commission for the review of the working of the constitution
- (iii) second administrative reforms commission

all suggested for co-ordination between the two dignitaries and to appoint a non-politically active, out of the state, eminent person in one walk of life as the governor. But, this is followed more in defiance, and most of the times, political shifts rule the appointment of the governor, causing and providing a political stint to the post.

The discretion available to the governor in the appointment and removal of the chief minister, and the mere satisfaction of the governor that the constitutional machinery of the state has collapsed, leading to the application of Article 355 and the president's rule, is the main source of conflict between the two posts.

The conflict gets aggravated with opposing political parties at the center and the state, with a political appointee as the governor.

Ambiguity in the constitutional provisions and the convention in the application of the phrase "aid and advice of the council of ministers" is the

Other important reason. The governor, on most

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Ocasions look for conventions where he does not need to act on the advise of the council of ministers.

The governor being the appointed and the council of ministers being the elected representatives, the nominal and real heads of the government try to attain as much political clout as possible to extend the power politics.

(b) The Ministry of Home Affairs is one of the most important portfolio of the central cabinet. Established as a part of the first portfolio system in 1861, the ministry of Home Affairs (MHA) is the primary domestic maintenance ministry. Like all other ministries, MHA is also divided into different departments with a secretary to the Government of India or additional secretaries. The ~~departments~~ departments under the MHA are

(i) Department of Home Affairs: The role of this department is to take care of the affairs of the office of the president and the vice president including their elections, parliamentary affairs, cabinet affairs etc.

Mostly the housekeeping role of this department, yet significant in its role to secure and safeguard the seat of the central authority.

(ii) Department of Internal Security: This is the most important department in terms of the role performed by the MHA. All the use of the police forces and

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Other armed staff is at the disposal of the MHA to secure the territories of the country from the threats and attacks of the borders, of law and order (Public order) problems, insurgency and naxalism, terrorism, communal tensions and securing the sovereignty, unity and integrity of the nation.

(iii) Department of Border Management: All the border forces like the border security force (BSF), Indo-Tibetan Border Police etc are at the disposal of the MHA to secure the frontiers of the country from external attacks.

(iv) Department of Official Language: MHA also takes care of promotion and use of the official language of the country, Hindi and to replace English as the official language of all transactions. The office of the commissioner of official language directly reports to the MHA.

(v) Department of States: This is the primary co-ordinating department with states in the maintenance of local law and order and national integration, the center-state relations are also dealt.

(vi) Department of Jammu Kashmir.

Apart from the above department, there are many attached and subordinate offices and training and other institutes like CBI, RAW, CWC, North East Council, Forensic Bureau etc

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These departments are again divided into divisions for the respective tasks.

With the changing political and security dynamics, new challenges came up for the ministry:

(i) The threat of terrorism is always a source of contention, and after the 26/11 attacks in Mumbai, things are never the same. The Coastal security is to be strengthened with both upgradation in technology and skill upgradation and vacancy filling of police personnel. The coming up of National Investigation Agency (NIA), NCTZ and NATGRID are some of the steps taken, yet, there has been lot of criticism that ~~no~~ except for the mushrooming of institutions and increase in number of weapons, nothing concrete has been done.

(ii) The growing socio-political-economic and administrative problem of Maoism. The MHA came out with a about effort to eliminate (famously called as Operation Green Hunt) in 2009. But there has been severe return attacks and many attacks killing more than 300 people in two months in 2010 in Dantewada district shows the unpreparedness to sustain attack on the govt's welfare front.

Q6. (a) Hota Commission has been mandated to revisit all the reforms that are needed for the civil services to respond to the challenges of the 21st Century. The Commission has gone into the details of every aspect and come up with a set of recommendations suggesting wider reforms in the civil services.

(i) It recommended for the change of the entry and maximum age limits for appearing to the civil exam from the current 21-30 for the general category to 21-24 for the general category with relaxation for OBC and SC/STs.

This is in tune with the practical demands of catching their talent young and then providing sufficient training.

(ii) The main problem with the current services is the security of service, the ~~per~~ permanency of careers, leading to laziness and non-performance. The Hota Commission recommended for mid-term appraisal and removal of the recruits if the performance criteria are not met.

(iii) The commission stressed on the representation of women in the service, to ~~at~~ at least 25% of the higher civil services, as against the 12%-13% of current strength.

(iv) The culture of secrecy should give way to culture of transparency, with the repeal of the official secrets Act.

- (v) Code of conduct and code of ethics should be simplified and codified.
- (vi) Article 310 & 311 to be repealed and The constitution be amended to enable president or governor to remove or dismiss public servants in case of corrupt practice
- (vii) All public servants to wear badge while on public duty
- (viii) Only one term of deputation to be allowed for the public servants, and soon after the deputation, must report back to the parent cadre
- (ix) Every ministry, department and office with a large public interface must have a free toll number with voice mail facility.

All the recommendations, as we can see are practical and 'current' in nature, to resolve and react to the many challenges of red-tapism, corruption, inefficiency and non-performance in the civil services. The government can do a lot of good by accepting the recommendations and implementing them at the earliest.

(b) Article 78 provides for the president to make all arrangements for the smooth working of the machinery of the government and accordingly the Allocation of Business Rules and Transaction of Business Rules were framed for the central government administration with the establishment of a secretariat structure.

The Cabinet Secretariat is the head of the cabinet and provides for the secretarial help and advise for the Union Cabinet of ministers, the Secretariat is the prime coordinating body between the executive of the prime minister and the rest of the central departments and ministers, but, soon after few decades of the working of the constitution after independence, a parallel institute of Prime Minister's office (PMO) emerged as an executive body, with the same mandate as that of the cabinet secretariat, in advising the policy decisions to the prime minister. Under various PMs, this office has gained lot of prominence, though at the time of the Janata government, they tried to limit its power (by calling it as PM Secretariat), the essential power and political clout of the PMO is mainly dependent on the incumbent prime minister and his charisma is attracting political domination through his own offices, soon, the PMO has established itself as the center of all power encroaching and virtually displacing

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the Office of the Cabinet secretariat.

The proximity with the head of the executive is one definite reason for this quick transfer of power and authority from a constitutionally sanctioned body to a executive setup.

The PM Economic Advisory Council and other agencies within the PMO usually take over all the administrative apparatus under their ambit. It now holds more than 600 bureaucrats working on various fronts but in close quarters to the PM.