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PAVAN KUMAR'S IAS

Public Administration

Test - VIII

Time: 180 Mts. **Date: 15th November** **Max Marks: 250**

Answer the following questions in about 150 words each. (5 X 10 = 50 marks)

1. "The work of crime prevention has gone down in the priority list of police activities in recent years." Comment.
2. Unifunctional agencies and developmental authorities have created a functional jungle in urban governance. Comment.
3. "Collector is the representative of the State government in the district and also represents public interest." Discuss.
4. "Rural and urban development programmes have gained in importance, but implementation has been a failure". Comment.
5. AMRUT is an example of New Localism in Indian administration. Discuss.

Part - B

6. Law enforcement agencies in India are not fully equipped to tackle the law and order problems of 21st century due to 19th century structures, rules and regulations. Discuss. (20 marks)
7. District Planning Committees have failed to ensure decentralized planning at the local level due to failure of States to transfer powers. Discuss with relevant examples. (20 marks)
8. "The relationship between the office of District Collector and local self governments has changed drastically due to the passage of 73rd amendment." Critically analyze the above statement with relevant examples. (25 marks)
9. Failure of Anti Poverty Programmes can be traced to two important causes. Failure to ensure participation of people and to come out with permanent measures to remove poverty. Do you agree? Substantiate your

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answer by taking the example of at least two rural developmental schemes. (25 marks)

10. According to 12th plan estimates, India requires at least sixty lakh crores of rupees to be spent on infrastructure in urban areas by the year 2020. Discuss in this regard the ways and means to enhance financial independence of urban local bodies. (25 marks)

11. 73rd amendment, it is felt, may accentuate fiscal indiscipline by establishing between the state and local self governments a system of transfers similar to the one in place between the Centre and the States. Comment. 20 marks)

12. Local Self Governments in India are local in form and State and Central in content. In this regard, discuss the problems faced by Panchayat bodies in transforming themselves into institutions of self governance. (25 marks)

13. Absence of coordination between the Centre and States has resulted in many law and order problems. Do you think it is time to transfer the law and order from the State list to the Concurrent List to ensure better coordination? (20 marks)

14. The office of District collector created by the British forms the basis of district administration in India, but it needs a radical transformation in the age of globalization and democratic decentralization. Discuss. (20 marks)

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PUBLIC ADMINISTRATION

ANSWER SHEET

Name of the Candidate : VIJAY MEENA Date : 15/11/15

Subject : Pub Ad - Test VIII Roll No. 15764

Remarks : 113.5/250

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Q6

Law enforcement agencies are required to be dynamic, change-oriented and proactive in order to carry out their functions effectively. In India they are run by British era rules like Indian police Act 1861, Indian Evidence Act 1872, Indian Arms Act, 1859, CrPC, IPC 1860 etc. These rules and regulation are outmodelled for today's dynamic environment.

Britishers had brought in these acts with a sole orientation to instill fear in the minds of people and to have a tight control over the local police so that they don't support local people. Section 44 of IPA 1861 calls for keeping a daily diary of incidents happening. This was to control their activities

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Dynamism in 21st century -

The crimes today are not of traditional nature but has technicalities and complexities ranging from cyber crimes to harassment over internet of people. Crimes have international ramification and terrorism, Naxalism have inter-state presence. Recently American shellings were used in gurdaspur attack in Punjab. Therefore now we have Globalisation of crime.

As systems model suggests, there should be change in organisation in relation to the environment. The Reforms has to be 'modal' and not 'incremental'. However these reforms are not seen in Indian police forces. They continue to grappel with same issues -

a) Lack of empowerment of personnel - 80% of our force is constabulary and they are least empowered. There is steep hierarchy, rank classification is rampant and huge base with tapering apex.

~~Jeopar~~

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b) Organisational Culture - It is based on internal and external factors. Internally there is lack of trust among officials and externally the criticism is not constructive. Therefore a negativity is prevailing.

c) Lack of training : training is least focussed and the attitude towards this is negative.

d) Lack of technology :- Advanced technologies like Brain mapping, DNA profiling and forensics are inadequate. Recently an RTI application said that around 42 out of above 200 projects are still pending and not even started in last 15 yrs. 10 of them doesn't have any file yet

Therefore in today's environment, change is needed to be functional and relevant. We could learn from Japan's 'Theory Z' model or Singapore's model of flatter, decentralized and participative police.

There is a dire need to overhaul police structure, institutions and its attitudinal orientation.

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Q1

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The principle of subsidiarity based on which modern democratic polity should be based upon vouches for providing adequate autonomy and space in the field of planning, implementation. The 73rd & 74th constitutional amendment acts envisaged for a decentralized planning by providing structures at district levels. However these are just enabling clause and not mandatory therefore states has shown reluctance.

a) Around 10-11 states have only formed DPCs and even in these states these institutions are not functional and are on paper only, not in spirit.

b) States have not effectively allowed local self governments to play over many functions assigned to them under amendment. Such as 18 items to PRIs and 29 to Urban local bodies

c) The DPCs formed lack Expertise and the functionaries are not equipped with adequate knowledge to form appropriate plans.

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Suggestions -

a) There should be devolution index based over which the grants and aids to states by central government should be decided. The current devolution index used should be popularized and rewards to be increased.

b) ~~States~~ The Urban local bodies should be allowed to have its own personnel after the states decides over the provisions and rules of functionaries.

c) The MPs, MLAs etc. should not ~~be~~ allowed to be part of DPCs.

~~d)~~

More Problems & Solutions

9

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Q8

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The 73rd and 74th constitutional amendment has made some structural changes which have altered the relationship of PRIs, LSGs with the district collector (DC).

a) Zilla parishad (ZP) This elected body at district level works exclusively for developmental function only. In some states like Maharashtra, west Bengal, MP, Gujarat the DC is not part of ZP. Whereas in some it is member with or without voting rights and fully chairman in some states like Tamil nadu. Therefore, the DC has lost the control over major function it used to perform earlier.

b) The amendment seeks to force the election State election commission (SEC) to conduct, within 6 months of the dat of dispossession of PRIs, if done so by the state government. Therefore gone are the days when panchayat were used to be held for long duration as happened in Bihar for 8 years.

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Therefore the control exercised by DC during the supersession has been reduced.

c) The DC is now a friend, philosopher and a guide to the PRIs in their effective and efficient functioning.

However, inspite of the changes brought in by this amendment the situation hasn't changed much. and the DC continues to enjoy much control over the functioning of elected PRIs :-

a) The functionaries ~~are~~ working for the panchayats such as panchayat secretary village level worker continues to be appointed by the district & state administration and they function under the overall control of district collector.

b) The Zilla parishad has the politicians which are tainted and disgruntled in state politics and have linkages with administration for vested interests.

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c) The lack of technical expertise and knowledge on the part of PRIs have made them vulnerable to the influence of district administration.

Therefore there is a need to recognize this growing and continuing mistrust ~~for~~ in the capability of PRIs. It should be addressed through measures such providing a personnel for the functioning of PRIs. District level personnel can be created and PRIs can utilize it very well.

More Specific Answer

Q9

Anti-poverty programmes in India are directed to ensure poverty alleviation, removing obstacles, however only on a temporary basis ie. entitlement. they don't seem to empower people. Focus on entitlement results in a continuous need to provide incremental support to them ~~with~~ in a regular interval

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(1) Lets look at our rural wage employment programme. Right from food for work programme in 1970s, and then Integrated rural development programme in 1980s, to NREGA in today's time, it has gone under substantial changes. However our poverty continues to haunt although with slow decrease in Absolute terms.

a) Participation – These programme provided wages for doing some work. However there was lack of participation in programme formulation therefore low information about grass-root reality and hence faulty provisions.

b) Lack of permanent measures resulted in changing the programmes again and again in terms of name and structure but not in form. Recently District rural development agency was again brought under ~~District~~ Zilla parishad.

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Facts about programme

② Swarna Jayanti Gram Swa-rojgar yojana-

This programme was brought in along with Jawahar ~~Rozgar~~ Rojgar yojana (JRY) in urban areas. It seeks to provide financial and credit support to the rural entrepreneurs for setting up their own business.-

a) Participation - It can be seen from the low penetration of credit in rural areas and high unorganised sector growth that participation of people was lacking.

b) Permanent institution - Apart from Ministry of social justice and welfare there is no other institution. Recently MUDRA yojana has been started to look towards the credit issue. It remains to be seen whether it actually materializes.

Therefore the anti poverty programmes are lacking in an effective and multi-pronged approach to deal with the issues of poverty eradication in letter and spirit.

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Q10

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Constitution has envisaged a beautiful arrangement for the financial health of Urban local bodies (ULBs) under 74th amendment Act. It provides 18 areas of taxation, grants by states and central, grants suggested by State and central finance commission. It has some lucrative taxes like property tax. etc. However, they are still not a federation inside, the federation in the polity of India.

Reasons for low financial health -

a) state's control over taxation, budget, ability to borrow through capital and loans, ~~state's~~

b) State also controls the grants - Recurring and specific - which is the major source of grants.

Therefore lack of financial autonomy in this areas has resulted in ULBs gathering only 4.5% of their expenditure through taxation.

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To enhance financial independence -

a) Devolution of taxation areas and reduction in encroachment by state. A devolution Index similar to that for state can also be established for ULBs. with respect to taxation.

b) States should provide more flexibility in ULBs' ability to borrow from loans and capital market. State's can give counter-guarantees of the ULB Bonds.

c) State finance corporation can be established for each state to discuss and find out ways to enhance finances of ULBs. An independent body under Mayor to decide over the financial expenditure.

d) Innovative methods should be adopted by the ULBs like moving towards annual capital value system of property tax, congestion tax (Delhi is proposing), Impact tax (Hyderabad; USA)

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c) By taking a new Comparative public administration approach there should be collaboration between foreign cities and Indian to provide investment and develop infrastructure.
eg. Lister city concept.
eg Recently Singapore for Amravati

Therefore, to make ULBs truly a federation within federation, they need to be adequately empowered financially.

Q11 The system of fiscal transfer between Centre and state through various Grants, Grant-in-aids is accused of promoting fiscal profligacy as it only focuses on bridging the revenue deficit and not an investment in future, thereby incentivizing poorly disciplined states to promote and discouraging better disciplined states.

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Similar argument has also been vouched for LSGs. LSGs are almost entirely dependent on state funds as the devolution of taxing powers is negligible and besides all the funds transferred are tied funds:-

a) LSGs would be more prone to accentuate financial/fiscal indiscipline as they have very less financial autonomy vis-a-vis state's relation to centre.

b) As the fiscal transfers are politically motivated therefore this would give rise to more political decision and not economic

c) Moreover, the financial ~~capacity~~ knowledge ie. expertise to utilize the funds appropriately is not present at the local level, therefore more chances of leakages and lack of targeting.

d) Corruption and capture of power at PRIs by elite class would only promote fiscal loss.

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Solutions :-

c) Alongwith the financial autonomy of PRIs. their expertise should also be increased to handle the finances. A District level personnel would be needed to help the PRIs in their effective functioning.

b) There can be incentivization to the PRIs promoting fiscal discipline by providing rewards and linking it to the share of devolution.

More Specific Answer

~~Therefore~~

Q12 The Panchayat bodies in India, alongwith the state and centre, have not been able to transform themselves according to the changing environment partly due to the lack of initiatives by state and centre and lack of implementation of existing and partly due to generally apathy towards 'change' & 'reforms'.

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Problems faced :-

a) As noticed the area of administration of panchayat is too big to handle in some states with population crossing 10-15000. in uttar pradesh. (Similar to state & central constituencies)

b) Gram Sabha sits once in a year instead of regular sittings. Our National Development council has no regular sitting

c) Lack of technical expertise and adequate training to the panchayat staff. Our personnel in state and Central planning Boards are away from rural reality and Lacks grass root approach.

d) Lack of representation from all communities and section especially women and dalits. Our Bureaucracy at centre and state is also less representative. Therefore participation of all strata is lacking.

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e) Immense politicisation and bureaucratic culture - It should be noted that our panchayats have also come under political influence after 2nd generation reforms and hence politics ~~and not~~ decides the functioning according to their own interests.

f) Lack of financial autonomy.

g) Empathy for the last person standing is low at all levels of governance.

Therefore it can be noticed through events like one noticed in western uttar pradesh where there is struggle between communities for political gains. People of higher caste are not willing to work under leadership of lower caste.

A culture of service and public orientation is lacking at all levels.

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Q13 Our constitution envisages division of subjects under schedule 7. However, that can't be said to be strictly dividing jurisdiction. Law and order subject faces similar situation. Under union list, armed forces, training of police, Indian police services are there while state has police and law and order. Concurrent list has criminal laws and procedures. This has created multiplicity of jurisdiction and confusions.

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Importance of transfer:-

1) today law & order situation has inter-state as well as international repercussion of ISIS is most dic. Therefore centre should have control over ramification.

2) Its the constitutional duty of centre to protect states (under article 355) and also to protect centre's means of communication and transport.

3) To create uniform approach in dealing with law and order situation.

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4) States lacks necessary and required skills to handle crimes of sophisticated nature today.

Against :- a) It would violate the federal structure of constitution. Law and order being a subject near to ground level impact should be handled by agencies near to control and authority which is local.

b) Undue and application of forces with political interests could damage the polity as noticed in emergency in 1975.

c) the democratic polity in which state would be responsible for lack of effective law and order situation at local level would get diluted if the power is in Centre's hand.

Therefore in the interest of federal polity of our democracy it should be kept in state list only. However there should be increased integration (RIGAS) between state and centre for collaboration in fighting the situation with expertise and knowledge as noticed in anti-Naxal operation.

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Q14

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District collector is a wheel central to the Overall development of the country. As said by an official in British times that DC is a tortoise over which the whole burden of Indian administration resides.

Need for radical transformation -

a) In the age of globalization, the need is of specialisation, and our DCs continue to be generalists. eg. Urban transformation requires specialists in municipal management as noticed in developed countries

b) Globalisation also demand coalition of actors at the grass root level and DC has to shed it 'one-man-army' attitude and create an enabling environment for the multiple actors to come together and participate in overall development.

c) The office of DC is known to be hierarchic, less responsive, apathetic

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and dictatorial. It also lacks trust in the capability of masses, therefore, this attitude needs to be changed and community development through participation and empowerment should be focussed.

d) The planning & implementation of programme should be made truly democratic by involving SHGs, NGOs and local PRIs. Currently these things are done by DC office and everything is imposed over PRIs.

e) values - Instead of a political and partial, partisan approach towards politics, DC should focus on PRIs instead by becoming its friend, philospher and guide.

The Lakhina experiment of DC of Ahmednagar lead to a participative democracy in the district and enabled a conducive and cooperative environment.

10/5

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Q1

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Policing involves various aspects like prevention, preemption, protection, control, proactive approach in crime handling.

One major reasons behind lack of focus on prevention is lack of technical expertise with police. The Newyork police uses highly advanced forensic tools and DNA indys. USA spends $280/capita on police training while India spends a mere $2.5/ person.

The majority of police officials is constabulory and it is least empowered, trained and motivated.

Also, there is a lack of separation of law and order wing from investigative wing instead of reminders issued by Supreme court in prakash singh case.

facts about struggle of police

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Added with these are the increase in instances of crimes as noticed by recent NCRB data. Delhi has witnessed 3.5 times increase in FIR as compared to 2012 in 2014.

Therefore increased burden, lack of expertise, low motivation and increasing complexities of crime has forced police to focus on just controlling of crime and not prevention.

Q2 Urban governance is now full of various parastatal, statutory, international, voluntary agencies and authorities which have multiple jurisdictions and lack of integration (RIGGS) has only resulted in chaos and overlaps & conflicts. The recent conflict between Delhi government and Discoms and Delhi jal board is an example of this

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Various agencies and authorities operating -

a) Delhi jal board, Delhi Development authority, Delhi Urban Shelter and Investment board. The 'Land' is under ~~State~~ Central government and hence tussle between Delhi govt. and centre.

b) Central agencies like Central pollution control board, Public works department etc. have overlapped with state agencies

c) Now-a-days more PPP models are coming, therefore, formation of specialist agencies like Special purpose vehicles etc. Creates conflicts with bridges construction bodies of urban local bodies.

d) various special agencies made like Commonwealth games committee for infrastructure

Therefore these institutions and agencies have created legal jungles due to multiplicity and overlapped jurisdiction.

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Q3

District collector is a member of All Indian services appointed by centre and works under state.

Representative of state :-

a) It heads almost all the committees and meetings at district level ranging from DRDAs, ~~functions of District Collector~~ various developmental agencies.

b) It aims to bring coordination among various multiple agencies operating in the state and hence work towards overall aspirations & goals of state.

Public Interest works -

c) It works for development of disadvantaged and down-trodden section by establishing hostels, PDS, protection of minorities etc.

eg. Amstrong Pame constructed people's road in Manipur.

b) Famine code makes him Chief Executive of the district

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b) Nodal and most important person during the times of disasters under the state and national disaster management acts.

Therefore it has this dual responsibility of working towards fulfilling state's goals along with public interest should be fulfilled.

Q4 In recent times we could notice a spurt in rural and urban programmes like NREGA, JNNURM, AMRUT etc. However programmes have been a manifestation of increasing political interests for vote banks because the effective implementation is lacking -

a) Ivory tower approach in framing the programmes

b) lack of Accountability in public service delivery.

Allocation

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c) local population is not involved in implementation therefore the check over leakages and corruption is not seen.

d) The implementation lacks effective control over assessment and methods of delivery.

eg NREGA programme has been largely effective but in many areas the programme is lacking because of non-realistic projects ∴ Dig-fill-Dig approach being followed.

Need:- a) Social Audit to be rigorously followed.

b) Social justice committees to be formed in the local level to look after developmental efforts.

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Q5

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Atal mission on Reform ~~and~~ in urban transformation (AMRUT) is a modification of erstwhile JNNURM. It is an Example of New localism —

a) The cities need to prepare city development plans involving multiple stakeholders of the city.

b) The projects ~~to~~ have to be implemented through the urban (local) officials with sufficient funding and autonomy.

c) More and more effective participation of people in the planning.

d) Accountability of the city administration if there are lapses in the implementation

3.5

facts about AMRUT

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