LUKMAAN IAS
ONLINE/OFFLINE

QUESTION ANSWER BOOKLET

CSE PUBLIC ADMN (MAIN) 2018 PAPER II

TEST VI

Time Allowed: Three Hours  Maximum Marks: 250

INSTRUCTIONS

Candidates should attempt Questions No. 1 and 5 which are compulsory, and any three of the remaining questions selecting at least one question from each Section.

The number of marks carried by each question is indicated at the end of the question.

Name: ANKUR KAUSHIK

E-mail

Date of Exam: 4/8/18

Test Centre

Mob. No:...

Starting Time: 9.40 am

Closing Time: 12.40 pm

Invigilator’s Signature

Marks Detail

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<th>Q. No.</th>
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Total Marks 135
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<tr>
<th>Categories</th>
<th>Below average</th>
<th>Average</th>
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<th>Better</th>
<th>Outstanding</th>
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<td>1. Understanding of questions:</td>
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<td>2. Conceptual Understanding</td>
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<td>4. Content of answer:</td>
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<td>5. Presentation:</td>
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6. Any other remarks:

- Main problem is demand 1 & 2 not followed.
- Proper structuring and organised content
Constitutional morality refers to limits on powers, checks and balances of powers of states. Indian Constitution lays down several conditions means to enable constitutionalism.

**Diagram:**
- Separation of Powers
- Rule of Law
- Independent judiciary
- Checks and balances
- Institutions like EC, CAG
- Constitutional morality

The major foundation stone of constitutional morality is constitutional morality i.e.,

1. Upholding principles of constitution
2. Ideas of liberty, equality, justice
3. Respecting dignity of individuals
A welfare state, not a police state

Via its rulings on ‘Basic Structure
Doctrin’ and others, judiciary and
Movements by citizens (Jan Lokpal),
Parivartan NGO (RTI) — it has been
ensured that state follows constitutional
norms, ideals and principles which is
then ensures constitutional and needy
setting up of transparent, accountable state.
Discuss the importance of the Cabinet Committees in the Indian Administrative System.

Cabinet Committees are constituted to ensure hard and swift decision making. Experts advise and discuss on prominent issues. Every bill is approved by cabinet committees before being tabled in Parliament.

Importance

1. Bills are approved by cabinet committees before being tabled in parliament.
2. Cabinet Committee on Economic Affairs evaluates FDI proposals of above 5000 crores and suggests and implements economic measures to strengthen fiscal discipline and development.
3. Cabinet Committee on Appointments makes appointments to important posts and positions.
4. Since cabinet committees are generally headed by PM, they ensure will of the people.
5. Committee on parliamentary affairs
suggest demotion of houses, running of homes and parliamentary function.

6. Cabinet committee on political affairs looks after major policy decisions, formulating & policies, monitor evaluation etc.

7. Cabinet committee can have members/ experts/technocrats from outside govt. to ensure expertise on subjects.

Hence it can be seen that cabinet committees play an important and decisive role in economic policies and administrative affairs.
AR reports that 73.34% cases were lost because of parliamentary disruptions and fitting were reduced to mere 60 days a year. Moreover, use of bill to by-pass Rajya Sabha has increased been prominent (Andhra Bill, Finance Bill 2017).

This has lead to crippling Parliament functioning.

While majority of Bills have Bills like GST, NPPA, PFR, medical

Common Bill have been effectively sustained by Parliamentary committees.

Scams like 2G, Coal scam has been unearthed by Parliamentary Committee (PAC). Which implies that Parliamentary Committees have functioned effectively than Parliament.
While there have been issues in Parliament functioning but recent Budget session was one of the most efficient session in terms of discussion, attendance and passage of bills. Moreover, over 80% of MPs have voted on 95% attendance (up from 25%), and overall 80% attendance. Major issues like demonetisation have been discussed effectively in Parliament.

But recently, less no. of Bills have been referred to parliamentary committees and meetings, many committees have not been constituted.

For effective democracy, a collaborative and participative approach between constituents and parliamentarians is needed. overhaul of like mandatory notice for 10 days (Venditshid), release of session in public domain (NIRVC) and penalising disruptions are required to ensure smooth functioning.
Cabinet Secretariat took over functions of executive council to governor general: beginning with C. D. Deshmukh as first Cabinet Secretary. Cabinet Secretariat has undergone various changes and challenges from PMO et al.

A Cabinet Secretariat is as good as the man who heads it, with major functions like setting agenda for Cabinet meetings, seeking reports from ministries, RAW, NCWC under it. The man of Cabinet Secretariat falls upon efficiency and capacity (POSOCORS) of Cabinet Secretary.

Under V. P. Singh, Governor appoints Mr. Sikander Singh as Cabinet Secretary, leading to its prominence vis-a-vis PMO.
A Cabinet Secretary must plan cabinet meetings, set up agenda of meetings, look over RAW and intelligence wing of Secretariat, ensure morale and motivation by effective functioning of Civil Services Board and evaluate and monitor action taken by ministries on Cabinet decisions. They manage and grand the sanctity and dignity of Cabinet Secretariat.

Effective implementation of these functions is possible only by an 'managerially capable Cabinet Secretary.'
Discuss the challenges of the 15th Finance Commission in upholding its role as balancing wheel of fiscal federalism.

15th Finance Commission was set up under N.K. Singh to review devolution of funds, enhancing prudence in fiscal management to states. It has come under criticism for:

1. Terms of references have been unilaterally decided by Centre.
2. Use of 2011 census data while majority of southern states have controlled their population which may lead to devolution.
3. Review of 14th Finance Commission's devolution of 50% to states.
4. TOR's contain setting limits to state's Debt + curbs in independent states.
5. It will also take into account incurs of control of expenditure on state's policies (popular or not) which hampers federalism.
NCRWC recommended that Terms of Reference must be decided both by Centre and states and FC must have enlarged council which was also representative of state.

15th FC has faced severe within 1 year, states and incorporated 15% of non-major party candidates in grey separation to states in FC will ensure that Fiscal Federalism is adhered to and maintained.
PMO took over the functions of secretary to governor-general post 1952. In recent times, PMO has emerged as the new centre of power in India.

Addition of offices like NCA, PMC, NCA provides PMO with control over Defence, economic, and monitoring of departments and functions.

Roles → Power hub

1. Provides assistance to Prime Minister in major policy decisions, decision-making
2. Prepares responses to answers, motions addressed to Prime Minister.

3. Recent times, India's foreign delegation, foreign relations too are overseen by PMO.

4. Project monitoring group has been transferred from Cabinet Secretariat to PMO.

5. India's defence relations are overseen by NSA under PMO.

6. Establishment of PRAGATI under PMO transforms PMO into an oversight body as well.

During 1960's emergency even RAW was shifted to PMO.

After a few years, Cabinet Secretariat since 1960's the powers of PMO have considerably increased.
With increasing role of PMO and Industry technocrats in PMO has increased power of PMO.

While PMO has emerged as power-centre Cabinet Secretariat too has an important role to play viz. Agenda setting in Cabinet meetings, administration of allocation between business and transactional business rules, oversight of Civil Services (C.S.S.), Crisis Management Committee and RAPAC.

PMO and Cabinet Secretariat both play a crucial role in governance of nation, hence, power-balance between both these institutions is a must.
Central Secretariat emerged as an institution to assist, aid, and advise Council of Ministers. And all in its report on Org. Structure & Government pointed out various lacunae in Secretariat’s functioning is.

1. Central Secretariat had over 7 levels hierarchy from Secretary to Secretary Officer.

2. Over-hierarchy leads to slow decision-making and Red-tapism.

3. Focus on routine functions rather than developmental oriented functions.

4. Over 55 ministries had led to excessive fragmentation in Central Secretariat.

5. Poor-coordination amongst departments.
6. Top-heavy structure & departments
7. Poor or indifferent delegation of functions in central secretariat.

Despite criticism, the role of central secretariat is indispensable as:

① Assisting in policy formulation
② Provides data, reports, surveys to enrich policy-making juncture
③ Plays a critical role in policy evaluation and feedback
④ To ensure effective coordination between ministries and departments
⑤ Prepares responses, answers to queries, questions (stated, unstated) addressed to ministers.

And are suggest various reforms to organise structure and function in central secretariat.
Recent reforms like e-Samvida to monitor decision making in central secretariat, merging 14 ministries like housing, urban development, induction of experts via lateral entry, and rationalising schemes (Bik Chandra committee) have ensured that central secretariat functions economically and effectively.
Indian public administration as Lloyd George termed it was neither Indian nor public nor a administrative service. It had borrowed its colonial spirit in terms of hierarchy, rule-bound structure, elitist approach and asymmetry of power and wielding power over rather than power with. Hence, despite its change from ICS to Indian Public Administration the service had retained its colonial spirit.

While its spirit was colonial, its manifestation remained rooted in Indian spirit. UI2. Sanakritization & corruption. Mai-Baap syndrome.
The regulatory routine manifestation dominated over developmental welfare orientation. [Formalism (Rajan)]

Despite aforementioned anomalies, India's Civil Services have played a critical role in India's journey. Poverty alleviation programmes have fared well. India has improved its performance in terms of sharing the burden. The movement from role 3 to steering and serving has been a change like e-governance charted by Social Audit. e-governance has lately transformed India's public service to Indian public and service character.
Indian parliamentary democracy was chosen for a responsible government but its actual working has made elected governments at three-tier level as well as administration irresponsible. Argue the statement.

ADR and PRS's report on Parliamentary functioning has pointed out various causes in establishing democracy, distributive justice, and service-oriented administration.

1. Parliamentary sessions had reduced from 120 days a year to mere 60-70
2. Politicians with criminal background had bulged to 84%.
3. Bills/Budgets were passed with minimal discussion (27% referred to Parliamentary committees)
4. Mismatch of article 356 as pointed by SC in SR Bonmai case
5. Instances of corruption with vote for cash scam, dubbed satyagrahas in TDP

Cortical Penetrate Inden
6. Devolution Index (devolving powers to local bodies) was approx. 40-45%.

7. Itemisation of Article 311 to protect dishonest civil servants.

8. Politician - Babu nexus had led to inefficient administration.

Aforementioned issues led to ineffective grassroots democracy.

- Lack of funds
- No activity mapping
- Women electees -> Barpana Pati Syste

DPC's set up only in 13 states.
Moreover, administration suffered from lack of transparency, many capitalists, poor accountability, and excessive political interference and issues go so rent seeking and leakage.

Several steps have been taken to correct maladies of parliamentary function as suggested by Venkatadriiah Commission and second ARC is

1. Activity mapping for local self-government institutes
2. 14th FC increased share of local bodies
3. ‘Recently Parliament provided for 30 elected women representatives
4. Sumit Basu committee recommended social audit in panchayats
5. Reforms in Prevention of Corruption Act
6. Acts like RTI, Whistleblower protection act, Lokpal Act
7. Principle of subsidiarity in parliamentary reforms are the most to ensure efficient local governance and efficient administration
Kautilya's *Arthashastra* is a treatise in 'Realpolitik' and 'science of government.' It analyzes the administration, economy, government functioning which till date provide valuable insights in administrative functioning.

<table>
<thead>
<tr>
<th>Arthashastra Axioms</th>
<th>Lessons to be learnt</th>
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<tr>
<td>1. Yogakshema (Current admin suffers from routine, regulatory functioning.)</td>
<td>The purpose of administration should be development and establish a welfare state.</td>
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<td>2. Training (Colonial training methods set up asymmetry; Mai-Baja culture.)</td>
<td>Administration should be trained in ethos, Sattva (energy) and Vachshahr.</td>
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<tr>
<td>3. Written Orders (To reduce excessive political interference &amp; nepotism.)</td>
<td>Written orders reduce interference and nepotism.</td>
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4) Checks on Corruption
India faced as least efficient administration in Asia

5) Focus on co-ordination
departmentalising all public works
and public services. Administrative should stick
to core functions and not delegate.

6) Coordination
over 50 ministers and 15
Ex civil administrators
everyone coordinating
a framework

7) Tests like Bhayopad
dharmapada etc.
Many committees have
disagreed mid-year
approaches and
dated exist
Kantilya’s anthorshap is a watershed in personnel management. As it said, “There is only one science - science of administration. Nothing else could survive without it.”

With changing times (LPG, ICT) along with Kantilya’s principles, Bureaucracy personnel administration must be aligned with current needs of a participative, networked governance. Reforms like lateral entry, 360° feedback, RTI, e-governance need to be implemented to ensure that 21st century nations are governed by 20th century institutions.
What are the philosophical-constitutional values that are critical to Indian administration? Elaborate.

Indian constitution establishes certain principles that are critical to functioning and performance of Indian administration.

1. Meritocracy: Article 16 ensures every citizen of India has equal access to public sector.

2. Rule of law: Constitution establishes administration to ensure reduction of inequality and equal treatment (Article 14).

3. Welfare state: Administration is guided by PRSPs to establish a just, equitable society (Article 39(b), 39(c) etc.)

4. Article 51A & SC in V.S. Mistry case decreed that administration must ensure progress of nation and collective humanism (51A(j).

5. Gandhian ideals & grass-root democracy were imbued by setting up administrative core & poverty alleviation programs.
Checks and Balances with provisions of Judicial Review, legislative control, Constitution ensures accountable adherence.

Constitutionality = Article 32, 226, 136 ensures limits on functioning of administrator.

Ideals of Justice = Administrations must seek to ensure social, economic, and political justice to all.

It also provides safeguards for oppressed, marginalized sections and places emphasis on administration to ensure inclusive development.

Administration that is guided by the Constitution, added by philosophy and noble men can ensure a welfare state.
Answer the following questions in not more than 150 words each.

10 x 5 = 50

a) गृहरक्षक प्रशासन की मूलिका को आकर देने में प्रस्तावना की उपयोगिता का आह्लादकताक युद्धकिक करें।

Critically evaluate the utility of the preamble in shaping the role of Indian administration.

Preamble represents the guiding light of constitution and reflects the ideology of freedom fighters and national leaders.

(Rahman and Bhashak Case)

Preamble prescribes the principles of

1. Liberty — political, economic, social (Article 19)
2. Equality — of access and opportunities (Article 14, 15, 16)
3. Justice (Article 36-3)
4. Protects dignity and integrity of individual and nation (Article 21)
5. Also establishes India as sovereign, socialist, democratic state (Article 39(c))

There provisions reflect core Indian constitution and ideology behind functioning of political system. Policies, measures, acts must be governed by these principles.
While it provides for basic principles, Preamble falls short as:

1. It is amendable
2. It doesn't restrict or provide enabling legislation for executive.

Preamble should be seen as a guiding light, a collection of aspirations and ideals of our forefathers. Though amendable, Preamble lays down cornerstone for a welfare, just and fair democratic state.
Kautlya's Arthashastra is both descriptive and prescriptive. Comment.

Kautlya's Arthashastra is a treatise of science of government and has valuable insights in its functioning. It comprises both descriptive and prescriptive features.

1. Origin of state - Matsyagangha. To control bigger fish eating smaller fish. State, King were established.
2. Corruption - It's impossible not to taste money at tip of tongue.
3. Describes foreign relations via mandala theory.
4. Described war as strategy of expanding territory for a smaller nation.
Prescriptive Features (What should be)

1. Analogy of a king should be ethical, strong, intelligent.
2. Foreign policies of Sandhi (Peace), Vigyan (Vice), alliance, neutral and double dealing.
3. In times to come, when Magadha kingdom would endeavor it to pursue as policy of peace and ally making.
4. Use of espionage and spy system to end corruption.
5. Policy of Yodakshema (Happiness)
6. Role of taxation - easy to calculate, and shouldn't inhibit growth.

Kantley's Aesthetic has both Descriptive and Prescriptive features.

Case of this 'sudra' define duty, happiness as guidingestrofe 8 state.

"Sukshya meekan Dharma"
**LUKMAAN IAS**  
...Lead with Edge...

5. (c) "The Indian Constitution, in a significant sense, is a cosmopolitan Constitution."  
   **Comment:**

- Indian Constitution derived influence from constitutions of UK, US, Ireland, France, Britain and GOI Act 1935

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<tr>
<td><strong>COSMOPOLITAN NATURE</strong></td>
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<td>French</td>
<td>US</td>
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<td>- ideas of liberty, equality, fraternity</td>
<td>- office of President, Vice-President, President, Judges of Supreme Court, Right, Procedure established by law</td>
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<td>Japan</td>
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<td>- procedure established by law</td>
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**RATHER COST GENERALLY**

- Fundamental Duties
- Idea of Justice

- Parliamentary form
- Concurrent List
- Inter-state trade and commerce

- Republic powers
- Appointment of Governor

- Russia
- Canada
While it adopted measures from plethora of countries, the essence still remains very Indian in nature. Example 73rd-74th amendments, provisions for marginalized sections, setting up of welfare states, democratic socialism, affirmative action, etc.

BR Ambedkar rightly remarked "Indian constitution is a beautiful patchwork of many constitutions but the thread that binds it is necessarily Indian."
The maintenance of law and order appears to be one of the most neglected aspects of the civil administration of the Mughal Administration. Elaborate.

Mughal Administration is defined as that of central despotism and focused more on revenue collecting than maintaining law and order.

Reasons

1. Villages were to appoint 'Chaukidars' for maintenance of law and order on their own.

2. 'Faujdar' were entrusted with too large areas and it was impossible to maintain law and order for such large territories.

3. While 'Subedar' and 'Divan' were both responsible for revenue collection. There was only one official for province to maintain law and order.
1. "Chowkidar" wasn't financed by state treasury but by villagers' own collective pooling.

2. "Mansabdar" responsible for territories weren't hereditary and were frequently transferred.

3. Religious biasness led to major B areas being neglected and valued only for Jaiya tax collection.

Here, it can be wisely said that "negligible administration was more revenue focused rather than 'LEGO' oriented."
Central Secretariat has recently undergone several changes in staffing:

1. Rationalization of ministries and merger of ministries like Overseas Affairs and External Affairs has led to reduced personnel.

2. Introduction of lateral entry to provide expertise.

3. Lateral exit - 179 officers have been retired before superannuation due to poor performance.

4. Introduction of 360° feedback at post of additional secretary, secretary level.

5. IAS domination at 5th level (54 out of 81 in 2014) has reduced down to 11 out of 81 Joint secretaries.
No such changes have been introduced at state levels which has led to bumbling of departments, huge overhead costs. As per a PIB report, more than 63 ministries were present in state departments like WB and Assam had over 43 departments. Populist appointments still dominate state secretariats.

**Reasons**

1. Different political parties at centre-state leads to non-adoption & non-measures at centre in state
2. Populist tendencies to see made appointments to satisfy Coleman partners.
3. No such committees like APCs, NCW, etc. to overhaul state judiciary.
4. Lack of public scrutiny in departmental judiciary unlike Centre (mungsar) online or balance system (DPZ).
7. a) The matrix of relationship between the three organs of the state is such that the independence of judiciary is closely associated with survival of Indian democracy. Argue and illustrate in the light of recent developments.

Indian constitution envisages separation of powers between legislature, executive and judiciary and at the setting up an Independent Judiciary. Also provision of Judicial Review under articles (13, 32, 226, 136) ensure that principles of constitutionalism are adopted and adhered to. Judicial independence was at later curbed legislative and executive and excessive and unnecessary.

Recent Developments

1. Stoking down Social Media Hub, Social Media Hub was envisaged to ensure that citizen's social media was in line with government ideology, Supreme Court stabbed Govt. as sovereign surveillance state and Social Media Hub was snubbed.
2. Right to Privacy: In K.L. Puttaswamy case, the Supreme Court established the Right to Privacy as a fundamental right hence assuring a check on government power of similar.

3. Shreya Singhal Case: Courts struck down 66A of IT act which was misused to curb dissent by executive organs of state.

4. Krishna Kumar Singh (2017) - 826: The executive use of ordinance (ordinance Raj) was put under judicial review in cases with access of Sarkar, Panchayat, law...

5. Abhishek Singh Case: Political leaders who used communal undertones as vote-bank politics were prevented to gain votes on caste, community lines. (check an executive)

6. PULL, Lily Thomas case: Supreme court enabled to put checks on communal politics and politicians & leaders
TSR Subramanian's increasing executive interference in administration was restrained by providing for Civil Services Board (created).

Most aspects not written.

Justic in recent times via use of Judicial Review and at times Judicial activism has ensured democratic functioning of Nation. It has shuck down bodies like NTT to prevent excessive central and unnecessary regulation by government. As PN Bhagwati remarked "The sustaining of Indian Constitutionism survives on shoulders of Judiciary."
India presently reflects a combination of repulsive and assertive political culture rather than the civic political culture. Comment.

Gabriel Almond and Verba in their book *Political Culture and Civic Political Culture* define civic political culture as "citizens accepting authority of state" and "participation in civic cultures".

Presently, with rise of agitation, demonstrations, and violence, the civic culture has paved way for repulsive and assertive political culture.

Maratha Kranti March, for reservation, which saw damage to public property and violence, the rise in vigilante in various states like Andhra, Kerala, Karnataka. Agitations like Jat agitation, 2016, violence in WB's local assembly polls paint an image of repulsive culture.
Reasons

1. Failure of organs of state to heed to demands, and understand issues of citizenry - e.g. Farmer suicides has been a critical issue for years, but recent protest shows raw inaction which leads to assertive action.

2. Political misconduct - A plethora of agitators are charged politically, ideologically, and funded by opposing parties.

3. Quality of Parliamentary debate - Reduced debate, increasing disruptions,-blockable actions, protest.

4. Excessive control popular in populist measures like acceptance & reservation demands of a community leads to ripple effect among others.

5. Loss of Civic Virtue - Increased divisions, atomises communities, erodes social capital giving rise to unrest and assertive.
Loss of Political Culture: R. C. Guha defines political culture as attitudes of politicians towards each other alongside citizen attitudes. Loss of quality, cooperation has led to fradely & opaque cultures of unrest and anarchy.

While instances of repulsive and assertive culture have emerged, civil culture can still be seen in cities. It is necessary for urban councils and participants in political forums. Measures like community audits help sustain civil culture in political culture. Measures must be taken to open channels of communication between citizen and organs of state to ensure dominance of civil culture.

[Signature with red pen]
The role of Parliamentary Standing Committees has enhanced legislative control over the executive. Discuss.

Parliamentary standing committees play a prominent role in ensuring legislative control over the executive.

How?

1. PSC's discuss provisions of bills, suggest amendments to bills of executive. Detailed scrutiny ensures control over executive action.

2. PSC's can take views of stakeholders, C&O's in drafting bills, for example, suggesting over-geospatial mapping bill, national education policy.

3. PSC's involve representatives from all parties which ensures majority rule is not missed for passage of bills.

4. Reports of PSC's are made public to ensure transparency and curbing citizen control over executive.
lately, only 271 of Bills were referred to Parliamentary Standing Committees and moreover a 1-year term of members has expertise and participation. Reforms in PSC as suggested by Law Commission Report like involving experts, 30-day Pre-legislative scrutiny by CSO's and citizen, use of platforms like mygov. in for detailed discussion on enactive decisions, Bills must be incorporated.