

Time Allowed : Three Hours
समय : तीन घंटे

ForumIAS

Maximum Marks : 250
अधिकतम अंक : 250

PUBLIC ADMINISTRATION / लोक प्रशासन

Name Of Candidate परीक्षार्थी का नाम	DHRUV SAPRA		
Roll No./अनुक्रमांक	19100 98856	Medium/माध्यम	English <input checked="" type="checkbox"/> हिंदी <input type="checkbox"/>
Center Code/परीक्षा केंद्र	1900	Date/दिनांक	19.08.2023

*Center Code: For Online - 1900 / Delhi : Karol bagh - 1901, ORN - 1902, Mukharji Nagar - 1903 / Patna : Boring Rd. - 2001 / Hyderabad : Jawahar Nagar - 2101

INDEX TABLE / अनुक्रमणिका			INSTRUCTION / अनुदेश
Q. No. प्र.सं.	Max. Marks अधिकतम अंक	Marks Obtained प्राप्तांक	1. Do furnish the appropriate details in the answer sheet (viz. Name, Email, Roll No, Mobile). उत्तर पुस्तिका में उपयुक्त विवरण (जैसे नाम, ईमेल, रोल नंबर, मोबाइल) प्रस्तुत करें।
1			2. There are EIGHT questions divided in two Sections in the question paper. Question 1 and 5 are compulsory. You can attempt any THREE out of the remaining, Choosing at least ONE Question from each section. प्रश्न पत्र में आठ प्रश्न दो खण्डों में विभाजित हैं। प्रश्न 1 और 5 अनिवार्य हैं। आप प्रत्येक खंड से कम से कम एक प्रश्न चुनकर, शेष में से किसी भी तीन का प्रयास कर सकते हैं।
2			3. The number of marks carried by a question/part is indicated against it. किसी प्रश्न/भाग द्वारा दिए गए अंकों की संख्या उसके सामने दर्शाई गई है।
3			4. Answers must be written in the medium authorized in the admission Certificate, which must be stated clearly on the cover of this Question-Cum-Answer (QCA) Booklet in the space provided. उत्तर प्रवेश प्रमाण पत्र में अधिकृत माध्यम में लिखे जाने चाहिए, जिसका उल्लेख इस प्रश्न-सह-उत्तर (QCA) पुस्तिका के मुखपृष्ठ पर दिए गए स्थान में स्पष्ट रूप से किया जाना चाहिए।
4			5. Word limit in questions, if specified, should be adhered to. प्रश्नों में शब्द सीमा, यदि निर्दिष्ट हो, का पालन किया जाना चाहिए।
5			6. Content is more important than content length. विषय-सामग्री लंबाई की तुलना में विषय-सामग्री अधिक महत्वपूर्ण है।
6			7. Any page or portion of the page left blank in the Question-Cum Answer Booklet must be clearly Struck off. प्रश्न-सह-उत्तर पुस्तिका में खाली छोड़ा गया कोई भी पृष्ठ या पृष्ठ का भाग स्पष्ट रूप से काट दिया जाना चाहिए।
7			
8			
Total/कुल अंक	250		

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Examiner's Discretion/मूल्यांकन कर्ता का विवेक:	Start Time/प्रारंभ करने का समय :	End Time/समाप्त करने का समय :
	09:00 AM	12:00 PM

Total Marks/कुल अंक :	Mode Of Examination/ परीक्षा की विधि :	Online/ऑनलाइन <input checked="" type="checkbox"/>
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*Examiner's Discretion is the marks awarded at the discretion of the examiner based on your overall impression, on the basis of (but not limited to) your handwriting, presentation, use of diagrams, flowcharts, facts and figures or absolutely anything that he/she liked in your copy. मूल्यांकन कर्ता का विवेक अंक, आपकी लिखावट, प्रस्तुति, आरेखों के उपयोग, फ्लोचार्ट, तथ्यों और आंकड़ों या समग्र रूप किसी अन्य विषय वस्तु जो मूल्यांकन कर्ता को आपकी कॉपी में पसंद आयी के आधार पर (लेकिन इन्हीं तक सीमित नहीं) पर दिए गए अंक हैं।	ECN CODE/ ईसीएन कोड :	EG/ईजी :	Evaluation Date/ मूल्यांकन तिथि :
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Note: You can discuss your evaluated copy with the Mentor. Raise a ticket from your portal to schedule a mentor call or visit the offline centre to meet mentor (all 7 days, Timings - 11 AM to 6 PM). Further if you are unsatisfied with the evaluation, you can seek re-evaluation of the copy.
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EXAMINER'S REMARKS

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CRITERIA FOR THE FEEDBACK SECTION AT THE END OF EACH QUESTION

- 1. AWIS = Answered What is Asked.** This means whether you have addressed the core demand of the question or not. Addressing the core demand of the question gets you an objectively fair score. It is examiner's perception if you have understood the question and if you know the answer in the first place. Creative answer writing, sometimes missing the core demand, may fetch very high or very low scores, and exposes your answer to the subjectivity of the examiner.
- 2. CD & VA = Content Density & Value Addition.** Examiner will evaluate the quality and quantity of your content in the answer. In the same word limit and space limit have you (a) written what is asked (b) gone beyond what is asked (c) enriched answers through combination of (but not all!) suggestions, ideas, quotes, flowcharts, diagrams, facts and figures, data etc. This affects objective components of assessment.
- 3. S & F = Structure & Flow =** Whether you have structured your answer properly or not. Whether the answer has been broken into parts and sub-parts and each part has been addressed appropriately or not. Whether the flow of the answer is maintained. Affects both subjective and objective components of assessment.
- 4. P & R =** How your answer performs on the criteria of **presentation, ease of read, clarity and apparent effort** in writing the answer. This affects the subjective components of assessment.

Section- A

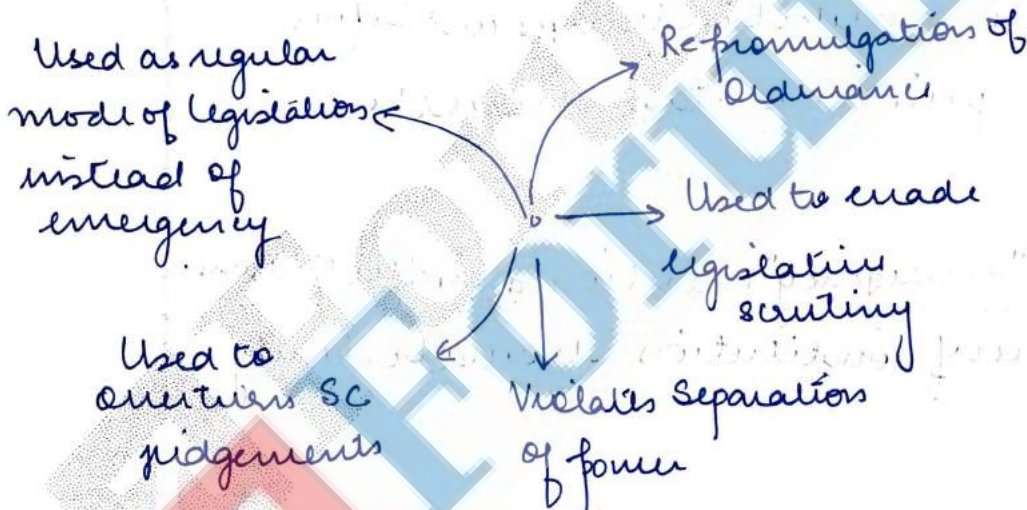
Q.1) Answer the following in about 150 words each.

a) "Ordinance - making power of the executive needs to be suitably restrained."

Ordinance making power under Article 123 and 213 of the Constitution are extra legislative powers to the executive to meet any emergency situations. (10 Marks)

The Ordinance has power of any normal law and can be brought when either house of the Parliament is not in session.

Problems Associated



Need to Suitably restrained

① It should not be used as a tool to evade legislative and re-promulgation must be prevented.

→ In Bihar, an ordinance remained valid

for 11 years by re-promulgating it.

② There needs to be enhanced judicial review of the reasonably ordinance brought.

eg In Krishna Kumar Singh judgement, SC said the Satisfaction of President not beyond Review.

③ Ordinances should not be used to overturn SC judgements given by constitutional bench.

eg Pelli service Ordinance

④ Ordinance to make big changes just before elections to gain advantage should be prevented.

⑤ The term "emergency" mentioned in the Ordinance making power of Constitution should be clearly defined.

The SC in the D.C. Wadhwan case highlighted that Ordinance should be used in rare conditions only and not as a substitute. It should be used to meet with Constitutional principles and not evade accountability.

Feedback

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Here G is Good, A is Average and P is Poor.

TOTAL MARKS

b) Justify the constitutional provision to treat certain expenditure as charged upon the Consolidated Fund of India. (10 Marks)

Charged expenditures are those that are not part of votable section of the budget. They are directly charged to Consolidated fund through Appropriation Act under Article 113.

The need for charged expenditure.

① To ensure Independence of Institutions

* Salaries of judges, CAG, UPSC members, Speaker are charged to ensure they work in a free and fair manner.

② To maintain fiscal trust

* The interest payments for any loans are charged upon the Consolidated fund.
* They are done to ensure timely payment and prevent negative ratings for govt of India

③ To ensure good sovereign ratings

* Any loan taken is under the name of Consolidated fund of India
* As they are charged on it, it provides a

guarantee that it would be repaid. It helps in promoting India as a responsible lender.

④ For Continuous function of Institutions

* Budget of bodies like UPSC, CAG are charged. It helps them smooth flow of funds and work freely without any delay.

⑤ To uphold Judicial Supremacy

* Any decree of the Judiciary are paid out of Consolidated fund.
* To ensure people have trust upon Judiciary, they are kept out of notable part of budget.

⑥ To uphold Separation of power

* In a way to keep Judiciary away from the interference of the legislature and executive too.

The charged expenditures are way to uphold the independence that ensure proper democratic functioning. They help in upholding the democratic spirit.

Feedback (For OFFICE)

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c) "The Indian Constitution considerably influences the nature, role and structure of Indian administration". Elucidate. (10 Marks)

The Indian Constitution provides the blue print through which the Indian Administration is designed and it operates.

Nature

- ① It envisages a welfare state and the administration is expected to fulfil ideals in DPSP.
- ② Provides for an accountable administration through Ministerial responsibility.
- ③ It is expected to uphold the ideals enshrined in the Preamble - Equality, Liberty, Secularism etc.

Role

- ① They are expected to provide social & Economic democracy by implementing ideas of Directive principles.
- ② To provide for social justice and equity by having empathy for the vulnerable sections.
- ③ To help people achieve the fundamental duties like enhancing scientific temper through

Creating enabling situation
Structure

- ① Provides for creation of All India Service and Central Service under Article 309
- ② It provides for Constitutional protection under Article 311 for these officers
- ③ To ensure proper adjudication - Tribunal under Article 323-A
- ④ It provides for division of officers in the State and Central level to promote cooperation federalism
- ⑤ Provides for specialized agencies of UPSC and State Public Service Commissions (Part 14) and Article 315-323.
- ⑥ It divides the subjects under 7th Schedule to create administrative division between Centre and State

The constitution also provides for a 3rd tier for better administration. Hence, it acts as a sense for nature, role and structure of Indian Administration.

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d) Suggest measures for raising the level of judicial excellence for achieving speedy justice. (10 Marks)

India has an integrated and independent judicial system with Supreme Court at top, followed by High Court and Subordinate Courts.

The judiciary in India faces many problems. Some of them are:

Clogging of courts with petty crimes

Expensive judicial system

Misuse of PIL for ulterior motives

High number of vacancies

High judicial pendency (cases pending)

Poor infrastructure especially at subordinate level

To raise level of judicial excellence

① Creation of All India Judicial Service to overcome shortage of manpower

② To promote accountability of the judiciary, creation of National Judicial Commission as envisaged by 2nd ARC.

③ Creation of National Court of Appeal to expedite the judicial pendency.

④ To use of modern technology like Artificial Intelligence to improve digitization
 [eg] Suggested by e-Committee of SC

⑤ Improving prosecution and use of forensic science to improve evidence + setting time line for filing chargesheet

[eg] Proposed Bharatiya Nyay Sanhita promotes forensic labs and 6 months deadline

Some of the steps already taken

Creation of Tribunals for faster judgement

Mohila Lok Adalat to promote remote justice

Change in Indian evidence Act to speedup

e-courts project to improve digitization

Promotion of ADR and online dispute resolution

Justice delivery is an important aspect and for that Courts, legal system, Trials and Police have to improve to provide online justice

Feedback
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e) "The Mughal Administrative System was characterized by military rule by nature and was centralized despotism." Elaborate. (10 Marks)

The Mughal Administration was the precursor to the British Rule and had many features that implied it as Police State with high centralization.

Centralized despotism

- ① The Emperor was the final authority of power and like a fused society of Regis performed all the functions.
- ② The emperor was also the final interpreter of the law (Sharia here). Akbar even gave his own interpretation - Din-e-Ilahi.
- ③ There was a highly centralized Bureaucracy. The emperor had absolute right to grant Mansabdari to anyone.
- ④ In terms of Revenue administration, the Emperor had absolute authority. Special lands known as "Khalisi land" were reserved for emperor whose revenue was used by him.

Character of Military Rule

- ① A strong standing army was set up based on Mansabdari system. The Zat and Savar decided the rank and military participation.
- ② Incentives were given to the Mansabs in form of cash or land to provide Army to the Emperor.
- ③ Heavy punishment was given to those who used to break any law.
- ④ The emperor had 2 major functions - collection of taxes and maintenance of law and order.

However, the Mughal administration was not completely centralized. There were powers given to the Governors and Village headman.

The creation of Successor and Rebellious state show the people at mid level also had their share of power.

(Don't do anything)

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Q.4) a) "The increasing role of the Prime Minister's office vis-a-vis the Cabinet Secretariat in recent times is an indication of the growing centralization of policy and decisional authority in the position of the Prime Minister." Evaluate. (20 Marks)

The balance of power and functions between the Prime Minister's office and the Cabinet Secretariat has been a point of contention since Independence.

Post the Nehruvian era, the PMO has been increasing its power to formulate policies and monitoring their implementation.

During the era of Indira Gandhi, Vajpayee and the present govt, we observe that most of the schemes are launched by the Prime Minister.

Growing Centralization and decisional authority of Prime Minister:

1) Many important schemes like the demonetization by announced by the Prime Minister and later kept in front of the Cabinet.

2) Similarly, in realm of policy making, the NTI Aayog, along with PM-Economic Advisory Council, report directly to the Prime Minister, highlighting centralization.

- ③ The Prime Minister's office was at the forefront of COVID response in the country. PM himself took upon to look for availability of vaccines and oxygen.
- ④ In Security realm, the PM was involved in overlooking the surgical strikes as compared to the collective Cabinet.
- ⑤ The PMO also looks at the centralized guidance addressal system PRAGATI. The Cabinet Secretariat has no role in it.
- ⑥ India's International engagements and foreign policy also stems out from the PMO with the PM taking major decisions on it.
- ⑦ The PMO has also started playing the important role of Inter Ministerial Coordination which was earlier the sole authority of the Cabinet Secretariat.
- ⑧ The Prime Minister's office has also become the part of Bureau Shaping model, where

officers are ready to go to enjoy greater powers.

However, the Cabinet Secretariat has its own importance in the system.

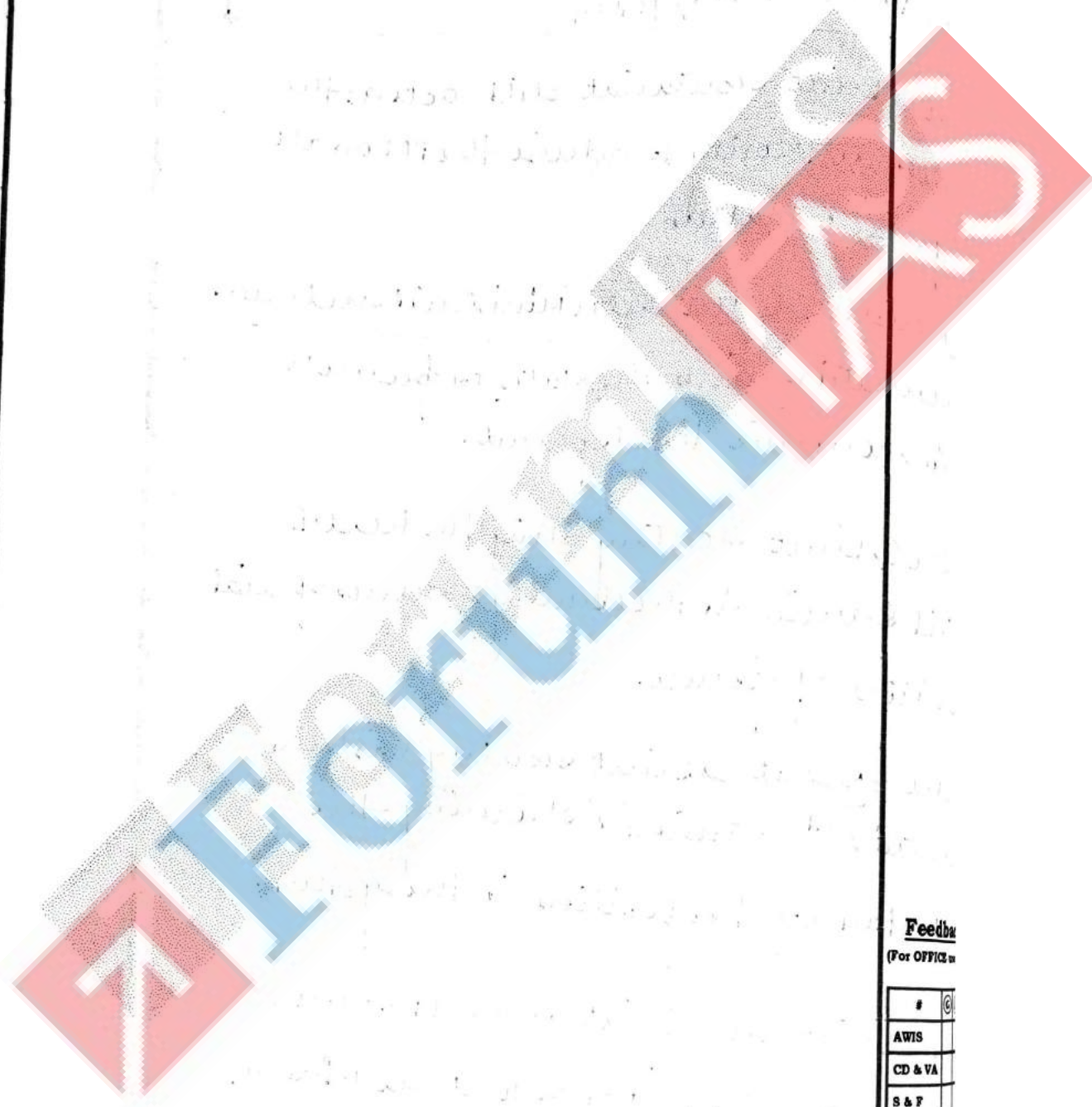
- ① The Cabinet Secretariat still acts as the topmost authority to advise the PM on all important matters.
- ② It ensures better inter ministerial and even coordination with the states to promote socio economic development.
- ③ The cabinet secretary being the head of civil services in the country occupies special position of power.
- ④ The present Cabinet Secretary has been granted 3rd extension, showing the importance of the position in the system.

The Cabinet Secretariat and the PMO are 2 important pillars in the govt machinery.

Proper coordination between the two and working in respective domain is important to

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ensure smooth functioning of the govt and the collective responsibility as envisaged by M.P. follo.



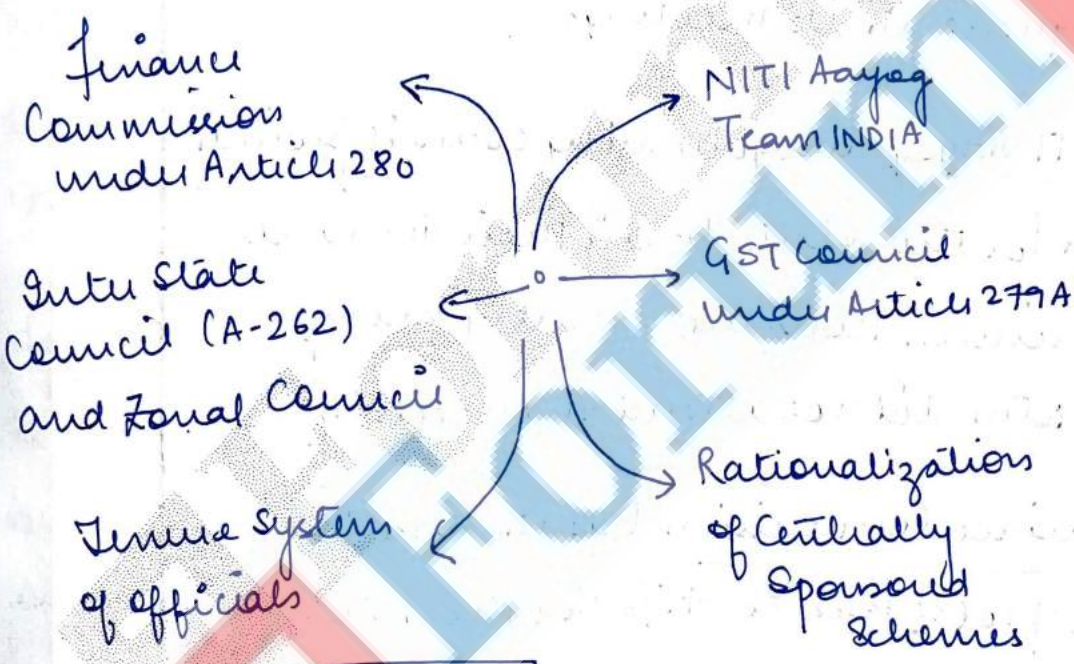
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b) Examine the efficacy of the measures taken to redefine and execute cooperative federalism in India. (15 Marks)

Cooperative federalism is a principle in which the 2 levels of govt (Centre & State) work in their independent domains while cooperating with each other to promote development.

Measures to Redefine and execute Cooperative federalism



Efficacy of the Measures

① The GST Council has been able to promote cooperative federalism by giving adequate powers and voice to the state.

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- ② It provides collective power to states and without their concurrence no change in tax slabs can happen.
- ③ However, the Centre has veto on the decision (33% vote). The inability to bring Alcohol and Petrol also shows fissures in cooperation.
- ④ The Inter State Council is a constitutional process to iron out differences. But it has been too infrequent in its meetings.
- ⑤ The NITI Aayog and governing council provides platform for the states to air their demands and grievances. However, recently many Chief Ministers did not attend the meeting.
- ⑥ The Finance Commission has increased the share of pool of taxes to 41% for the states. However, many states, especially Southern complain of use of population of 2011.
- ⑦ Apart from this, greater usage of cess and surcharge by central govt reduce the shareable

pool of tax limiting the cooperative federalism

⑧ The tenur system allows the transfer and deputation of All India Service officers from State to Centre. The recent AIS (Central deputation) rules has made decision of Centre binding.

⑨ It led to fissure between Centre and Bengal and the Chief Secretary of the state resigned.

⑩ Finally, many Centrally Sponsored Schemes have reduced and rationalized to promote greater autonomy to states.

Apart from this, the Rajya Sabha also acts as a way to promote cooperative federalism. But the recent leg-jam and suspension of Opposition MPs reduces the efficacy.

The indiscriminate use of Investigation agencies also cast shadows on cooperative federalism. Going ahead, the Centre should show broad shoulders and work on reports of Pincchi, Sachin Commission to promote cooperative federalism.

Feedback
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c) The administrator needs autonomy and discretion the same way as the politician needs control. Explain. (15 Marks)

In a democratic system of Administration, the Minister - Administrator share an organic relation to promote Socio Economic development.

The politician needs Control

- ① To ensure there is balanced polity as envisaged by Weber.
- ② He needs to control the bureaucracy as in India, we have Ministerial responsibility on the floor of the house.
- ③ He needs control to ensure the policies made are giving out right outcomes by their correct implementation.
- ④ The control granted to him is to ensure that the Bureaucracy moves as per the Conduct Rules - and discipline them otherwise.

On the other hand, any Administrator needs autonomy and discretion

- ① Needs autonomy to decide on the best tool

for implementing the policies formed as per the demand of local situation. He needs to work on the principles of Management by Objective of Drucker.

② He needs discretion because not all situation can be mandated by rules. Discretion is needed to even ensure Rule of Law.

eg → Discretion under AFSPA to establish order.

③ The administrator needs discretion to have empathetic and compassionate administration.

eg → Using discretion, he can help out of dues to poor who do not have proper documents.

④ These powers are needed to have quick decision making especially in critical situations.

eg → During Disaster Management, DM needs to take quick decision.

⑤ Autonomy is needed to ensure Non partisanship and objectivity in performing actions. It would also enhance the trust of

people as the administration.

⑥ finally they are required to find innovative ways to provide development administration to people.

→ Armstrong Lane used his autonomy to construct road through crowdfunding.

However, the autonomy and discretion and even control are prone to misuse. They can be used for self aggrandizing behaviour and to create committed Bureaucracy.

To counter this, a strict code of ethics, public service law as envisaged by 2nd ARC is needed.

Apart from this, the relation between administration and Minister should be based on output-outcome system to ensure proper socio economic development.

Section- B

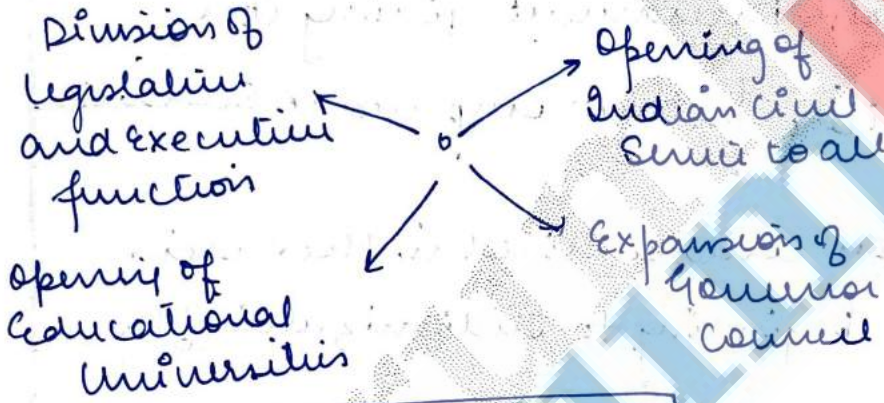
Q.5) Answer the following questions in about 150 words each.

a) "The Charter Act of 1853 marked the beginning of the parliamentary system in India".

Explain. (10 Marks)

The charter Act of 1853 was passed by the British Parliament to grant powers to the Governor General of the India.

Some of the features of the Act



Beginning of Parliamentary System

① The 1853 Act for the first time divided the legislative and executive function of Governor General Council.

② It expanded the size of the governor general legislative council to have more members.

③ Even Local representation was provided for the first time in the council.

④ Members or Representatives from the provinces who were loyal to the British were given place in the legislative council.

⑤ The finances of India were now handled by the British Parliament giving it a more responsible feature compared to EIC earlier.

⑥ Indians now could be hired in the Indian Civil Service beginning to Indianization of ICS.

However, still features like direct election, discussion on budget were far away in the systems.

But the 1853 Act became the starting point for parliamentary system that further expanded with 1858, 1861, 1892, 1909, 1919

and 1935 Act that led to complete provisional provincial autonomy.

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b) State the causes for Corruption in Administration.

(10 Marks)

The 2nd ARC defines Corruption as:

Corruption = Discretion + Monopoly - Accountability

The reasons for corruption in the administration are many fold

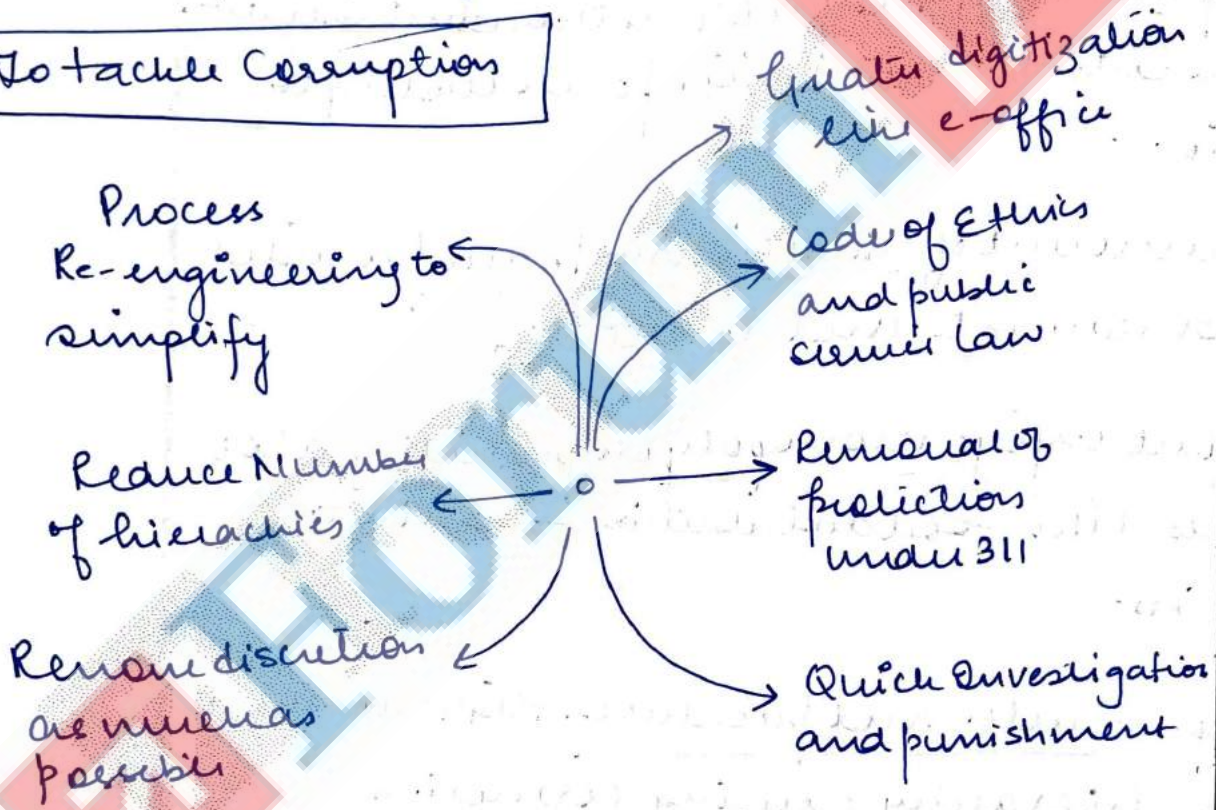
- ① High amount of power asymmetry between the people in position and common public.
- ② High dependence of the people on the administration allows the latter to wield high power leading to corruption.
- ③ High amount of discretionary power provided to the bureaucrats and no restrain.
- ④ The govt enjoys monopoly on providing a lot of services like food distribution - leading to corruption.
- ⑤ Complex rules and procedures. High number of levels / hierarchy causing corruption.
- ⑥ Lack of accountability measures and excessive protection provided under Article 311.

⑦ Delayed Investigation on corruption matters and delay in providing grant to prosecute the officers.

⑧ The nature of collusive corruption at higher levels of the administration

⑨ Petty Corruption at lower level due to high cost of living and poor salaries.

To tackle Corruption



Corruption is a termite that eats away the base of any country. To weed out corruption should be the basic duty of any govt to enable good and inclusive governance.

Feedback (For Officers)

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e) "Kautilya was a political realist rather than an Idealist". Discuss.

(10 Marks)

Kautilya was a visionary thinker who through his treatise "Arthashastra" provided study about public, financial administration.

It is said that he was a political realist rather than Idealist:

① He understood about the malice of corruption and said that it cannot be completely eliminated but reduced.

② He gave the example of fish in water and said people enjoying power can never stop from using for self just like fish cannot stop drink that water.

③ He formed proper list of corruption offence and provided for punishment for them accordingly.

④ He understood the reality of territorial and power struggle. Hence he advocated for a strong army to tackle any threat.

⑤ He focused on a strong Intelligence network to understand weakness of enemy and attack accordingly.

⑥ He focused on principles of "there are no permanent enemies in politics, only permanent interest". He favoured friendly relations with mutual neighbours of enemy.

⑦ Despite promoting Yogakshema, he focused on balance between Capital and Revenue expenditure.

⑧ He developed a expansive judicial system that provided for Saam, Daam, Dand, Bheda to tackle any miscreants.

Hence, the theories of Kautilya were based on real principles. They favoured the reality rather than ideal principles. Their realism are a reason why they are relevant even today.

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d) Discuss the various philosophical sources of the constitution of India. (10 Marks)

The Constitution of Indian is a Melting pot within which various philosophies have been put together to achieve a Social, Political and Economic democracy.

Philosophical Sources of Constitution

① Gandhian Ideas

- * The principle of village economy; development of cottage industry and Panchayati Raj Institutions
- * The DPSPs of prevention of intoxication among the citizens.

② Liberal Ideas

- * Equality, equal pay for man and woman
- * Ideas of Right to life, abolition of untouchability, free legal aid, freedom of religion

③ Ideas from Indian Epics

- * The promise of Sarv Dharma Sambhar
- * Creation of Ram Rajya, Virtuous Society

④ Ideas from British Rule

- * Concept of Dicey's Rule of Law
- * The design of the Constitution from the Govt of India Act, 1935
- * The structure of Institutions including Parliamentary Democracy.

⑤ Inspiration from Other Constitutions

- * Ideas like position of Governor has been taken from Constitution of Canada
- * Suspension of fundamental rights from the Weimar Republic.

Apart from this, certain methodologies have been developed post Independence as per the changing needs. eg Basic Structure doctrine

Hence, the Constitution of India is an amalgamation of both indigenous and external sources to provide a living document for Indians to realize their potential

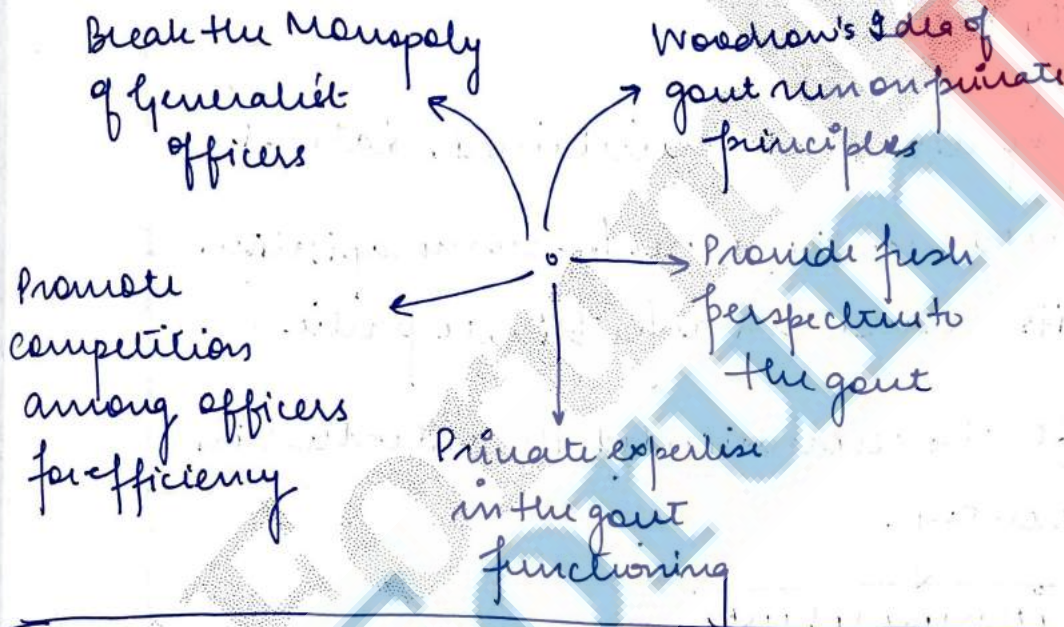
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e) It is apprehended that that lateral entry will lead to politicization of bureaucracy. Do you agree? Justify (10 Marks)

Lateral entry is a process through which people from outside the govt are posted at positions of Joint Secretary & above for fixed period of contract.

Benefits of lateral entry



Apprehension that it would lead to politicization

- ① There are no fixed parameters who would be recruited. It could lead to people close to politicians being recruited - Neo Spoils System
- ② They won't have protection under Article 311 of the Constitution. Their neutrality would

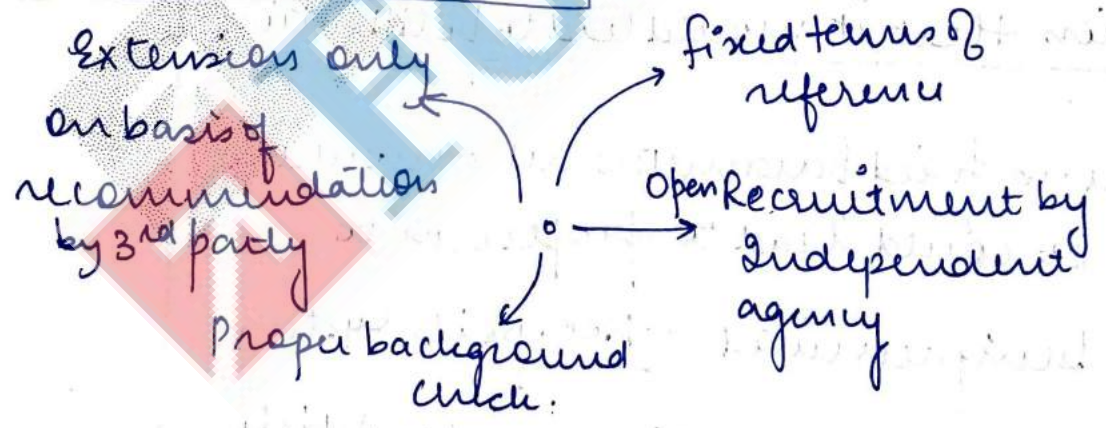
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be challenged without constitutional protection

- ③ Their extension would depend on the political executives. It could be used as "Carrot & Stick" to make them work as per demand of politicians.
- ④ They could turn into committed bureaucracy that challenges the Non-partisanship and objectivity values.
- ⑤ If transparency not maintained, lateral entry would become source for crony capitalism as recruits would canvas for private parties.

The 2nd ARC also recommended the introduction of lateral entry.

To make it more robust



Lateral entry is an important step to reform the rigid bureaucracy. It should be done in an open & transparent to ensure complete benefit

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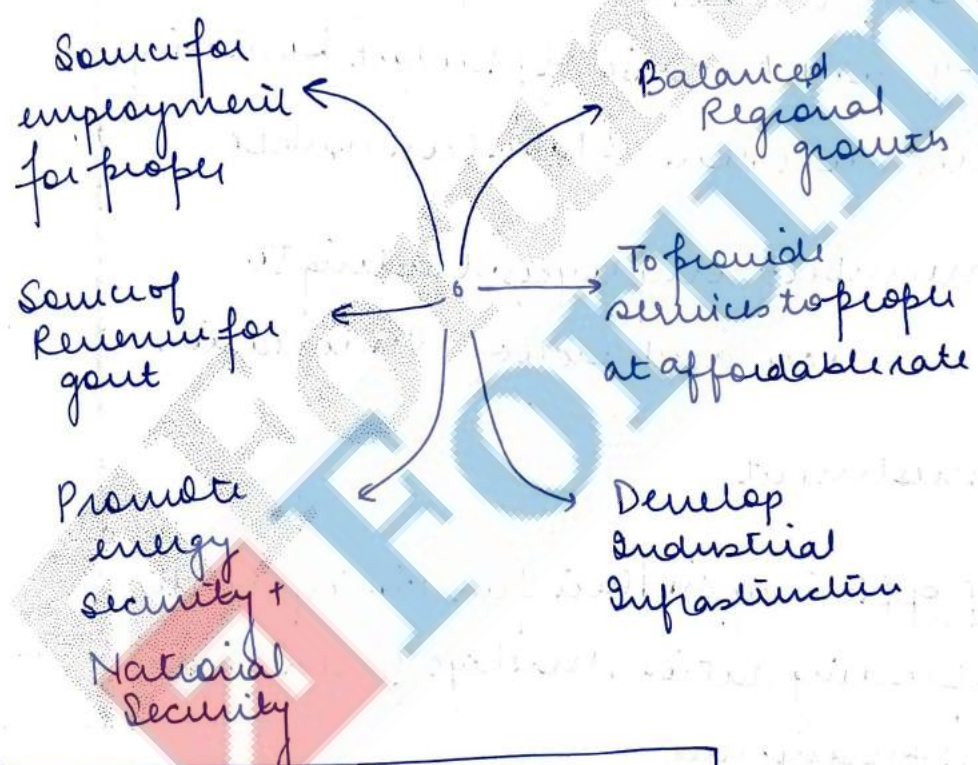
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Q.7) a) Discuss the major problems in working of Public Sector Undertakings in India also Give suggestions in the light of liberalization policy to improve their performance.

Public Sector Undertakings are government enterprises that are wholly owned by them to provide socio economic development and services to the people. (20 Marks)

They were termed as the "Temple of Democracy" by Pt. Nehru.

Some of the functions of the PSU



Problems in functioning of the PSUs

① Politicization of functioning: They are used by govt to post political persons as directors to

gain political support

② Lack of profitability and wastage of economic resources on big ownership and salaries.

Ex: BSNL has lost most of revenue to paying salaries.

③ Bureaucratic red tapism and interference in these day to day functioning leading to lack of autonomy.

④ High debt on these PSUs. They are used as source by govt to raise off budget borrowing

Ex: FCI has more than 2 lakh crore as debt

⑤ High number of employees leading to drain of resources and lack of innovation and investment

⑥ Lack of efficiency in their functioning leads to high operating ratios, wastage of resources - financial + manpower.

⑦ Lack of accountability of the PSUs despite them being given more autonomy post the

1991 reforms. They were unable to compete with private sector.

eg Air India could not compete with private post 1990s.

Some of the steps to improve their functioning

- ① The MOUs signed to provide autonomy should be relooked to plug in loopholes and improve efficiency.
- ② They should be divested and listed in the market. Eco Survey 2020 points that listed PSUs have performed better.
- ③ Urgent need to restructure them on business like principles.
eg Ordnance factory has been Corporatized
- ④ Greater investment in form of Capex to improve infrastructure and service provision.
eg Govt investment of ₹76,000 cr in BSNL for 4G Network.

⑤ Reduction in manpower to improve profitability and efficiency.

Ex: Govt providing "Golden Handshake" to BSNL employees.

⑥ Govt should only focus on core sectors (energy, food security) and other PSU be discontinued completely

Ex: Air India privatization to improve efficiency.

PSUs today also play an important role in food security (FCI), energy security (ONGC, IOC etc.) The best performers should be studied and their principles should be applied to others to improve their efficiency and effectiveness.

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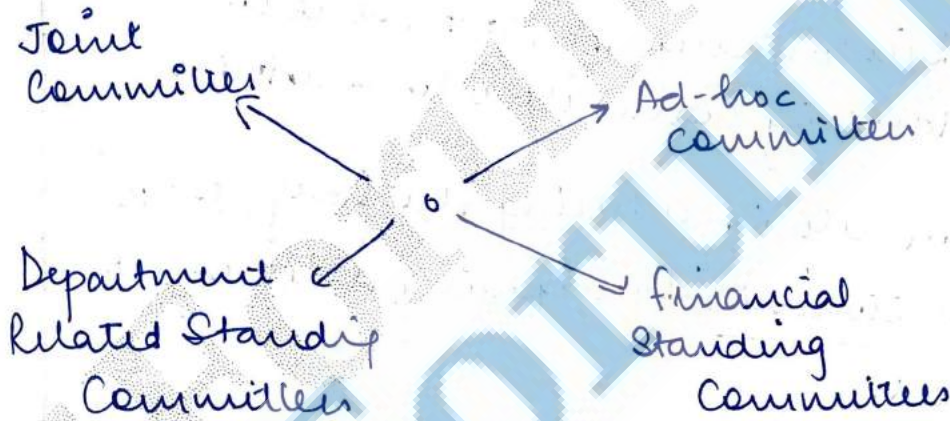
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b) Parliamentary committees are the deliberative core of parliamentary work which is crucial for refining legislation. Elucidate. (15 Marks)

Parliamentary committees are formed under the powers granted to Parliament under Article 105 to regulate internal affairs.

They are formed for a fixed tenure, with a fixed mandate and members are taken from both the Lok Sabha and Rajya Sabha.

There are different types of committees



They are at the deliberative core of parliamentary work

- ① They work behind close doors and are not subject to political bickering and the whips issued.
- ② These standing committees can engage with

Domain experts to refine the legislation

eg Surrender Act was refined after taking in views of Doctors

③ They can refer to reports like that of CAI to understand the finances of the govt and further improve the legislation

④ They look at important laws from a large perspective and work on the basis of consensus.

eg Bill to change IPC, CrPC sent to Standing Committee to scrutinize

⑤ They can help in reducing the post passage of bill controversies by engaging with experts beforehand.

eg Farm Bills were not scrutinized by Standing Committee leading to protest

⑥ They can work to bring bi partisan and all parties support for crucial legislation and even engage with legal fraternity to prevent litigation afterwards.

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However, their work and efficacy has been under question.

- ① In the 17th LS, less than 20% bills have been referred to Standing Committees
- ② Even Parliamentary Committees have started working on partisan basis.
 - ↳ Many suggestions of forest conservation bill were not accepted.
- ③ The concerns of opposition members are not taken into account
 - ↳ Committee to look at Date Prediction bill highlighted problems but ignored
- ④ finally their recommendations are only persuasive and not binding.

To improve the deliberative core functioning of Committees — they should be given longer tenure, more bills should be sent. Apart from this, their recommendations could be made binding to improve their efficacy.

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e) Briefly discuss the main recommendations of the Punchhi Commission (2010) on Centre - State relations for transforming the Indian Federal System. (15 Marks)

The Punchhi Commission was set up in the year 2010 to recommend the govt to improve on the Centre State relations.

Some of the Main Recommendations

① Commission on Finance Commission

- * The states should be included when it comes to deciding the Terms of Reference of finance Commission.
- * To improve financial relation, the Union should review and prevent excess usage of cess and Surcharge.
- * The finance Commission and Planning Commission (Now NITI Aayog) should work closely. It would synchronize the allocation and planning process.

② On Governor

- * The Chief Minister of the state should be consulted before appointment of Governor.

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* The governor should be outside from the state and not one who is involved in regional politics

* He should not have participated in active politics 2 year prior.

* He should have a security of tenure to ensure independence. Also the state legislature should have power to impeach the Governor.

③ President Rule

* It should be used as the last resort to ensure peace and law & order.

* It should not last for more than 3 months

* There should be localized emergency and Centre should have control over troublesome areas.

④ Concurrent List

* There should be a review of the list and some subjects can be shifted to state

* Before putting any subject to Concurrent, States should be consulted.

⑤ International Treaties

* State should be consulted and their participation should be there before treaties are signed and created

⑥ National Integration Council

- * Should be created to oversee and give suggestions for areas that are facing problems.
- * Should meet at least once in a year.

The Poonchi Commission's recommendations have been implemented in bits and pieces. It should be completely implemented to improve Centre State relations and cooperative federations.

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Q.8) a) Examine the motives and intentions of the framers of the Indian Constitution as they opted for the system of parliamentary democracy in India. (20 Marks)

During the formation of the Constitution by the Constituent Assembly, there was a discussion to opt for Presidential System. However, our forefathers decided to have Parliamentary System.

In the Parliamentary system, the elected members form the legislature. The executive is directly accountable to the legislature. There is concept of dual membership - acting both as legislature and the executive.

Motives and Intentions to have Parliamentary System

- ① Indians were accustomed to the present system. An elected legislature was present before through Govt of India Act 1935.
- ② Being a diverse country, one needs representation from all the corners of the country. It was possible in this system.
- ③ A single Presidential system would have

resulted in the authoritarianism by an individual and could have subjugated other institutions

④ Under the present system, the executive is responsible and accountable to the legislature for functioning

⑤ In parliamentary system, a directly elected representative is present who provides the demands of people at national level.

⑥ It promotes the harmonious coordination and relationship between the executive and legislature - promote good governance.

However, there have been instances where the intentions have been subjugated

① The legislature was considered to keep executive under check, but has become a mere rubber stamp. Few number of sittings of Parliament.

② The increasing tendency of elections being centred around leaders. The charismatic authority of Weber still functions in India.

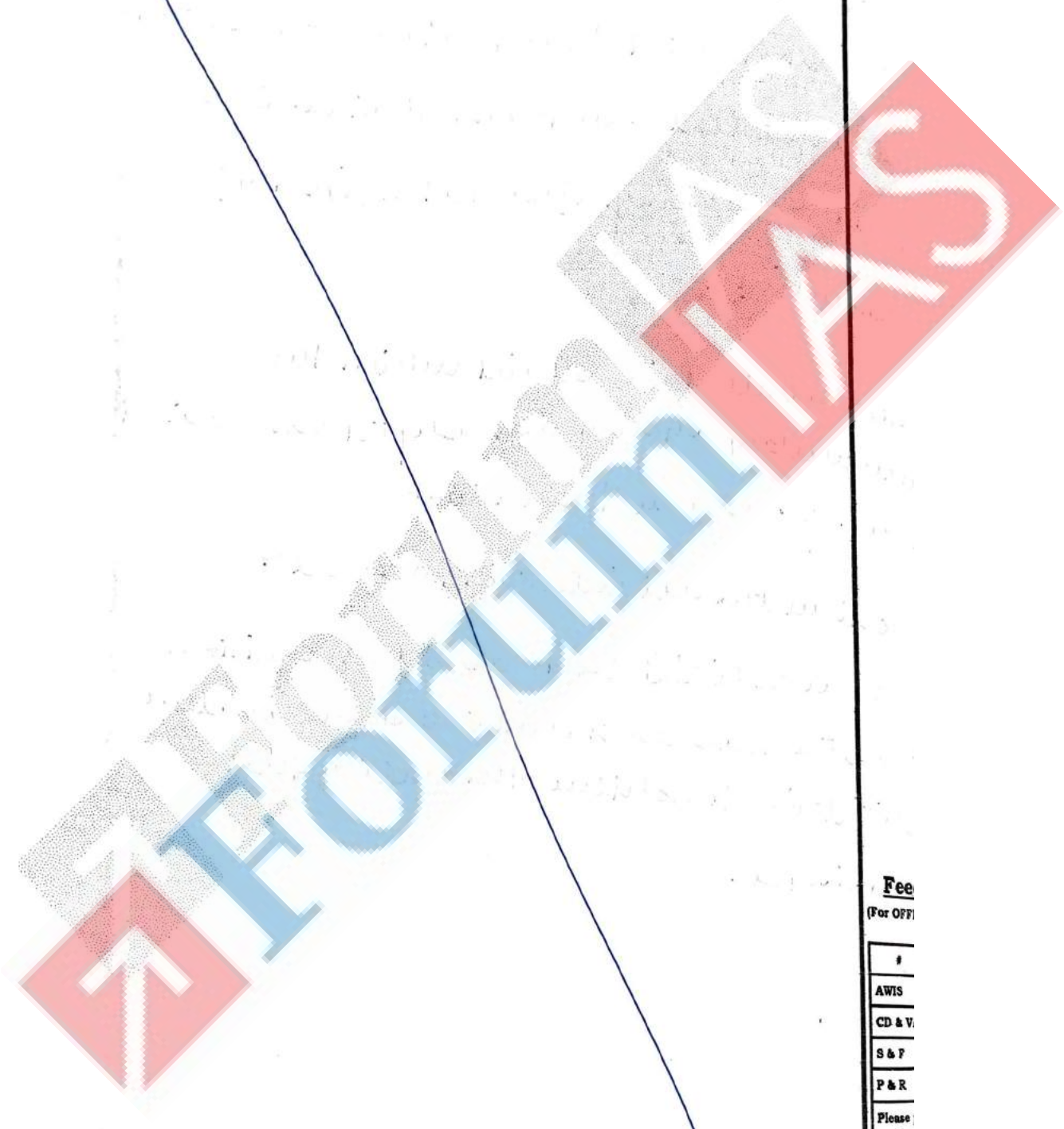
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② Directly elected leaders are seldom able to
all their grievances as they are bound by
the Whip System.

④ It was expected that Parliamentary system
would not lead to authoritarianism. But
the era of Emergency showed the Tyranny of
the Executive.

Hence, the intentions behind which the
Parliamentary system was adopted has remained
far more procedural than actual.

To achieve the real intention, we need to
have our political culture based on cognition
and greater awareness and strong independent
institutions to achieve the reality that
was envisaged.



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b) Do you agree with the view that the Central Secretariat is encumbered with non-essential work and has become an unwieldy and over-staffed organization. Argue your case. (15 Marks)

The Central Secretariat is the home to many ministries and the respective departments of the Union govt. They are politically headed by Ministers and administratively by Secretary.

Encumbered with Nonessential Work

- ① There are too many hierarchies that are manned by people of different authorities. As per 2nd ARC, every ministry has 7 levels.
- ② Most of the decisions taken by the Ministries are Non programmed decisions of Herbert Simon. Policy decisions are either taken at level of NITI Aayog or PMO.
- ③ There is too much interference by the higher authorities in the functioning of Attached and subordinate office - leading to poor participative management.
- ④ They perform many functions that could have been automated or even performed

better by executive agencies.

⑤ Due to so many levels and each having power of veto, there are too many delays. Also, the problem of reverse delegation.

⑥ The rules and manuals of the Ministries and departments are too vague to have any clear objective and goal.

To improve their functioning

① The 2nd ARC recommended that number of levels should be reduced from 7 → 3 for decision making.

② The higher authority (Minister-Secretary) should focus on policy making and operational independence to below.

③ Govt should focus on "Agencification" to have better implementation of policies.

④ There is need to promote process reengineering in govt offices to reduce complex rules and regulations.

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Some steps taken by govt to improve functioning of Central Secretariat:

- ① Introduction of electronic filing system in the form of e-office
- ② Reduction in the number of rules and regulations to streamline the work process
- ③ Recently, govt allowed the officers at Joint Secretary to directly send files to Secretary to reduce time.

The Central Secretariat acts as the nodal point to implement policies. It's efficiency has direct impact on the efficiency of service delivery to people.

Feedback

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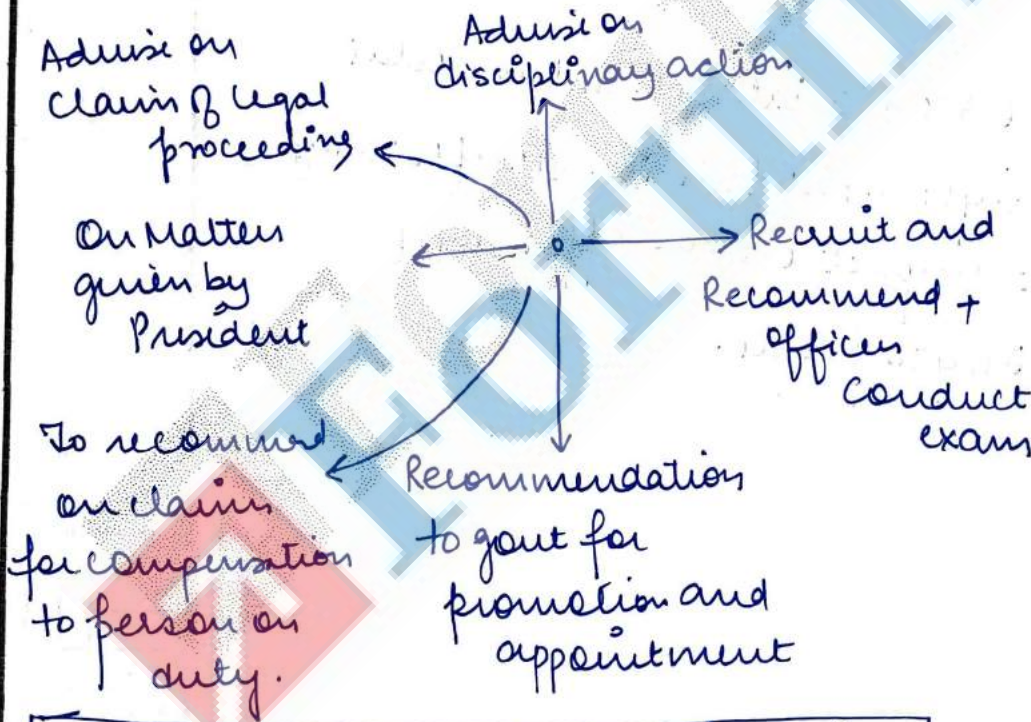
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c) The independence of Public Service Commissions has been ensured under the specific provisions of the Constitution. Discuss. (15 Marks)

Public Service Commissions are created to ensure the govt hires highly meritorious candidates for ensuring good governance.

The Constitution provides for Public Commissions at both Centre and State under Articles 315-323 in Part XIV.

Functions of Public Service Commissions



Their Independence has been provided through

- ① They are provided Constitutional Status under Article 315.
- ② The members are provided security of tenure and they can only be removed on charges of proven misbehaviour under investigation by Supreme Court (Article 317).
- ③ Their charges are charged upon the Consolidated Fund of India and Respective State (A-322)
- ④ They have the power to make rules on the staff of the Commission (Article 318).

However, despite these the performance of certain State Commissions are under question

- ① The insidiate delay in conducting exam and giving out results for eg) In Jharkhand, it took 6 years to give result.
- ② Corruption and leakage of paper in the recruitment process. eg) Recently RAS paper was leaked.
- ③ Politicization of appointment and the poor quality of members.

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eg 2nd ARC highlighted how there are not set standards and anyone can be appointed as member.

④ Allegation of Corruption and Nepotism on the Commission Members

eg ACB in Rajasthan filed FIR against RPSC Member.

The UPSC can guide and help in increasing the capacity of various State Commissions. They are important institutions to ensure merit is provided to the govt to promote good governance.

The recommendation of 2nd ARC: Minimum standard for members, recruitment of only Group A and B by Service Commissions can be taken into consideration to better their functioning.

Feedback

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