



# Monthly Public Administration Current Affairs For IAS Mains Exam

-----  
VOL - 1 (January 2014)  
-----

**For Any Query Call our Moderator at:  
+91 7827687693**

---

---

# CONTENTS

---

---

## **1. Polity, Constitution and Governance**

- Reforms in Governance and Administration

## **2. Disaster Management**

- Disaster Planning & Management

## **3. Society and Culture**

- Combatting Terrorism

## **4. Ethics and Morality in Administration**

- Ethics In Administration

## **5. Rural Development programmes**

- India Rural Development Report 2012/13

## **6. Miscellaneous**

- Good Governance

## **7. Reports**

- Second ARC (12th Report)- Citizen centre Administration – The Heart of Governance(2009)

# Polity, Constitution and Governance

## Reforms in Governance and Administration



In the words of Kofi Annan: “Good governance is perhaps the single most important factor in eradicating poverty and promoting development”

Governance is the exercise of economic, political and administrative authority to manage a country’s affairs at all levels. It consists of the mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences. Without good governance, no amount of developmental schemes can bring in improvements in the quality of life of the citizens. On the contrary., if

the power of the state is abused, or exercised in weak or improper ways, those with the least power in the society – the poor- are most likely to suffer. In that sense, poor governance generates and reinforces poverty and subverts efforts to reduce it. Strengthening governance is an essential precondition to improving the lives of the poor.

The Tenth Plan document identified good governance as the single most important factor in ensuring that the Plan objectives are achieved. Among other things, decentralization of power and citizens’ empowerment, effective people’s participation through state and non-state mechanisms, greater synergy and consolidation among various agencies and programmes of government, civil service reforms, transparency, rationalization of government schemes and mode of financial assistance to states, improved access to formal justice system to enforce rights, reforms and strengthening of land administration and harnessing the power of technology for governance have been identified as the key priorities.

Over the past three years several significant initiatives have been launched to improve the quality of governance. A series of political reforms have been enacted by Parliament by unanimous consent. These

include the electoral funding reforms promoting transparency and fairness and creating tax incentives to donors, disclosure of antecedents of candidates contesting for public office, and the 97th Constitutional Amendment limiting the size of the Council of Ministers to 15 per cent of the strength of the Lower House and considerably strengthening anti-defection provisions. A new value added tax (VAT) regime has been introduced recently, which is seen as the most ambitious tax reform after Independence . The path-breaking Right to Information Act has come into effect recently. This new law applies to union and state agencies, local governments and even societies and trusts which receive public funds. This far-reaching law also provides for independent information commissioners, proactive disclosures and reporting mechanisms and has the potential to impact our governance process in a profound and positive way by empowering citizens.

These welcome initiatives indicate that our political system is willing to respond to the growing challenges of governance. The reasonably swift and efficient response of our administration to a series of major natural calamities – the Tsunami of December 2004, the Mumbai floods of July, 2005, and the recent earthquake in Jammu & Kashmir - demonstrates that in times of crisis we are able to marshal our resources effectively. All these and competent election management show that we have an impressive administrative infrastructure and it responds well when objectives are clearly defined, resources are made available and accountability is surely enforced.

However, a lot more remains to be done. There is increasing lawlessness in several pockets of the country, and armed groups are resorting to violence with impunity for sectarian or ideological reasons. The state apparatus is generally perceived to be largely inefficient, with most functionaries serving no useful purpose. The bureaucracy is generally seen to be tardy, inefficient, and unresponsive. Corruption is all-pervasive, eating into the vitals of our system, undermining economic growth, distorting competition, and disproportionately hurting the poor and marginalized citizens. Criminalization of politics continues unchecked, with money and muscle power playing a large role in elections. In general there is high degree of volatility in society on account of unfulfilled expectations and poor delivery.

Abuse of authority at all levels in all organs of state has become the bane of our democracy. The perception that every political party and politician is corrupt needs to be seriously addressed, and restructuring the systems in all sectors – political, bureaucratic and judicial – is of paramount importance. There is a need to restructure our political and governance institutions and rejuvenate our Republic. Otherwise, the growing cynicism and despair among large sections may shatter public confidence in democratic institutions.

Globalization in an interconnected world is inevitable, but it should not be at the cost of the people. The institutions of state – legislative, executive, and judicial – will have to be strengthened to meet the challenges of globalization. The aspirations of the younger generations, uninhibited by past baggage, and emerging from institutions of higher learning and frontier technologies, will have to be fulfilled as they become the torchbearers of the new century.

In general, the positive power to promote public good seems to be severely restricted, making it difficult for even the most conscientious and competent functionaries to deliver optimal results. The systemic rigidities, needless complexity and over centralization have made most elected politicians and appointed public servants ineffective and helpless. But the negative power of abuse of authority in pursuit of self, privilege and patronage, or harassment of public through flagrant violation of law, petty tyranny and nuisance value is virtually unchecked. This imbalance in the exercise of power is at the heart of the crisis of governance. As a result most agencies of government are functioning sub-optimally, and government programmes have not yielded the desired results. At most levels authority is divorced from accountability, leading to a system of realistic and plausible alibis for non-performance. Most functionaries are thus caught in a vicious cycle.

This situation is further aggravated by the phenomenal asymmetry of power in our society. Only about 8 percent of our work force is employed in the organized sector with a secure monthly wage and attendant privileges, and over 70 percent of these workers are employed in government at various levels and public sector undertakings. Such a privileged position gives even the lowliest of public servants enormous power over most of the citizens, given the abject poverty, illiteracy, excessive centralization of power, a culture of exaggerated deference to authority, hierarchical tradition in society, and the legacy of colonial traditions and practices. Any serious effort to make our governance apparatus an instrument of service to the people and a powerful tool to achieve national objectives needs to take into account these two cardinal factors plaguing our polity – the imbalance in the exercise of power, and asymmetry in the wielding of power.

There are two fundamental, interrelated objectives, which need to be achieved in the coming decades. The first is the fulfillment of human potential, prevention of avoidable suffering and ensuring human dignity, access to justice and opportunity to all Indians so that every citizen is a fulfilled and productive human being. The second is the rapid economic growth realizing the nation's potential and allowing India to play her rightful role in the global arena in order to protect the vital interests of present and future generations, and become an important actor in promoting global peace, stability and prosperity. We

need to sharply focus the state's role and fashion instruments of governance as effective tools in our quest for these national goals.

The economic reform process initiated in 1991 has posed fresh challenges of governance. In the light of the changing domestic and global situation, the role of the Indian state in the coming decade has to be clearly defined. The assumption that market is the answer to all our challenges is a dangerous and irrational one. The state needs to focus on the irreducible role of government that is required to fulfill human potential and promote rapid economic growth. Abdication of the state or its inefficiency in these critical sectors will spell disaster to our future.

The non-negotiable role of the state in four broad areas needs to be clearly recognized and reemphasized. The first is in the area of public order, justice and rule of law. Deficiencies on this front have led to decline in trust in the state's capacity to protect life and liberty and enforce rights. This in turn has aggravated the tendency to resort to violence and crime to obtain rough and ready justice, promote sectarian interests, or achieve ideological goals. Ensuring access to speedy and efficient justice, protecting rights of citizens, enforcing rule of law, and maintaining public order are all inseparable and they form the bedrock of a civilized society and sound liberal democracy. The deficiencies in this vital area need to be plugged through judicial and police reforms, better citizen participation in governance, transparency and more effective and integrated approach to public order maintenance.

The alacrity with which we constitute various committees and commissions of enquiry is matched only by the inaction on the voluminous reports laboriously produced. Public trust and confidence is shaken by such ritualism and tokenism. We need to institutionalize mechanisms for independent enquiry and mandatory implementation so that public confidence and social cohesion are strengthened. Governance at all levels must ensure orderly justice and peaceful resolution of conflicts in a complex and dynamic society.

The second area is human development through access to good quality education and healthcare to make every citizen productive and fulfilled. Despite our long-standing commitment to these goals, the results are uneven and far from satisfactory. Allocation of resources is undoubtedly inadequate leading to huge unmet demand. Even what is spent not very productive in outcomes. Yet even private sector is not delivering effectively because of systemic inadequacies. We need to reorient public finances in order to direct resources to human development. But even more vitally, we need to redesign our delivery mechanisms in an innovative manner based on past experience and best practices and deploy the nation's finest talent in these sectors. Most of the nation's gene pool is wasted because of inadequate and poor

quality of school education. Higher education too is not very successful in promoting excellence of producing service providers, leaders, managers and wealth creators, for the future. There are other clear danger signals, which need to be acknowledged and addressed immediately. For instance as public health system has been unsatisfactory and inadequate, private health expenditure, which already accounts for about 80% of total expenditure, is growing (14% per annum) much faster than GDP. The resultant high cost and poor access would seriously undermine our human development and perpetuate misery and poverty. The governance system should be geared to address these fundamental challenges through sensible and innovative policy, effective and competent delivery, and meaningful incentives and accountability mechanisms.

The third broad area is infrastructure and sustainable natural resource development. While the economic aspects of these are well-recognized, the governance challenges are not adequately addressed. For instance, effective land administration is crucial to capital formation in agriculture and soil conservation. Energy plantation and biofuel production would require great administrative innovation and grassroots coordination. Urban management involves much more than resource allocation for infrastructure and poses formidable challenges of governance. Power distribution management through local people's involvement and ownership in a consumer-friendly way is more a governance issue than an economic or tariff problem. We need to create innovative modes of governance in dealing with many such growing challenges.

Social security is a relatively new and growing area of state activity to which the administrative system must respond with alacrity, sensitivity and efficacy. The recent enactment of the employment guarantee law, the efforts in the pipeline to provide a measure of social security to the unorganized sector workers, and many healthcare risk-pooling mechanisms contemplated require effective delivery system, which can address the special challenges posed in this emerging sector of state activity.

All these and other governance and administrative challenges have to be addressed in the context of serious resource constraints. The Fiscal Responsibility and Budget Maintenance Act enacted in 2001 is a useful measure, but has obviously not fulfilled the expectations. Laws alone cannot address fundamental fiscal problems. We need to raise resources, reduce unproductive subsidies, and get better outcomes for every rupee utilized. Past experience shows that revenue cannot be increased by enhancing tax rates in a centralized administration. There has to be an increasingly transparent link between taxes and services rendered, and better tax administration to ensure greater compliance. Subsidy reduction is politically painful, and the people have to see an alternative and better application of the resources saved in order to accept de-subsidization. And the administration must become far more accountable and effective in delivering results

with the same expenditure. In order to accomplish these goals, there should be conscious efforts to establish the links between the citizen's vote and public good, and taxes and services, and fuse authority with accountability at every level. Therefore, effective empowerment of local governments and stakeholders, and reform to ensure effective and sufficient delegation with accountability at every level to deliver should be the cornerstone of governance reform.

One emerging area which needs special attention is the changing nature of federalism. The last decade has witnessed significant maturing of our federalism. The states are increasingly empowered to determine their own policies and programmes, and the union is evermore sensitive to local needs. However, the role of the Union is expanding in a substantial measure in recent years in new ways. Education, healthcare, rural and urban development and social security are either state subjects, or largely under state jurisdiction. And yet, the services are increasingly driven by union policies and funds. Paucity of resources at state level, need for standardization of services, compulsions of reducing regional disparities, and the imperatives of meeting the challenges of a growing economy in the modern world have necessarily enlarged the Union's role in these sectors.

Such a shift in the Union's role in a federal democracy is quite in keeping with the evolution of other large federal states like the US. But large Union funding with state control could easily erode accountability. We need to carefully design mechanisms to monitor these programmes and enforce accountability, even as the desired outcomes are achieved, and the constitutional scheme of division of powers is fully respected. Poor implementation will only lead to waste, corruption, lack of accountability, and growing regional disparities. At the same time, if non-performing states are punished by withdrawal of the programmes, the poor and disadvantaged, who need preferential support, suffer even more, and regional inequalities are further accentuated. Therefore innovative, viable and effective mechanisms need to be put in place to protect public money, guarantee intended outcomes, and enforce accountability.

In any system, the quality of public servants is critical in determining outcomes. We have well-established procedures for initial recruitment of civil servants in India. However, there is growing concern that our civil services and administration in general have become wooden, inflexible, self-perpetuating, and inward-looking. While the bureaucracy responds to crisis situations with efficacy, colossal tardiness and failure to deal with 'normal' situations is evident in most cases. Effective horizontal delegation and a clear system of accountability at every level should be at the heart of our administrative reform. At the same time, we also need to recognize the complex challenges of modern administration in critical sectors like policing, justice delivery, education, healthcare, transportation, land management, infrastructure, skill

promotion, employment generation, and urban management. All these are intricate issues, which need domain expertise, long experience in the sector, and deep insights. Processes of civil service recruitment, periodic training, promotion and posting strategies and career management have to be reformed urgently. We need to foster excellence in the public system, and attract continuously the best talent and expertise. The barrier between government and the rest of the economy and society must be lowered, allowing free movement based on competence and leadership qualities.

Propensity to centralize has been the dominant feature of our administration. We need to truly redesign government on the basis of the principle of subsidiary. A task which can be performed by a small unit should never be entrusted to a large unit. Only when economies of scale and technical complexity demand entrustment to the larger tier should it be done so. All the financial devolution and personnel transfer should match functional domain determined on this basis. Only then will the citizen see the link between his vote and public good, and monies can be traced to services delivered. The structure of local governments envisaged in the 73rd and 74th Constitutional amendments is now in place, but the soul of self-governance and empowerment is largely missing. As a result of the economic reform process, the states have come into their own, and yet the Union has in recent years discovered a more meaningful and strategic role for itself. Similarly, local government empowerment need not mean weakening of states. States must be enabled to discover their vital role in providing strategic inputs and leadership even as local governments deliver most of the basic services. Wherever a community of stakeholders can be clearly identified, responsibility for services must be transferred to them, so that the stakeholders wield authority and are directly in control of their lives.

The Tenth Plan document emphasized the role of civil society in improving delivery. Conscious efforts have since been made to make citizens partners in policymaking and implementation of various programmes. However, despite long debate, two serious lacunae remain. First, cooperatives, which are citizens' enterprises for collective benefit, are still largely state-controlled, despite the constitutional freedoms guaranteed in Article 19. A clear and unambiguous inclusion of the right to form and run cooperatives in the Fundamental Rights chapter of our Constitution would liberate them from state fetters, and release the energies and enterprise of millions of ordinary citizens. Societies are largely free, thanks to the protection afforded under Article 19 (1) (c). But most voluntary organizations are excessively dependant on state funding or foreign donor organizations. A culture of self-reliance needs to be fostered among the vibrant civil society and community-based organizations. For this, private, indigenous charities need to be encouraged and incentivized. The current law allows tax exemption to a tune of 50% to most contributions

to charitable activities. A full tax exemption on such contributions will promote self-help and reduce over dependence on state or foreign donors.

Pervasive corruption is the most disturbing element of our governance. Happily, recent years witnessed encouraging trends in certain sectors. Wherever competition, choice, transparency and technology have been introduced, corruption has dramatically declined. However, in other core sectors where the state's role is critical, corruption continues unchecked. There are signs of growing corruption in some of these state-controlled sectors, indicating a shift from the traditional forms of corruption. Police, criminal justice system, healthcare delivery, public procurement and contracting, transfers and postings of officials, tax collection and land administration are areas, which are by nature fully or substantially state-controlled. Corruption is either continuing or growing in these sectors, as the inexhaustible demand for illegitimate funds in our governance system continues unabated. Clearly far-reaching political and electoral reforms to transform our political culture and alter the nature of incentives in public life are the need of the hour.

In addition, real decentralization of power with effective institutional checks will give citizens greater control and curb the rapacity of state functionaries. Judicial and police reforms ensuring speedy, efficient and accessible justice and swift, sure and severe punishment for abuse of office will increase risks of unacceptable behaviour. Self-regulatory mechanisms to uphold standards in professional groups are another area that requires urgent attention in the changing context. Finally, measures of accountability including the recently enacted Right to Information, well-designed citizen's charters with penalties for non-performance, independent, empowered and effective anti corruption agencies, innovative tools to involve citizens in the fight against graft and leakages will surely expose corruption much more easily, minimize wrong incentives, and enforce compliance with acceptable norms of public conduct. A comprehensive approach involving political, electoral, judicial, and police reforms coupled with decentralization and accountability must be the essence of an all out assault on corruption. In the wake of economic liberalization, changing forms of corruption, and technological sophistication in economic offences, there is a need for pan-Indian institutional framework for effective enforcement of criminal justice with focus on speed and dexterity.

One weakness in our governance is the incapacity to institutionalize the best practices from our own country and elsewhere. A conscious effort not only to identify and document best practices but also build policy and create new structures and institutions to allow mass replication needs to be made. The communications revolution sweeping across India offers us a great opportunity to innovate and replicate.

## Online Coaching for IAS Mains - Public Administration

<http://www.upscportal.com/civilservices/courses/ias-mains-pub-ad>

---

Many models of improved use of technology for better governance are now available to us. But again convergence of many services at the citizen's doorstep, with greater citizen power and local control are critical for the future. The impressive postal network with its high efficiency and citizen-friendly approach, and the railways with their vast reach and proven track record offer us great opportunities for convergence of a variety of services in the next decade. Our scientists and technologists have the proven ability to meet the challenges of a modern economy. We need to harness their skills to make real improvements in governance possible in real time.

Governance is admittedly a weak link in our quest for prosperity and equity. We have an impressive governance infrastructure and significant successes to our credit. But we need to refashion the instruments to suit the emerging challenges. Unemployment and discrimination are two malignant factors afflicting our society, and militating against the principles of equality of opportunity enshrined in our Constitution. Our governance process must be redesigned to combat these two scourges, so that the productive potential of our people is liberated. The political system has the resilience and capacity to mobilize public opinion and transform our governance. What we need is the will and painstaking effort and energy to innovate, design and reform.

**(With inputs from Second Administrative Reforms Commission)**

### Questions:

1. What are the weaknesses in our Governance system ? Kindly suggest some measures for its overall improvement .
2. In the words of Kofi Annan: "Good governance is perhaps the single most important factor in eradicating poverty and promoting development". Discuss.
3. Governance is the exercise of economic, political and administrative authority to manage a country's affairs at all levels. Explain

# Disaster Management

## Disaster Planning & Management

The institutional and policy mechanisms for carrying out response, relief and rehabilitation after disasters in India had been well-established since Independence. The increasing frequency and ferocity, the rising extent and sweep as well as the mounting human and economic toll due to disasters necessitated a reappraisal of institutional and policy frameworks and development of new frameworks for holistic disaster management of disasters. Heralding this paradigm shift in public policy, the Tenth Five-Year Plan (2007-12) stated:

The traditional perception relating to the management and mitigation of natural disasters has been limited to the idea of “calamity relief,” which is seen essentially as a non-plan item of expenditure. However, the impact of major disasters cannot be mitigated by the provision of immediate relief alone, which is the primary focus of calamity relief efforts. Disasters can have devastating effects on the economy; they cause huge human and economic losses, and can significantly set back development efforts of a region or a State. With the kind of economic losses and developmental setbacks that the country has been suffering year after year, the development process needs to be sensitive towards disaster prevention and mitigation aspects. There is thus a need to look at disasters from a development perspective as well.

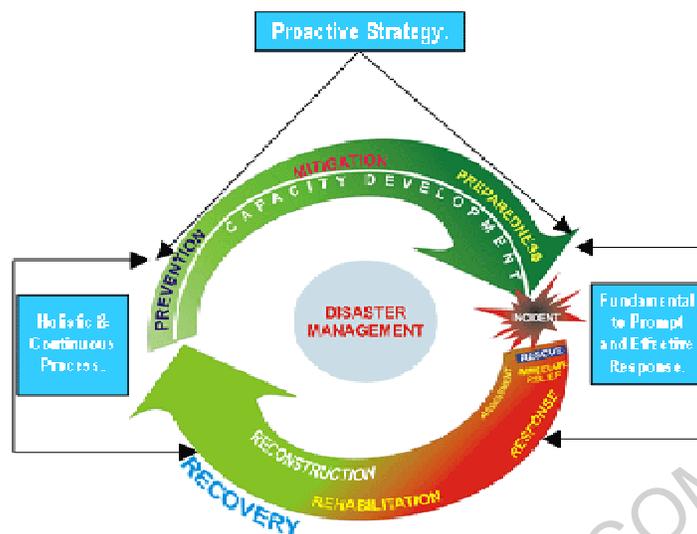
### **The Plan also laid down a blue-print for the future:**

The future blue-print for disaster management in India rests on the premise that in today’s society while hazards, both natural or otherwise, are inevitable, the disasters that follow need not be so and the society can be prepared to cope with them effectively whenever they occur. The need of the hour is to chalk out a multi-pronged strategy for total risk management, comprising prevention, preparedness, response and recovery on the one hand, and initiate development efforts aimed towards risk reduction and mitigation, on the other. Only then can we look forward to “sustainable development.

Based on this philosophy, a holistic National Disaster Management Framework was developed in 2004, which highlights the interdependence of economy, environment, and development. This framework also links the issues of poverty alleviation, capacity building, community empowerment and other structural and non-structural issues of prevention and preparedness, response and recovery for effective disaster risk mitigation and management.

A comprehensive legal and institutional framework for disaster management has been set up through the Disaster Management Act passed by the Indian Parliament in 2005 and the National Policy on Disaster Management that was approved in 2009.

## DISASTER MANAGEMENT CONTINUUM



Till recently, the approach to Disaster Management has been reactive and relief centric. A paradigm shift has now taken place at the national level from the relief centric syndrome to holistic and integrated approach with emphasis on prevention, mitigation and preparedness. These efforts are aimed to conserve developmental gains as also minimize losses to lives, livelihood and property. A typical Disaster Management continuum as shown below, comprising of six elements i.e., Prevention, Mitigation and Preparedness in pre-disaster phase, and Response, Rehabilitation and Reconstruction in post-disaster phase, defines the complete approach to Disaster Management.

### **Disaster Management Act 2005**

The Disaster Management Act, 2005 came into the statute book on 26 December 2005 by a Gazette notification, exactly on the first anniversary of the devastating tsunami of 2004, which killed nearly 13,000 people in India alone and affected 18 million people. The Act provides a legal and institutional framework for “the effective management of disasters and for matters connected therewith or incidental thereto.” It provides for establishment of National Disaster Management Authority (NDMA), State Disaster Management Authority (SDMA) and District Disaster Management Authorities (DDMA) at the National, State and District levels with adequate financial and administrative powers and creation of the National Institute of Disaster Management (NIDM) with the mandate of undertaking training and capacity building, Develop Training Modules on various aspects of Disaster management, Undertake Research and Documentation, Formulate and implement comprehensive HRD Plan covering all aspects of DM, Provide assistance in national level policy formulation and Provide assistance to state governments and State Training Institutions. The act also provides guidelines for creation of National Disaster Response Fund, National Mitigation Fund, Establishment of funds by State Government and Allocation of funds by Ministries and Departments for Emergency procurement. The act also provides for establishment of National Disaster Response Force (NDRF).

### **National Policy on Disaster Management 2009**

Click Here to Buy Public Administration Study Kit in Hard Copy

<http://www.upscportal.com/civilservices/study-kit/ias-mains-public-adminstration>

The National Policy on Disaster Management was approved by the Government in November 2009. This comprehensive policy document lays down policies on every aspect of holistic management of disasters in the country. The policy has thirteen chapters as under:

1. Preamble
2. Approach and Objectives
3. Institutional and Legal Arrangements
4. Financial Arrangements
5. Disaster Prevention, Mitigation and Preparedness
6. Techno-Legal Regime
7. Response
8. Relief and Rehabilitation
9. Reconstruction and Recovery
10. Capacity Development
11. Knowledge Management
12. Research and development
13. Road Ahead

### **Salient Features of India's National Policy on Disaster Management:**

India's National Policy on Disaster Management was approved by the Union Cabinet of India on 22nd October, 2009 with the aim to minimize the losses to lives, livelihoods and property, caused by natural or manmade disasters with a vision to build a safe & Disaster resilient India by developing a holistic, proactive, integrated, Multi-disaster oriented and technology driven strategy. With this national Policy in place in India, a holistic and integrated approach will be evolved towards disaster management with emphasis on building strategic partnerships at various levels. The themes underpinning the policy include Community based Disaster Management, Capacity development in all spheres, Consolidation of past initiatives and best practices and Cooperation with agencies at National and International levels with multi-sectoral synergy.

The Policy is also intended to promote a culture of prevention, preparedness and resilience at all levels through knowledge, innovation and education. It encourages mitigation measures based on environmental sustainability. It seeks to mainstream disaster management into the developmental planning process and provides for Institutional and Financial arrangements at national, State, and District-levels for Disaster Prevention, Mitigation, Preparedness and Response as it ensures adequate budgeting for disaster mitigation activities in all Ministries and Departments.

- **State Policies on Disaster Management**

The States of Madhya Pradesh, Gujarat, Kerala have formulated State Disaster Management Policies. Tamil Nadu, Chattisgarh, Uttaranchal, Meghalaya, Bihar, Rajasthan, Delhi, Orissa and West Bengal have prepared draft policies.

- **State Relief Codes/ DM Codes**

Many States have manuals and codes for management of drought, floods etc. Now many states are in the process of changing their State Relief codes into Disaster Management Manuals.

### **Guidelines of NDMA:**

- Management of Biological Disasters
- Management of Chemical (Industrial) Disasters

- Management of Chemical (Terrorism) Disasters
- Management of Cyclones
- Management of Drought
- Management of Earthquakes
- Management of Floods
- Management of Urban Flooding
- National Disaster Management Information and Communication System
- Plan to counter the threats to Municipal Water Supply and Water Reservoirs
- Scaling, Type of Equipment and Training of Fire Services
- Strengthening of Safety and Security of POL Tankers
- Incident Response System
- Management of Landslides & Snow Avalanches
- Role Of NGOs in Disaster Management
- Management of Nuclear & Radiological Emergencies
- Psycho Social Support & Mental Health Services in Disasters
- Preparation of State Disaster Management Plans
- Management of Tsunamis
- Revamping of Civil Defence in The Country, National Policy Approach Paper
- Hand Book for Training and Capacity Building of Civil Defence and Sister Organisations

### **Suggestive Strategies, Recommendations and Action Plan for Disaster Mitigation, Prevention and Preparedness:**

Government of India has taken several initiatives for strengthening disaster reduction strategies. Government of India constituted an Expert Group to examine the related issues and evolve recommendations for improving preparedness and prevention with respect to natural disasters caused by earthquakes, floods and cyclones.

### **Issues addressed**

The Expert Group appointed by the Govt. of India examined the current status of work being carried out in these areas:

Monitoring of Hazards	Hazard Mapping
Vulnerability Assessment	Disaster Risk Assessment and Mapping
Prediction and Forecasting	Preparation of Building Guidelines
Retrofitting of Existing Unsafe Structures and Buildings	Assessing Gaps in the Above. Filling them as much as possible

### **The Report has covered the following issues:**

- Identification of various hazard prone areas.
- Vulnerability and Risk Assessment of Buildings
- Disaster damage scenarios,
- Technical Guidelines for Hazard Resistant Construction of Buildings.

## Online Coaching for IAS Mains - Public Administration

<http://www.upscportal.com/civilservices/courses/ias-mains-pub-ad>

---

- Upgrading of Hazard Resistance of Existing Housing Stock by Retrofitting, and
- Techno-Legal Regime to be adopted

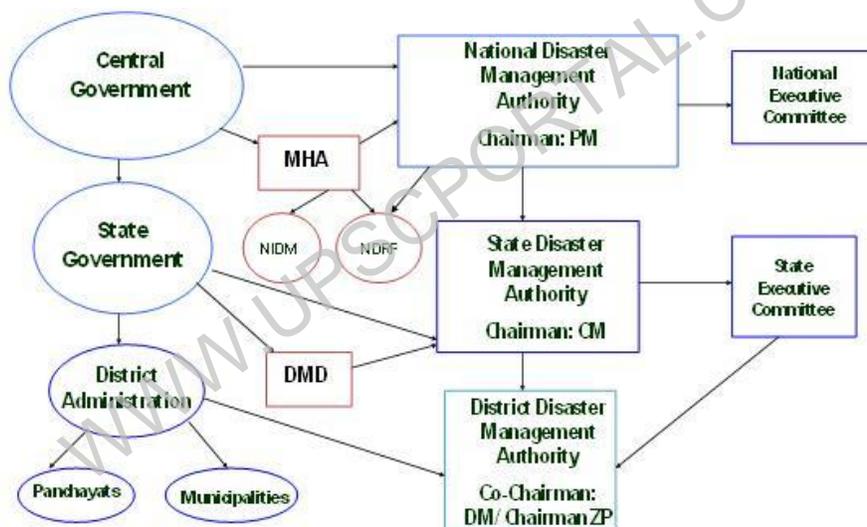
Based on the findings as above, the Group has recommended strategies to be adopted and Action Plan for consideration of the Government. The Group feels strongly that these need to be urgently considered for evolving a national policy keeping in view of the Govt. of India's commitment to the Yokohama Strategy for Natural Disaster Reduction. Groups recommendations and proposed Action Plan. The major issues are highlighted hereunder:

1. The first and the foremost is to restructure the National Policy on disaster management reflecting the holistic approach involving prevention, mitigation and preparedness in pre-disaster phase with appropriate additional funding, along with the so far existent policy of the post-disaster relief and rehabilitation under crisis management.
2. Creation of awareness for disaster reduction is urgently needed amongst policy makers, decision makers, administrators, professionals (architects, engineers and others at various levels) financial institutions (banks, insurance, house financing institutions) and NGOs and voluntary organizations.
3. Creating awareness for improving preparedness amongst the communities, using media, school education, and the network of the building centre.
4. Appropriate amendments in the legislative and regulatory instruments (state laws, master plans, development area plan rules, building regulations and bye-laws of local bodies) along with strengthening of the enforcement mechanisms at different levels.
5. Capacity building at local and regional levels for undertaking rapid-assessment surveys and investigations of the nature and extent of damage in post disaster situations.
6. Conducting micro-zonation surveys of large urban areas falling in the disaster prone regions and preparing appropriate preparedness and mitigation plans on an urgent basis.
7. To ensure use of disaster resistant construction techniques in all housing and other buildings to be undertaken under the Central and State schemes.
8. Making mandatory, the use of disaster resistant codes and guidelines related to disaster resistant construction in the houses and buildings in all sectors of the society by law and through incentives and disincentives.
9. To create a suitable institutional mechanism at national/state level to advise and help the existing disaster relief set up in formulation and updating of short and long range action plans for the preparedness, mitigation and prevention of natural disasters. (the mechanisms suggested are establishment of a National Scientific and Technical Committee at Central level and Natural Disaster Mitigation Centres at State levels).
10. To promote the study of natural disaster prevention, mitigation and preparedness as subjects in architecture and engineering curricula.
11. To create detailed database on hazard occurrences, damage caused to buildings and infrastructure and the economic losses suffered and ensure its accessibility to interested researchers for effective analysis of costs of disasters and benefits of mitigative actions.
12. To devise appropriate policy instrument and funding support for urgent disaster preparedness and prevention actions in high risk areas including upgrading the resistance of existing housing and related structures and systems.
13. To include R&D work in disaster preparedness, mitigation and prevention as a thrust area so that adequate funds are earmarked for the schemes of R&D organizations as well as the concerned Central Ministries and State Governments.
14. Institutions

The Disaster Management Act 2005 has provided the legal and institutional framework for disaster management in India at the national, state and district levels. In the federal polity of India the

primary responsibility of disaster management vests with the State Governments. The Central Government lays down policies and guidelines and provides technical, financial and logistic support while the district administration carries out most of the operations in collaboration with central and state level agencies.

15. In the Central Government there are existing institutions and mechanisms for disaster management while new dedicated institutions have been created under the Disaster Management Act of 2005.
16. The Cabinet Committee on Management of Natural Calamities (CCMNC) oversees all aspects relating to the management of natural calamities including assessment of the situation and identification of measures and programmes considered necessary to reduce its impact, monitor and suggest long term measures for prevention of such calamities, formulate and recommend programmes for public awareness for building up society's resilience to them. The Cabinet Committee on Security.(CCS) deals with the matters relating to nuclear, biological and chemical emergencies
17. The National Crisis Management Committee (NCMC) under the Cabinet Secretary oversees the Command, Control and Coordination of the disaster response.
18. The Disaster Management Act, 2005 has created new institutions at the national, state, district and local levels. The new institutional framework for disaster management in the country is as under:



19. The National Disaster Management Authority (NDMA) under the Chairmanship of the Prime Minister is the apex body responsible for laying down policies, plans and guidelines for disaster management and for coordinating their enforcement and implementation throughout the country. The policies and guidelines will assist the Central Ministries, State Governments and district administration to formulate their respective plans and programmes. NDMA has the power to approve the National Plans and the Plans of the respective Ministries and Departments of Government of India. The general superintendence, direction and control of National Disaster Response Force (NDRF) are vested in and will be exercised by the NDMA.
20. The National Executive Committee (NEC) is mandated to assist the NDMA in the discharge of its functions and further ensure compliance of the directions issued by the Central Government. The NEC comprises of the Union Home Secretary as the Chairperson, and the Secretaries to the GOI in the Ministries/Departments of Agriculture, Atomic Energy, Defence, Drinking Water Supply, Environment and Forests, Finance (Expenditure), Health, Power, Rural Development, Science and Technology, Space, Telecommunications, Urban Development, Water Resources and the Chief of

the Integrated Defence Staff of the Chiefs of Staff Committee as members. Secretaries in the Ministry of External Affairs, Earth Sciences, Human Resource Development, Mines, Shipping, Road Transport & Highways and Secretary, NDMA are special invitees to the meetings of the NEC. The National Executive Committee is responsible to prepare the National Plan and coordinate and monitor the implementation of the National Policy and the guidelines issued by NDMA.

21. The Ministry of Home Affairs (MHA) in the Central Government has the overall responsibility for disaster management in the country. For a few specific types of disasters the concerned Ministries have the nodal responsibilities for management of the disasters, as under:

Drought	Ministry of Agriculture
Epidemics & Biological Disasters	Ministry of Health and Family Welfare
Chemical Disasters	Ministry of Environment & Forests
Nuclear Disasters	Ministry of Atomic Energy
Air Accidents	Ministry of Civil Aviation
Railway Accidents	Ministry of Railways

22. The National Institute of Disaster Management (NIDM) has the mandate for human resource development and capacity building for disaster management within the broad policies and guidelines laid down by the NDMA. NIDM is required to design, develop and implement training programmes, undertake research, formulate and implement a comprehensive human resource development plan, provide assistance in national policy formulation, assist other research and training institutes, state governments and other organizations for successfully discharging their responsibilities, develop educational materials for dissemination and promote awareness among stakeholders in addition to undertake any other function as assigned to it by the Central Government
23. The National Disaster Response Force (NDRF) is the specialized force for disaster response which works under the overall supervision and control of the NDMA.
24. At the State Level the State Disaster Management Authority (SDMA), headed by the Chief Minister, lays down policies and plans for disaster management in the State. It is also responsible to coordinate the implementation of the State Plan, recommend provision of funds for mitigation and preparedness measures and review the developmental plans of the different departments of the State to ensure integration of prevention, preparedness and mitigation measures.

The State Disaster Management Department (DMD) which is mostly positioned in the Revenue and relief Department is the nodal authority

25. In the district level the District Disaster Management Authority (DDMA) is headed by the District Magistrate, with the elected representative of the local authority as the Co-Chairperson. DDMA is the planning, coordinating and implementing body for disaster management at district level. It will, inter alia prepare the District Disaster Management Plan and monitor the implementation of the National and State Policies and the National, State and the District Plans. DDMA will also ensure that the guidelines for prevention, mitigation, preparedness and response measures laid down by the NDMA and the SDMA are followed by all departments of the State Government at the district level and the local authorities in the district.

## Online Coaching for IAS Mains - Public Administration

<http://www.upscportal.com/civilservices/courses/ias-mains-pub-ad>

---

The Local Authorities both the rural local self governing institutions (Panchayati Raj Institutions) and urban local bodies (Municipalities, Cantonment Boards and Town Planning Authorities) These bodies will ensure capacity building of their officers and employees for managing disasters, carry out relief, rehabilitation and reconstruction activities in the affected areas and will prepare DM Plans in consonance with guidelines of the NDMA, SDMA and DDMA

**(With inputs from Government of India websites and report)**

Government of India (Sources) - <http://ndma.gov.in>

<http://www.bmtpc.org> (Ministry of Urban Development)

<http://ndmindia.nic.in> (Ministry of Home Affairs)

## Questions:

1. Till recently, the approach to Disaster Management has been reactive and relief centric. Comment.
2. A holistic and integrated approach will be evolved towards disaster management with emphasis on building strategic partnerships at various levels. Discuss.

# Society and Culture

## Combatting Terrorism



### Genesis and Different types of Terrorism

Terrorists are motivated by different goals and objectives. Depending on the objectives of the group/groups, the nature of terrorism also differs. The major types of

terrorist operations commonly identified globally include:

### Ethno-Nationalist Terrorism

Terrorism motivated by ethno-nationalist and separatist aspirations became prominent only after the Second World War and dominated the terrorist agenda around the world for more than 50 years until religious terrorism came to occupy the centre stage. Ethnic terrorism can be defined, as deliberate violence by a subnational ethnic group to advance its cause. Such violence usually focuses either on the creation of a separate State or on the elevation of the status of one ethnic group over others. Tamil Nationalist groups in Sri Lanka and insurgent groups in North East India are examples of ethno-nationalist terrorist activities.

### 2. Religious Terrorism

Present day terrorist activities around the world are motivated largely by religious imperatives. The practitioners of terrorism motivated either in whole or in part by a religious imperative consider violence as a divine duty or a sacramental act. It embraces different means of legitimisation and justification compared to other terrorist groups, and these distinguishing factors make religious terrorism more destructive in nature. Religious terrorism can be initiated by both a minority and a majority religion or sect of a nation.

### 3. Ideology Oriented Terrorism

Any ideology can be used to support the use of violence and terrorism. Ideology oriented terrorism is generally classified into two: Left-wing and Right-wing terrorism.

- A. Left-wing Terrorism- Violence against the ruling elite mostly by the peasant class motivated by what is called leftist ideologies have occurred time and again in history. However, a concrete ideological base for the left and subsequent violent movements was inspired by the writings of Marx and Engels. This was supported by the writings and speeches of later communists like Lenin and Mao Tse-tung (Mao Zedong). Leftist ideologies believe that all the existing social relations and state structures in the capitalist society are exploitative in character and a revolutionary change through violent means is essential. Examples of leftist ideologies that have resorted to the use of terror are numerous. These include; the Red Army Faction or Baader Meinhof Gang in the former West Germany, the Red Brigades in Italy, the 17 November Movement in Greece, the Shining Path of Peru, Peoples

Revolutionary Army and the Motoneros of Argentina and the Maoist groups in India and Nepal are the most easily identifiable groups closer home.

- B. Right-wing Terrorism- Right-wing groups generally seek to maintain the status-quo or to return to some past situation that they feel should have been conserved. Sometimes groups espousing rightist ideologies might assume ethnic/racist character too. They may force the government to acquire a territory or to intervene to protect the rights of an 'oppressed' minority in a neighboring country, (i.e : the Nazi Party in Germany). Violence against migrant communities also comes under this category of terrorist violence. Examples of these are: Nazism in Germany, Fascists in Italy, white supremacy movements in the US known as Ku Klux Klan (KKK), the Green Jackets of Denmark in the 1980s etc.

#### **4. State-sponsored Terrorism**

State-sponsored terrorism or warfare by proxy is as old as the history of military conflict. However, state-sponsored terrorism on a massive scale reappeared in international politics in the 1960s and 1970s, and today along with religious terrorism, state sponsored terrorism has considerably altered the nature of terrorist activities around the world.

In recent times, some countries have embraced terrorism as a deliberate instrument of foreign policy. One distinction of state sponsored terrorism from other forms of terrorist activity is that it is initiated to obtain certain clearly defined foreign policy objectives rather than grabbing media attention or targeting the potential audience. In a cost-benefit analysis, state-sponsored terrorism is the most effective means of terrorism from the perspective of the perpetrator.

State-sponsored terrorism was widely employed in Central Asia in the nineteenth century. Russians supported their fellow Slavs in the Balkans. Bulgaria used the Macedonian revolutionary terrorists against Yugoslavia after World War I. The Western powers under the auspices of the US supported all kinds of nationalist and anti-communist rebels throughout the Cold War. The Soviet Union was no different in its operations during this period. Countries like Iran, Iraq, Sudan, Libya North Korea have been engaged in sponsorship of political violence of different nature in their 'enemy' countries. India has been facing this problem from Pakistan since Independence.

#### **5. Narco-terrorism**

The term was first used in 1983 by the former President of Peru, Belaunde Terry to describe campaigns by drug traffickers using terrorist methods such as the use of car bombs, assassinations and kidnapping against the anti-narcotics police in Coloumbia and Peru. Though initially used in the context of drug trafficking related terrorism in South America, the term has come to be associated with terrorist groups and activities around the world and more so in the Central and South-East Asia. Narco-terrorism has been defined as 'the attempt by narcotics traffickers to influence the policies of the Government by systematic threat or use by violence'. However, it is also possible to view narco-terrorism as a means of terrorism or at any rate as a means of funding terrorism. As the term itself suggests, narco-terrorism combines two criminal activities; drug trafficking and terrorist violence. Narco-terrorism is motivated mainly by economic reasons as it helps the terrorist organizations raise huge sums of money with minimum cost for their activities. Thus the political, ideological, religious and the ethno-nationalist motives generally associated with terrorism are secondary to the economic gains associated with it.

In a survey conducted by the United Nations, links between drug traffickers and terrorist groups were observed in 19 out of 38 countries. These countries include Algeria, Colombia, Comoros, Ecuador, Germany, Guernsey, India, Italy, Japan, Kenya, Kyrgyzstan, Lithuania, Mauritius, Saudi Arabia, Turkey, the United Kingdom, the United States of America, Uzbekistan and Yemen. Major terrorist groups operating on these lines in these countries are: Al Qaeda, the Colombia-based AUC (United Defences of Columbia), ELN (National Liberation Army), Colombia, and FARC (Revolutionary Armed Forces of Colombia), the tri-border Islamic Group in Argentina, Paraguay and Brazil, the Shining Path in Peru, the PKK (Kurdistan Workers Party) in Turkey, IMU (Islamic Movement of Uzbekistan) in Uzbekistan, the Islamic Jihad in Palestine, Hizbollah in Lebanon, and the RIRA (Real Irish Republican Army) in Northern Ireland. Islamist terrorist groups in India supported by the Pakistan ISI are reported to be active in drug trafficking along the Kashmir Valley and also in other parts of the country.

### Multi-Pronged Strategy

The Commission is of the view that dealing with the menace of terrorism would require a comprehensive strategy in which different stakeholders – the Government, political parties, security agencies, civil society and media – would have an important role to play. The elements of such a strategy would be:

- Political consensus: Political parties must arrive at a national consensus on the need for the broad contours of such a planned strategy. Based on this national strategy, each of the States and Union Territories should draw up its respective regional strategies, along with the required tactical components for the implementation of the strategy. Just as the Union Government should have intensive interactions with the States and Union Territories while drawing up the national strategy, the latter would be required to do their part in close consultation with the nodal ministry of the Government of India (possibly the Home Ministry). While attempting such a national consensus on an issue of considerable criticality for the nation's security, integrity and developmental thrusts for the most backward regions, it deserves to be borne in mind that the people of our country have a right to expect that our national as well as regional parties will rise above their sectarian and petty electoral compulsions.
- Good governance and socio-economic development: This would necessitate high priority being given to development work and its actual implementation on the ground for which a clean, corruption-free and accountable administration at all levels is an imperative necessity.
- Respect for rule of law: Government agencies must not be allowed to transgress law even in dealing with critical situations caused by insurgency or terrorism. If an extraordinary situation cannot be dealt with by the existing laws, new laws may be enacted so that law enforcement agencies are not provoked or tempted to resort to extra-legal or illegal methods. Police and all other governmental forces must adhere to some basic codes of conduct.
- Countering the subversive activities of terrorists: Government must give priority to defeating political subversions (e.g. by terrorists and Maoists). The emphasis should be on civil as opposed to military measures to counter terrorism and insurgency. Psychological 'warfare' or management of information services and the media, in conjunction with the intelligence wing of the police, can play an important role in achieving this objective.
- Providing the appropriate legal framework: Terrorism is an extraordinary crime. The ordinary laws of the land may not be adequate to book a terrorist. This may require special laws and effective enforcement mechanisms, but with sufficient safeguards to prevent its misuse.
- Building capacity: The capacity building exercise should extend to the intelligence gathering machinery, security agencies, civil administration and the society at large. As was highlighted in the Report on Crisis Management, the strategy should encompass preventive, mitigation, relief and

rehabilitative measures.

Based on the above, the Second Administrative Reforms Commission has recommended various measures which are summarized below.

## **Summary of Recommendations**

### **1. Need for a Comprehensive Anti Terrorist Legislation**

- a. A comprehensive and effective legal framework to deal with all aspects of terrorism needs to be enacted. The law should have adequate safeguards to prevent its misuse. The legal provisions to deal with terrorism could be incorporated in a separate chapter in the National Security Act, 1980.

### **2. Definition of Terrorism**

- a. There is need to define more clearly those criminal acts which can be construed as being terrorist in nature. The definition should inter alia deal with the following:
  - i. use of firearms, explosives or any other lethal substance to cause or likely to cause damage to life and property and essential infrastructure including installations/establishments having military significance.
  - ii. assassination of (including attempt thereof) public functionaries (the intent should be to threaten the integrity, security and sovereignty of India or overawe public functionaries or to terrorise people or sections of people).
  - iii. Detention of any person or threat to kill or injure any person to force the government to act or abstain from acting in a particular manner.
  - iv. Providing/facilitating material support, including finances, for the aforesaid activities.
  - v. Commission of certain acts or possession of certain arms etc by members or supporters of terrorist organizations which cause or are likely to cause loss of life, injury to a person or damage to any property.

### **3. Bail Provisions**

- a. Regarding grant of bail, the law should provide that:
  - i. Notwithstanding anything contained in the Code, no person accused of an offence punishable under this Act shall, if in custody, be released on bail or on his own bond unless the Court gives the Public Prosecutor an opportunity of being heard;
  - ii. Where the Public Prosecutor opposes the bail application of accused to release on bail, no person accused of an offence punishable under this Act or any Rule made thereunder shall be released on bail until the Court is satisfied that there are grounds for believing that the accused is not guilty of committing such offence.

(provided that after the expiry of a period of one year from the date of detention of the accused for an offence under this Act, the provisions mentioned above in (i) shall apply).

- iii. A Review Committee should review the case of all detenues periodically and advise the prosecution about the release of the accused on bail and the prosecution shall be bound by such advice.

#### **4. Period of Detention (Remand) during Investigation**

- a. For terrorist and other related offences, it should be provided that Section 167 of the CrPC shall apply subject to the modification that in sub-section (2), the references to “fifteen days”, “ninety days” and “sixty days”, wherever they occur, shall be construed as references to “thirty days”, “ninety days” and “ninety days” respectively.

#### **5. Confession before a Police Officer**

- a. Confession before the police should be made admissible as recommended in the Report on Public Order. But this should be done only if comprehensive police reforms as suggested by the Commission are carried out. Till such time, confessions should continue to be made before judicial magistrates under Section 164 CrPC.

#### **6. Review Committee**

- a. A statutory Review Committee should be constituted to examine each case registered, within 30 days of its registration. The Review Committee should satisfy itself that a prima facie case has been made out by the investigation agency. This Committee should review each case every quarter.

#### **7. Special Courts**

- a. Provisions for constitution of Special Fast Track Courts exclusively for trial of terrorism related cases may be incorporated in the law on terrorism. Other specific provisions related to such Special Courts may also be incorporated. Such Courts may be set up as and when required.

#### **8 A Federal Agency to Investigate Terrorist Offences**

- a. The Commission would like to reiterate the recommendations made in its Report on ‘Public Order’ on the creation of a specialized Division in the CBI to investigate terror offences.
- b. It should be ensured that this Division of the CBI is staffed by personnel of proven integrity and who are professionally competent and have developed the required expertise in investigation of terrorism related offences. The autonomy and independence of this agency may be ensured through a laid down procedure of appointment and assured fixed tenure for its personnel.

#### **9. Measures against Financing of Terrorism – Anti-money Laundering Measures.**

- a. The Prevention of Money-laundering Act (PMLA) may be suitably amended at an early date to expand the list of predicate offences to widen its scope and outreach.
- b. It may be examined whether institutional coordination mechanisms between the Directorate of Enforcement and other intelligence collecting and investigating agencies, could be strengthened and some provisions of the PMLA delegated to them by the Enforcement of Directorate.
- c. The financial transaction reporting regime under the Financial Intelligence Unit (FIU-IND) may be extended to cover high risk sectors such as real-estate. There is also need to strengthen the capacity

of FIU-IND to enable it to meet future challenges.

**10. Measures against Financing of Terrorism – Measures to Block the Flow of Funds for Financing Terrorist Activities**

- a. The new legal framework on terrorism may incorporate provisions regarding freezing of assets, funds, bank accounts, deposits, cash etc. when there is reasonable suspicion of their intended use in terrorist activities. Such actions may be undertaken by the investigating officer with the prior approval of a designated authority, subject to adequate safeguards.
- b. A specialized cell may be created in the proposed National Counter-terrorism Centre drawing upon expertise from the Union Ministries of Finance and Home Affairs and the Cabinet Secretariat for taking concerted action on the financial leads provided from information gathered by various sources. Further, different investigation agencies dealing with financial transactions may set up anti-terrorist finance cells within their organizations to augment the efforts of intelligence agencies involved in counter-terrorism activities.

## **Recommendations made in Earlier Reports**

Apart from the above, the Commission has made recommendations on certain aspects relevant for dealing with terrorism in its earlier Reports also. These are:

**a. Report on Public Order:**

- i. Whole set of recommendations on ‘Police Reforms’ contained in Chapter 5
- ii. Recommendations on ‘confessions made before the police’ ; ‘witness protection’; ‘federal crimes’ and ‘role of civil society, media and political parties’

**b. Report on Crisis Management:**

- i. Whole set of recommendations on ‘Legal and Institutional Framework for Crisis Management’
- ii. Whole set of recommendations on ‘Emergency Response System for Crisis Management’

**c. Report on ‘Capacity Building for Conflict Resolution’**

- i. Whole set of recommendations on ‘Conflict Resolution in the North East’; specifically, the recommendation on ‘Multi-purpose National Identity Card’

## **Recommendations made in Report on ‘Public Order’**

### **(1) Confessions before Police**

**Recommendations:**

- a. Confessions made before the police should be admissible. All such statements should be video-recorded and the tapes produced before the court. Necessary amendments should be made in the Indian Evidence Act.

- b. The witness/accused should be warned on video tape that any statement he makes is liable to be used against him in a court of law, and he is entitled to the presence of his lawyer or a family member while making such a statement. If the person opts for this, the presence of the lawyer/family member should be secured before proceeding with recording the statement.
- c. The accused should be produced before a magistrate immediately thereafter, who shall confirm by examining the accused whether the confession was obtained voluntarily or under duress.
- d. The above-mentioned recommendations should be implemented only if the reforms mentioned are accepted.

## **(2) Witness Protection**

### **Recommendation:**

- a. A statutory programme for guaranteeing anonymity of witnesses and for witness protection in specified types of cases, based on the best international models should be adopted early.

## **(3) Federal Crimes**

### **Recommendations:**

- a. There is need to re-examine certain offences which have inter-state or national ramification and include them in a new law. The law should also prescribe the procedure for investigation and trials for such offences. The following offences may be included in the category:
  - i. Organised Crime
  - ii. Terrorism
  - iii. Acts threatening National Security
  - iv. Trafficking in arms and human beings
  - v. Sedition
  - vi. Major crimes with inter-state ramifications
  - vii. Assassination of (including attempts on) major public figures
  - viii. Serious economic offences
- b. A new law should be enacted to govern the working of the CBI. This law should also stipulate its jurisdiction including the power to investigate the new category of crimes.
- c. The empowered committee recommended in the Commission's Report on 'Ethics in Governance' would decide on cases to be taken over by the CBI.

## **Civil Society**

Civil Society could also be of immense help in the prevention of terrorist acts. They could play an advisory and educative role in making the community at large aware of the basic precautions to be taken because in most terrorist strikes, the common citizens are the target. It is therefore necessary that the citizens are themselves well equipped and trained to handle any such incident, as apart from being the victims they are

also often the first responders in any crisis. Civil societies and NGOs can partner with law enforcement agencies to develop targeted programmes for cooperation focusing, for example, on spreading awareness and understanding of the diversity of local cultures, religious customs and traditions of certain communities and in developing outreach activities for healing community rifts and tensions. An alert citizenry is perhaps the best way to ward off terrorist strikes. Civil society in conjunction with the agencies of the State can help in developing this capability among the citizens.

## Media

**The Commission has already recommended the following in its Report on Public Order:**

- a. The Administration must make facts available to the media at the earliest about any major development, particularly activities affecting public order.
- b. In order to have better appreciation of each other's view points there should be increased interaction between the Administration and the media. This could be inter alia in the form of joint workshops and trainings.
- c. The Administration should designate points of contact at appropriate levels (a spokesperson) for the media which could be accessed during whenever required.
- d. Officers should be imparted training for interaction with the media.
- e. A cell may be constituted at the district level which may analyse media reports about matters of public importance.

## Education

**The Commission has recommended the following in its report on Combatting Terrorism :**

- a. NCERT has proposed a scheme to encourage and support institutions, voluntary agencies and NGOs etc. engaged with school education for promotion of Education for Peace within the country. These initiatives need to be encouraged with necessary funds and other material support.
- b. The feasibility of extending the scheme to religious schools also needs to be examine

## How to curb communal terrorism?

The Commission has considered the issue of communal violence in its Report on Capacity Building for Conflict Resolution. The Commission has recommended that

“A separate law to deal with communal violence is not required. The existing provisions of the Indian Penal Code and the Criminal Procedure Code need to be strengthened. This may be achieved by incorporating provisions for:

- i. Enhanced punishments for communal offences
- ii. Setting up of special courts for expeditious trial of cases related to communal violence

- iii. Giving powers of remand to Executive Magistrates in cases of communal offences
- iv. Prescription of norms of relief and rehabilitation

Further, as recommended in the Commission's Report on 'Public Order', this should be accompanied by the deletion of the provisions contained in Section 196 of CrPC requiring prior sanction of the Union or State Government or the District Magistrate for initiating prosecution for offences under Sections 153A, 153B, 295A and sub-sections (1) (c), (2) and (3) of Section 505 of IPC".

## **How to involve citizens in fight against terrorism?**

Civil Society could also be of immense help in the prevention of terrorist acts. They could play an advisory and educative role in making the community at large aware of the basic precautions to be taken because in most terrorist strikes, the common citizens are the target. It is therefore necessary that the citizens are themselves well equipped and trained to handle any such incident, as apart from being the victims they are also often the first responders in any crisis. Civil societies and NGOs can partner with law enforcement agencies to develop targeted programmes for cooperation focusing, for example, on spreading awareness and understanding of the diversity of local cultures, religious customs and traditions of certain communities and in developing outreach activities for healing community rifts and tensions. An alert citizenry is perhaps the best way to ward off terrorist strikes. Civil society in conjunction with the agencies of the State can help in developing this capability among the citizens.

## **Is there need for a definition of "Federal Crimes" including terrorism?**

Due to the gravity and complexity of offences such as organized crime, terrorism, acts threatening National Security, trafficking in arms and human beings, sedition, major crimes with inter-state ramifications, assassination of (including attempts on) major public figures, serious economic offences, the Commission is of the view that it would be necessary to put in place appropriate procedures for dealing with such offences. Most of these offences are of a relatively recent origin and the State police with its restricted territorial jurisdiction and limited resources is likely to find it difficult to investigate such crimes effectively. Even though "Police" and "Public Order" figure in the State List in the Constitution, it is felt that this category of crimes with inter-state and national ramifications would fall under the 'residuary' powers of the Union.

This would necessitate the enactment of a new law to deal with a category of offences which have inter-state and national ramifications.

## **Should there be an exclusive 'Federal Agency' to investigate terrorist crimes?**

The Commission is of the view that having a law on 'federal crimes' would lead to their investigation by a specialised State or Central agency. The enactment of a law using the 'residuary powers' and Entry 8, List I, to define the constitution of CBI, its structure and jurisdiction is overdue and has to be enacted expeditiously. The changes made in the Delhi Special Police Establishment Act in 2003 should also be incorporated in the new law. The Commission has already recommended in its Report on 'Public Order'

that there should be enacted a new law to govern the working of the CBI. This law should also stipulate its jurisdiction including the power to investigate the new category of federal crimes.

## **How will the system operate?**

Under the new law, the State Police as well as the CBI could be given concurrent jurisdiction over investigation of all such crimes. The empowered committee recommended for monitoring serious economic offences in this Commission's Report on 'Ethics in Governance' may decide on the transfer of such cases to the CBI. (The Committee has been proposed to be headed by the Cabinet Secretary, with the Chief Vigilance Commissioner, Home Secretary, Finance Secretary, Secretary Banking Financial Sector, Deputy Governor of RBI, Secretary, Department of Company Affairs, Law Secretary, Chairman SEBI etc. as members). Once the CBI takes over a case, investigation by the State police would cease but the latter will be required to provide assistance to the CBI as may be needed. These offences should be tried by specially designated courts.

## **How are provisions of MCOCA different from what has been suggested by ARC?**

MCOCA does not define 'Terrorist Act'. It only defines 'Organised Crime'. ARC has recommended a comprehensive definition of 'terrorist acts'.

### **MCOCA definition of organized crime:**

(e) "organised crime" means any continuing unlawful activity by an individual, singly or jointly, either as a member of an organised crime syndicate or on behalf of such syndicate, by use of violence or threat of violence or intimidation or coercion, or other unlawful means, with the objective of gaining pecuniary benefits, or gaining undue economic or other advantage for himself or any person or promoting insurgency;

ARC is of the view that there is need to define more clearly those criminal acts which can be construed as being terrorist in nature. The definition should inter alia deal with the following:

- i. use of firearms, explosives or any other lethal substance to cause or likely to cause damage to life and property and essential infrastructure including installations/establishments having military significance.
- ii. assassination of (including attempt thereof) public functionaries (the intent should be to threaten the integrity, security and sovereignty of India or overawe public functionaries or to terrorise people or sections of people).
- iii. Detention of any person or threat to kill or injure any person to force the government to act or abstain from acting in a particular manner.
- iv. Providing/facilitating material support, including finances, for the aforesaid activities.
- v. Commission of certain acts or possession of certain arms etc by members or supporters of terrorist organizations which cause or are likely to cause loss of life, injury to a person or damage to any property.

Moreover MCOCA does not provide adequate safeguards to prevent abuse. Section 23 of this Act provides that :

23. Cognizance of, and investigation into, an offence.

(1) Notwithstanding anything contained in the Code

(a) no information about the commission of an offence of organised crime under this Act, shall be recorded by a police officer without the prior approval of the police officer not below the rank of the Deputy Inspector General of Police;

(b) no investigation of an offence under the provisions of this Act shall be carried out by a police officer below the rank of the Deputy Superintendent of Police.

(2) NO Special Court shall take cognizance of any offence under this Act without the previous, sanction of the police officer not below the rank of Additional Director General of Police.

ARC has recommended that there should be a 'Review Committee' to examine each registered case within 30 days of registration to assess whether a prima facie case has been made out by the investigative agency.

Thirdly, MCOCA being a State law, cannot address inter-state ramifications of terrorism.

(With inputs from Second Administrative Reforms Commission)

## Questions:

1. What are the Second ARC's recommendations for dealing with the terrorism ?
2. How a citizen can deal with the terror issues ?Discuss
3. What role can media and civil society play in curbing the terrorist threats ?

# Ethics & Morality in Administration

## Ethics in Administration



Ethics means moral codes of conduct. Any society when it develops has to observe certain codes of conduct. Otherwise a society cannot progress. If everybody was killing everybody else there will no peaceful society to speak about. If everybody was stealing there will be no normal growth of the economy. We find that societies develop certain codes of conduct like the Ten Commandments – Thou shall not steal, Thou shall not kill etc. As the society further develops religion provides the sanction apart from that of tradition. When regular governments are set up to govern the state, they make laws that give in addition to the tradition and religious sanction the sanction of the law for proper peaceful society conduct of every citizen.

India is governed by the Constitution. The legislature makes the law, the judiciary interprets the law and the executive consisting of both the permanent bureaucracy and political executive implement the law. Where does ethics come in all these? One can have the law, which does not take into account ethics. For example, the Government's decision in the Voluntary Disclosure of Income Scheme was definitely unethical.

Those who are honest had paid tax at 40% and those who cheated the Government and did not pay taxes were rewarded by the Government for 30%. We come across many cases like this where the laws are in a way unethical.

This brings us to the basic question, “what is ethical? How to consider an ethical decision? In this I would draw attention to the observation and comments of Norman Vincent Peale and Kenneth Blanchard on “The Power of Ethical Management”. The authors have articulated what has been called the three way ethical check. The ethical check questions are as follows:

- Is it legal? Will it be violating either civil or company policy?
- Is it balanced? Is it fair to all concerned in the short term as well as in long term? Does it promote win-win relationship?
- How will it make me feel about myself? Will it make me proud? Would I feel good if my decision was published in the newspaper? Would I feel good if my family knew about it?

These ethical check questions provide a good reference point to decide on ethical issues, which arise in the contemporary Indian Management. The authors have also provided the following five principles of ethical power for organizations.

- Purpose: The mission of our organization is communicated from the top. Our organization is guided by the values, hopes and a vision that helps us to determine what is acceptable and unacceptable behavior.
- Pride: We feel proud of ourselves and of our organization. We know that when we feel this way, we can resist temptations to behave unethically.
- Patience: We believe that holding to our ethical values will lead us to success in the long term. This involves maintaining a balance between obtaining results and caring how we achieve these results.
- Persistence: We have commitment to live by ethical principles. We are committed to our commitment. We make sure our actions are consistent with our purpose.
- Perspective: Our managers and employees take time to pause and reflect, take stock of where we are, evaluate where we are going and determine how we are going to get there.

Ethics also are conditioned by the culture of the society. In India, we have an old culture where the ethics of administration was summed up in the concept of Dharma.

If we explore the roots of ethics in public administration, we find that we have a rich tradition. From our literature we find that there is a harmony between the individual and social goals in our tradition. It is this harmony that provides a meaningful basis for ethics in public administration. Every individual has to strive to achieve Moksha. Aatmano Mokshartham. But at the same his other responsibility is the well being of the many – Jagat hitayacha. In fact the goal in life for the individual as well as society has been ultimately distilled in the concept of dharma through thousands of years of our rich cultural tradition.

The Bhagawad Gita is in fact the quintessence of Indian thinking on the spiritual front. It also is an eminently practical guide for our secular life. Lord Krishna also emphasizes the centrality of the dharma in his famous observation in the third chapter of the Gita. Swadharme nidhanam shreya para dharmo bhayapaha. Each person has his own dharma and he has to live up to his dharma. It is better to die rather

than give up one's dharma. If everybody practices the concept of dharma, then that in it brings a sense of self-discipline. In a society where there is self discipline, automatically there will be peace and prosperity.

Unfortunately this is an ideal situation and does not exist. There are people who are bad and we have to punish the bad people if we want to maintain the peace and prosperity of the society.

Manu is very clear on this subject. Everybody has a tendency to enjoy the material goods in life. It is only the fear of punishment that ensures order. There is hardly an individual in this world who on his own is pure in his conduct. The King (Sovereign)'s power to punish and teach the people in the righteous path, and the fear of punishment by the king yields worldly happiness and enjoyment. Sarvo dandajitho lokohdurlabho hi suchirjanaha Dandasya hi bhayat bheetobhoghayaiva pravartate Manu. Tiruvalluvar has also described the same concept of punishment beautifully. The process of the King removing the bad elements from the society is like the farmer removing the weeds from the field to protect the crops. Kolayil kodiyaarai venduruthal pain kuzh kalai kathathanodu ther. The concepts of dharma as the foundation for public administration are obvious.

We are bound to ask that when it comes to ethics in administration in the Indian context, who will remember these cultural aspects or the ethical discussions by Norman Vincent Peale and Kenneth Blanchard? That brings me to another basic question: why should there be ethics in administration and what should be done to promote ethics? We need ethics in administration because unless we have moral principles we cannot have good governance. That brings us to the next question: what is good governance. Good governance involves, as I see it, three things. The first is the equality before law and the rule of law. We have seen how the laws evolved in order to ensure that society progresses. One basic requirement of good governance is equality before law and equal treatment before law, which is enshrined in Article 14 of our Constitution. The second requirement of good governance is respect for the individual. Respect for the individual must be translated in terms of opportunity given to every individual to rise to his full potential. The third aspect of good governance is that there should not be wastage of resources. We may look at the second and third aspects quickly before we go into the more serious first aspect of Rule of Law. In our country, we waste a lot of resources. 10% of food grains are lost because of poor storage, 22% is lost in transmission of power systems. If we look at the plan documents of irrigation projects we will find that the potential area for irrigation created is nearly double of what is actual area that is irrigated. All this shows loss of productivity. The very fact that the Indians do well abroad compared to within the country means that we do not give enough opportunity in our country for people to come up based on their talent. There is a well-known apocryphal story about Dr. Kurien. He was asked when he went to Kerala why he did not do any development work in Kerala and went all the way to Gujarat and wrought the Amul revolution. Dr. Kurien is supposed to have replied that the problem in Kerala was that there were too many Malayalees. The same thing may be true of Indians. So much about the aspects of not allowing Indians to develop and also ensuring that there is no wastage, which are of good governance. This can be tackled by applying the principles of important aspects of, perhaps, industrial engineering or business process engineering or computerization and so on. Every process has got what I would call the software aspect and the hardware aspect. The hardware aspect is the pure procedure or the algorithm for taking action. The software aspect includes the principles and the ethical values, which underlie the system. For instance, I had mentioned that allowing people to rise to their full potential means respect for the human dignity and giving equal opportunity to all. That brings us to the lingering third aspect of equality before law. In our country, there is very poor governance because we do not implement the laws effectively. In fact, in criminal courts, the

percentage of conviction is hardly 6%. In any society if we consider the number of people with integrity, we are bound to find a bell curve. 10 per cent will be honest whatever we do and 10% will dishonest and 80% depend on the system. The system means punishing those who violate the law or who are corrupt or who are indulging in anti-social activities. This is where we are failing.

WWW.UPSCPORTAL.COM

## Draft Public Service Bill, 2007

### Public Service Values

Values of Public Services: The Public Service and the Public Servants shall be guided by the following values in the discharge of their functions:

- (a) patriotism and upholding national pride;
- (b) allegiance to the Constitution and the law of the nation;
- (c) objectivity, impartiality, honesty, diligence, courtesy and transparency;
- (d) maintain absolute integrity.

Without prejudice to the provisions of this Act, the Central Government may, on the recommendation of or in consultation with the Central Authority, notify from time to time other values in this Section

Review of Public Services Values: The Central Authority may from time to time review the adoption, adherence to and implementation of the Public Services Values in the departments or organizations under the Central Government and send reports to the Central Government.

### Public Services Code:-

- (1) The Government shall promote the Public Service Values and a standard of ethics in the Public Service operations, requiring and facilitating every Public Service employee
  - (i) to discharge official duties with competence and accountability; care and diligence; responsibility, honesty, objectivity and impartiality; without discrimination and in accordance with the law;
  - (ii) to ensure effective management, professional growth and leadership development;
  - (iii) to avoid misuse of official position or information and using the public moneys with utmost care and economy; and
  - (iv) function with the objective that Public Services and Public Servants are to serve as instruments of good governance and to provide services for the betterment of the public at large; foster socio-economic development, with due regard to the diversity of the nation but without discrimination on the ground of caste, community, religion, gender or class and duly protecting the interest of poor, underprivileged and weaker sections.
- (2) The Government shall, in consultation with the Central Authority, prepare a Public Services Code of Ethics for guiding the Public Service employees within one year from the commencement of this Act.
- (3) The Public Services Code shall be laid for not less than fourteen days before each House of the Parliament as soon as possible.

- (4) The specialized organizations may frame additional service codes in alignment with Public Service Code, in consultation with the Central Authority.

Breaches of the Public Services Code: The Controlling Authority and the Disciplinary Authority, as the case may be, may, subject to the provisions of the Constitution and this Act, impose sanctions as prescribed on a Public Service employee for breaching the Public Services Code. The rules shall provide the procedure for determination of the breach of these codes; functions, powers and limitations on the powers of these Authorities; procedure for appeal against sanctions and safeguards available to the public servants.

(With inputs from Government of India reports)

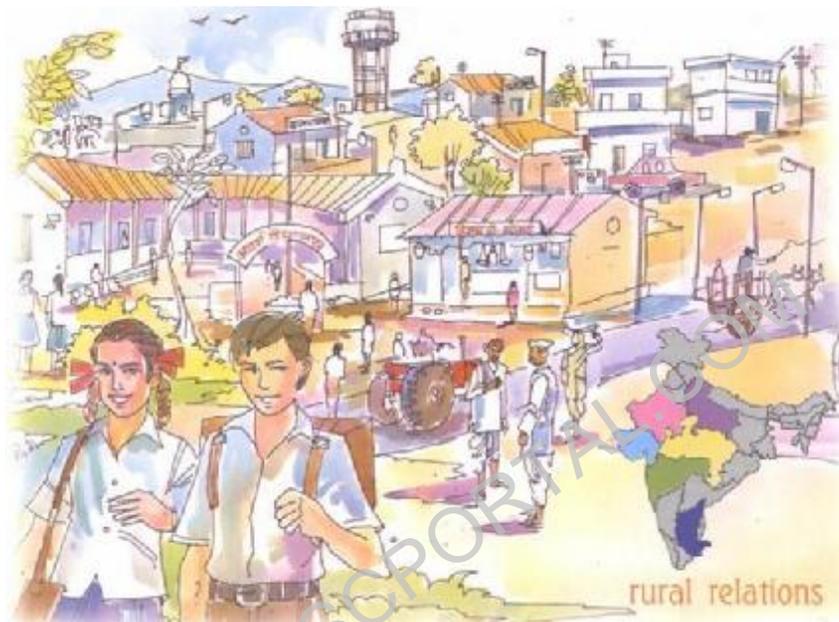
## **Questions:**

1. Why government shall promote the Public Service Values and a standard of ethics in the Public Service operations ?
2. Ethics and values are important component of Good Governance. Explain.

WWW.UPSCPORTAL.COM

# Rural Development Programmes

## India Rural Development Report 2012/13



The India Rural Development Report 2012/13 was released by Shri Jairam Ramesh, Minister for Rural Development, Government of India. The Report was prepared by IDFC Foundation in collaboration with network partners, the Centre for Economic and Social Studies (CESS), the Institute for Rural Management Anand (IRMA), and the Indira Gandhi Institute of Development Research (IGIDR), with contributions from several other researchers, experts and civil society organisations. On the occasion, Dr. Mihir Shah, Member, Planning Commission, gave a special address. Dr. Rajiv Lall, Executive Chairman, IDFC, highlighted the key points of the Report. The launch was followed by an animated panel discussion on ‘Enhancing Rural Livelihoods: What Can Be Done?’

Concurring with the Report’s analysis of why government programmes have not been as effective in achieving their goals, Shri Jairam Ramesh said “We need continuous evaluation and feedback to help us improve our rural programmes for which we are setting up an independent Concurrent Evaluation Office.”

Commenting on the thread of sustainability that runs through the Report, Dr. Mihir Shah emphasised the centrality of water to rural life, saying “Water, which is critical for survival and livelihoods, must be managed holistically across different uses, with coordination across government departments, and with community participation.”

Dr. Rajiv Lall underscored the need to find innovative solutions to address some of the most pressing challenges, saying “While rural consumption and aspirations are rising, we can no longer fail to provide our rural population basic services and opportunities to enhance their livelihoods.”

The Report provides a comprehensive landscape of rural India, covering debates on topical issues, providing empirical analyses and synthesising literature across a spectrum of issues including regional disparity and deprivation; the changing nature of livelihoods; sustainability of natural resources; and the changing role of the state and local self-governance. It reviews all major central government rural programmes and schemes and, in particular, the flagship MGNREGA. It will be a valuable resource for policy makers, state and local bodies, researchers and the private sector.

### **The Report highlights the need to develop new strategies for farm livelihoods.**

- Income from farm livelihoods is no longer sufficient for a household, especially for smaller and marginal farmers, who make up 85 percent of farm holdings, and for dryland farmers that occupy more than half the cultivated area.
- Need to encourage new crop models for them, and revive traditional crops like millets, that suit drylands. Cultivation of different varieties of millets, which are hardy and nutritious, can be promoted by procuring and distributing through the public distribution system (PDS).
- Various types of collective farming have helped small farmers overcome problems of scale, insecure land tenancy and poor access to credit, modern supply chains and storage.
- Nearly 2 million farmers in Andhra Pradesh have successfully adopted community-managed sustainable agriculture (CMSA), significantly reducing their cost of cultivation and soil toxicity by doing away with chemical inputs while increasing or maintaining yields.
- Water efficiency in farming is also critical as 80 percent of water use is for agriculture. Water must be considered a community resource and the management of both ground and surface water must be looked at holistically across all uses of water.

**Non-farm income sources are increasingly important** – 43 percent of rural families rely on non-farm employment as their major income source.

- Indian rural households are typically pluriactive, combining work on their own farm, with that on others’ farms, animal husbandry, and commuting or migrating to undertake non-farm activities in villages, towns or cities.
- Non-farm employment offers better wages and social mobility for lower castes to move out of agricultural labour. There is also some evidence that higher non-farm wages have helped increase agricultural wages.
- Non-farm work is predominantly casual in nature with most work in the construction and trade sectors. Even manufacturing employment has become increasingly informal over time. This denies workers job security and benefits of formal employment.
- Must tackle the important barriers to non-farm livelihoods - lack of access to credit, marketing and skills. Financing skill training is difficult: trainees are not assured job placement or higher

wages, and employers find training not relevant or employee retention difficult. While some projects have worked scalable solutions are needed.

- Recently, the government launched Aajeevika – aimed at skill development, assisting the poor set up small businesses and expanding access to capital through SHGs.

### **Poverty, though reducing, is increasingly concentrated amongst certain regions and social groups.**

- In 1993–94, nearly 50 per cent of the rural poor lived in seven states — Jharkhand, Bihar, Assam, Odisha, Chhattisgarh, Madhya Pradesh and Uttar Pradesh. This rose to 65 percent in 2011–12, though states like Bihar, Chhattisgarh and Uttar Pradesh have reduced poverty significantly since 2009-10.
- These states, along with Rajasthan, also fare worst on education learning levels, child and maternal health, and poor penetration of healthcare services.
- Only 18 percent of rural households have access to all three basic services – drinking water within premises, sanitation and electricity – and 20 percent have none of them.
- Almost all the bottom two quintiles of districts in terms of access to the three basic services are in Rajasthan and the seven states excluding Assam. There are also pockets of deprivation in richer states, such as Andhra Pradesh, Maharashtra and Karnataka, which are mostly in dryland areas.
- Poverty is markedly higher among scheduled castes (SCs) and scheduled tribes (STs) who together constituted 44 percent of the rural poor in 2009-10.
- Despite progressive legislation, SCs and STs continue to face discrimination, limiting their participation in economic, social and political spheres. They have the highest rates of malnutrition, child mortality, and access to public health services. STs fare the worst.

### **Government spending on productivity-enhancing infrastructure has a more significant and lasting impact on poverty reduction than spending on subsidies.**

- Village-level connectivity has improved, especially roads, electricity and telecommunications. Yet results are not commensurate with government expenditure. Household-level access is poor, especially for the most vulnerable, and infrastructure assets are often of poor quality, incomplete, unusable or badly maintained.
- Almost all villages are connected to the grid, but 45 percent of rural households lack electricity connections. Electricity supply is often unreliable and water supply unavailable or polluted. Almost 70 percent rural households lack sanitation facilities.
- Also, in education, nutrition and health, service delivery is marred by widespread absenteeism of government healthcare providers and teachers, leading to poor outcomes.
- Learning from past experience, government approaches are changing and must include:

⇒ Community ownership of assets: Some communities have successfully monitored drinking water quality, ensured equitable access and maintenance of assets built.

- ⇒ Maintenance: PMGSY has built all-weather quality roads, with maintenance built into the construction contract. States must set aside funds to budget for maintenance.
- ⇒ Change in targeting approach. The 2011 Socio-Economic and Caste Census, has collected information on a range of deprivation indicators, is verified by the gram sabha.
- ⇒ Greater flexibility under schemes for states and PRIs to adapt to local conditions
- ⇒ Addressing institutional fragmentation, streamlining responsibilities between ministries and between state and local governments, and greater convergence in scheme delivery.
- ⇒ Incentivising private provision where possible: Just as competition expanded reach and affordability of telecoms in urban areas needs to be replicated in rural areas by using the universal service obligation fund to encourage private competition in rural telephony.
- ⇒ Improve transparency and accountability of public service delivery through social audits or public checks by the gram sabha. Increased use of performance-based incentives and conditional cash transfers could also significantly improve outcomes.

**Panchayati Raj Institutions (PRIs)** were envisioned to create more participatory, accountable and resource-efficient governance but they have not succeeded for several reasons.

- States need to devolve more funds, support staff and functions as well as ensure regular revenue flows to PRIs. They must also clarify and assign responsibilities to avoid overlap with parallel agencies, and strengthen capacity building of PRIs.
- Interference by local elites and corruption could be addressed by increasing gram sabha awareness on participation rights, and social audits.

**MGNREGA** has provided an average of 40-50 days of employment per year to about 25 percent of all rural households making it the largest public works programme in India's history.

- Self-targeting has worked to an extent, as the Scheme has served more poor and disadvantaged households, women, SCs and STs, than better-off households.
- It has helped empower women by providing them employment on equal terms. Women account for almost half the total person days of employment under MGNREGS.
- The Scheme has contributed to reducing poverty, both directly as well as indirectly, by putting upward pressure on agricultural wages.
- But the programme has inadequate coverage amongst the needy (despite their demand for work) especially in those states that have a high incidence of poverty, possibly reflecting weaker governance in those states. Other issues that must be dealt with urgently are delays in providing work and in wage payments, and shortage of engineering staff.
- MGNREGA holds considerably more potential which can be unlocked by ensuring that good quality assets are built and there is more active participation by the gram sabha which strengthens local government.

(With inputs from Government of India websites and reports)

## Questions:

1. India lives in villages so development of Indian villages are development of India . Comment.
2. Discuss the India Rural Development Report 2012/13.

WWW.UPSCPORTAL.COM

## Miscellaneous

### GOOD GOVERNANCE



Good governance is not a finished product. It is a dynamic concept.

The word 'good' derives from the word 'god'.

An action or a deed which is beneficial to all and everyone.

concept of the common good is receiving from others and rendering to others.

#### Ten kautilyan indicators of Good Governance from Arthashastra:

- King must merge his individuality with duties
- A properly guided administration
- Avoiding extremes without missing the good
- Disciplined life with code of conduct for king and ministers
- Fixed salaries and allowances to the king and public servants
- Law and order chief duty of king & theft
- Losses to be made from good from kings salary
- Carrying out preventive/punitive measures against corrupt officials
- Replacement of ministers by good ones by the king

- Emulation of administrative qualities
- Pursuing good governance even amidst instability

**Rulers are supposed to be:**

- Responsive
- Responsible
- Accountable
- Removable
- Recallable

**Determinants of good governance:**

- Political accountability
- Freedom of association and participation
- Established legal framework based on the rule Of law
- Bureaucratic accountability- openness and transparency in administration
- Freedom of information and expression
- Administrative system leading to efficiency and effectiveness
- Value for money and cost effectiveness
- Good governance basically means balanced Governance

**Challenge of good governance require:**

- Government to be reinvented
- Bureaucracy to be re-positioned
- Government business sectors
- To be re-invigorated with a social motive
- Good governance- human rights perspective:

**Three basic questions:**

- What is governance?
- Why governance? And
- How does one govern?

Real, legal and moral are the three dimensions

**Good governance is epitomized by among other things:**

- Predictable
- Open and

- Enlightened policy making

**It can be secured by**

- Sound, responsive & competent administration &
- Respect to basic human rights and values
- Strengthened democratic institutions &
- Effective institutional as well as structural framework to ensure accountability and transparency

**Exercise on good governance**

- Good governance objectives are to contribute for performance
- Enhancement in government-they are: translating government goals and policy priorities into tangible reform actions in the areas of governance.
- Identifying core issues and areas for change, which will make the most impact in improving the performance of government, and enable it to respond better to the needs of citizens.
- Working with government functionaries & stakeholders to analyze key issues in governance, to identify solutions, to plan actions and to support implementation of administrative reform.
- Identifying and codifying best practices in administrative reform and to support wider implementation

The objectives of good governance mentioned may please be analysed with reference to the various dimensions of reform initiatives and to indicate what is expected from us, where do we stand and how do we intend to bridge the gap on the following areas, with specific reference to the Participant's field of activity:

- I. Translate government goals and policy priorities into tangible reform actions in the areas of governance.
- II. Identify core issues and areas for change, which will make the most impact in improving the performance of government and enable it to respond better to the needs of citizens.
- III. Work with government functionaries and stakeholders to analyze key issues in governance, identify solutions, to plan actions and to support implementation of administrative reform.
- IV. Identify and codify best practice in administrative Reform and to support wider implementation.

(With inputs from Government of India reports)

## Questions:

1. Good governance are very important components for the overall development of any society. Explain.
2. Discuss the challenges of Good Governance in India .
3. Discuss the Good Governance Initiatives taken in India.

WWW.UPSCPORTAL.COM

# Reports

## **(12th Report)- Citizen centre Administration – The Heart of Governance (2009)**

Citizen centricity is the essence of any vibrant democracy and is inextricably linked to good governance. Good governance basically means creating an environment in which all classes of citizens can develop to their fullest potential. It also means provision of public services in an efficient and equitable manner to citizens. In India, the Constitution lays the foundation for promotion of citizen centric governance. It provides for fundamental rights that are the hallmark of our democracy and mandates the welfare of all citizens through a set of Directive Principles. Based on the principles enshrined in the Constitution, India has developed an elaborate legal and institutional framework for ensuring good governance to its citizens. The Commission's primary mandate is to suggest measures for achieving a proactive, responsive, accountable, sustainable and efficient administration for the country at all levels of government. The objective of promoting citizen centric administration has, therefore, been a central focus of all the Reports submitted so far by the Administrative Reforms Commission (ARC). In this Report, the Commission has emphasized on governance processes that can make administration more citizen oriented. The strategies highlighted in the Report can be conceptualized as demand side strategies and supply side strategies. While the demand side strategies are geared to giving citizens' groups a greater role in governance, the supply side strategies aim to reorient government organizations to make them more efficient, effective and participative. The Commission has therefore looked at various mechanisms for making administration more responsive to citizens. Thus the concept of citizens' charter as a tool for promotion of greater efficiency and accountability has been examined in detail. Further, processes and mechanisms for promotion of citizens' participation in administration have been suggested. The Commission has also emphasized simplification of processes along with de-centralization and delegation to make administration more accessible to citizens. The Commission has, in addition, suggested various measures for revamping the grievances redressal mechanisms in government departments. The role of special institutional mechanisms such as the various national and state commissions for protection of vulnerable groups has also been examined and measures suggested for improving their functioning. In conclusion, the Commission would like to reiterate that the aforesaid measures will need to be implemented in conjunction with the various recommendations made in the Commission's other Reports.

### **1. Functions of Government**

- a. Government organisations should adhere to the principles while performing regulatory functions.
- b. Government agencies, whether regulatory or developmental, should introduce the Single Window Agency concept within their organisations to minimize delays and maximize convenience to citizens. Government as a whole should draw a roadmap with timelines for expeditious creation of a single window at the local level for provision of all developmental and regulatory services to citizens.

- a. The principle of subsidiarity should be followed while deciding on the implementation machinery for any programme.
- b. Citizens should be actively involved in all stages of these programmes i.e. planning, implementation and monitoring.
- c. Mandatory social audit should be carried out for all programmes.
- d. Impact assessment should be carried out for all programmes at periodic intervals.

## **2. Making Citizens' Charters Effective – An Agenda for Reform Citizens'**

Charters should be made effective by adopting the following principles:

- i. One size does not fit all.
- ii. Citizens' Charter should be prepared for each independent unit under the overall umbrella of the organisations' charter.
- iii. Wide consultation which include Civil Society in the process.
- iv. Firm commitments to be made.
- v. Internal processes and structure should be reformed to meet the commitments given in the Charter.
- vi. Redressal mechanism in case of default.
- vii. Periodic evaluation of Citizens' Charters.
- viii. Benchmark using end-user feedback.
- ix. Hold officers accountable for results.

## **3. The ARC Seven-Step Model for Citizen Centricity**

- a. The Union and State Governments should make the seven-step model outlined mandatory for all organizations having public interface.

## **4. Citizen's Participation in Administration**

- a. It should be mandatory for all government organizations to develop a suitable mechanism for receipt of suggestions from citizens, which could range from the simple 'Suggestion Box' to periodic consultations with citizens' groups. Heads of the concerned organizations should ensure rigorous follow up action on the suggestions received so that these become a meaningful exercise. A system of incentives and rewards should be introduced so that suggestions that lead to significant improvement or savings can be acknowledged.
- b. Every government organization must ensure the following: (i) fool-proof system for registration of all complaints, (ii) a prescribed time schedule for response and resolution, and (iii) a monitoring and evaluation mechanism to ensure that the norms, prescribed are complied with. Use of tools of information technology can help to make such a system more accessible for citizens. Heads of all government organizations should be made responsible ensuring the development of such a system for responding to a time bound resolution of the complaints of citizens.
- c. Regular citizens' feedback and survey and citizens' report cards should be evolved by all government organisations for gauging citizens' responses to their services. These should be used as inputs for improving organizational efficiency.

- d. While no single modality or mechanism can be prescribed for encouraging citizens' participation in governance; in general, there is need to create institutionalized mechanisms for encouraging their participation in governance across public agencies at all levels and, for this to happen, the following steps are necessary:
- i. A comprehensive review of policy and practice in each department/public agency.
  - ii. Modifying administrative procedures where necessary.
  - iii. Entrustment of the function of institutionalizing citizens' participation in governance to a senior level officer.
  - iv. Performance management reviews to incorporate effectiveness in ensuring citizens' participation in governance. The objective could also be served by active and cooperative participation by government agencies in civil society initiatives in the area of citizens' participation in grievance redressal.

## **5. Participation of Women and the Physically Challenged**

- a. Ensuring the full participation of women should be a specific aim of citizen centric administration and this should be reflected in various policies and programmes, including citizens' charters and grievance redressal mechanisms.
- b. Government may constitute an expert committee to identify the areas where special provisions for the physically challenged should be made mandatory. These areas could be reviewed and expanded every five years.
- c. Government should adopt a more proactive approach for detection and registration of the physically challenged persons.
- d. To achieve this, responsibility should be cast on the Primary Health Centres (PHCs) to identify all such cases in their jurisdiction and to get the evaluation of the disabilities done. To enable the PHCs to discharge these responsibilities, adequate resources should be placed at the disposal of the Medical Officer, PHC along with delegation of commensurate authority and changes in the relevant rules.
- e. Organization of camps at PHC level, attended by the concerned medical personnel, would greatly help in issuing certificates of disability on the spot. f. Further, steps should be taken to create a database for all the Disabilities Certificate holders with integration at District, State and National levels.

## **6. Delegation**

- a. Based on the principle of subsidiarity, each government organization should carry out an exercise to assess whether adequate delegation of authority has been done. In doing so, it should be clearly enunciated that the top levels of the organization should essentially focus on policy making functions and the field level functionaries should focus on operational aspects.
- b. The extent to which delegated powers is used or is allowed to be used, should be two of the elements while appraising an officer's overall performance.

## **7. Evolving an Effective Public Grievances Redressal System**

- a. There is need for a strong and effective internal grievance redressal mechanism in each organization.
- b. The Union and State Governments should issue directions asking all public authorities to designate public grievance officers on the lines of the Public Information Officers under the RTI Act. These officers should be of adequate seniority and should be delegated commensurate authority.
- c. All grievance petitions received should be satisfactorily disposed of by these officers within thirty days. Non-adherence to the time limit should invite financial penalties.
- d. Each organization should designate an appellate authority and devolve adequate powers upon them including the power to impose fines on the defaulting officers.

## **8. Analysis and Identification of Grievance Prone Areas**

- a. Government organizations should analyse the complaints received and identify the areas wherein interventions would be required so as to eliminate the underlying causes that lead to public grievances. This exercise should be carried out at regular intervals.

## **9. Consumer Protection**

- a. Lok Adalats would be effective in settling many consumer disputes. It should be stipulated by law that cases up to a particular value, say Rupees two lakhs, should first be referred to Lok Adalats.
- b. All Ministries/Departments need to examine the procedures regulating grant of licenses, permissions or registration including the underlying Acts, Rules, Notifications, etc. These should be recast with the following underlying principles:
  - i. There should be an upper time limit for grant of any license/permission/registration. The law should provide for penalties if an application is not disposed of within the stipulated period.
    - ii. Applications should be processed only on a 'First in First out Basis'. All applications received and pending should be put on the licensing authority's website.
    - iii. Selecting units for surprise inspection should not be left to the discretion of the inspecting officers. Each office should devise an objective procedure to randomly select units for inspection. Exceptions can be made in case of receipt of genuine complaints against any unit.
    - iv. The outcome of all inspections must be immediately put in the public domain.
    - v. There should be an annual audit of the licensing and inspection system each year by an independent agency.
    - vi. All licensing authorities should evolve an accessible system for receipt of citizens' complaints.

## **10. Special Institution Mechanisms**

- a. A common format for making complaints before various statutory Commissions should be devised in consultation with each other. This format should capture the details of the victims and complainants in such a way that it facilitates matching of data across different Commissions. In case of complaints filed without the use of the common format, the necessary fields may be filled up at the time of registration of cases itself by the Commission receiving the complaint.

- b. As recommended in the Commission's Eleventh Report entitled 'Promoting e-Governance: the SMART Way Forward', each statutory Commission should create an electronic database prospectively and each database should be networked with each other to facilitate comparison of data.
- c. The Human Rights Commission {as defined in Section 3(3), PHRA} should lay down norms to deal with complaints by the most appropriate Commission. The basic principle could be that the dominant grievance in a complaint should lead to its handling by the appropriate Commission. Nodal officers may be appointed in each Commission to identify and coordinate action over such cases. Internal mechanisms should be evolved within each statutory Commission to facilitate the handling of such cases in a coordinated manner.
- d. The Union and State Governments should take proactive steps in dealing with serious offences like custodial deaths/rapes etc on priority so that occurrence diminishes over the years. Help of NHRC may be taken to prepare an action plan for this purpose.
- e. In the smaller States, a single 'multi-role' Commission may be constituted which would carry out the specific functions of all the constitutional and statutory Commissions at the State level.
- f. A separate Standing Committee of Parliament may be constituted to look into Annual Reports submitted by these statutory Commissions.

## **11. Simplifying Internal Procedures**

- a. All Ministries/Departments should prepare a roadmap for carrying out a process simplification exercise. This should involve changes in Rules, Regulations and Laws wherever necessary. The entire exercise should be completed within two years. Similarly, the Ministries/Departments should instruct all organizations under their supervision to carry out this task. State Governments should also be advised accordingly. This elaborate exercise would involve the following steps for any organizations:
  - i. Constitution of an in-house core team of persons well versed with internal procedures.
  - ii. Engaging external experts - if necessary.
  - iii. Getting feedback from citizens.
  - iv. Analyzing all processes from the point of necessity, simplicity, rationality and citizen centricity.
  - v. Redesigning processes and forms.
  - vi. Doing a pilot study and getting it evaluated.
  - vii. Once the pilot stabilizes, analyzing the changes required in the rules/statutes.
  - viii. Implementing the change.
  - ix. Creating an incentive mechanism for sustaining the change.
- b. Structural change should be an integral part of any process simplification exercise.

## **12. Monitoring and Evaluation**

- a. The feedback from citizens should be used to monitor the performance of government offices.
- b. Each government office which has public interface should have an external evaluation conducted annually in addition to those conducted by the organization itself.

## **13. Rationalising Procedures**

- a. Ministry of Road Transport and Highways should constitute an expert group to devise practical and objective tests of competence for issue of driving licenses.
- b. The conduct of these practical tests as well as the one prescribed for learner's license could be outsourced. Close monitoring over their processes, would however be required.

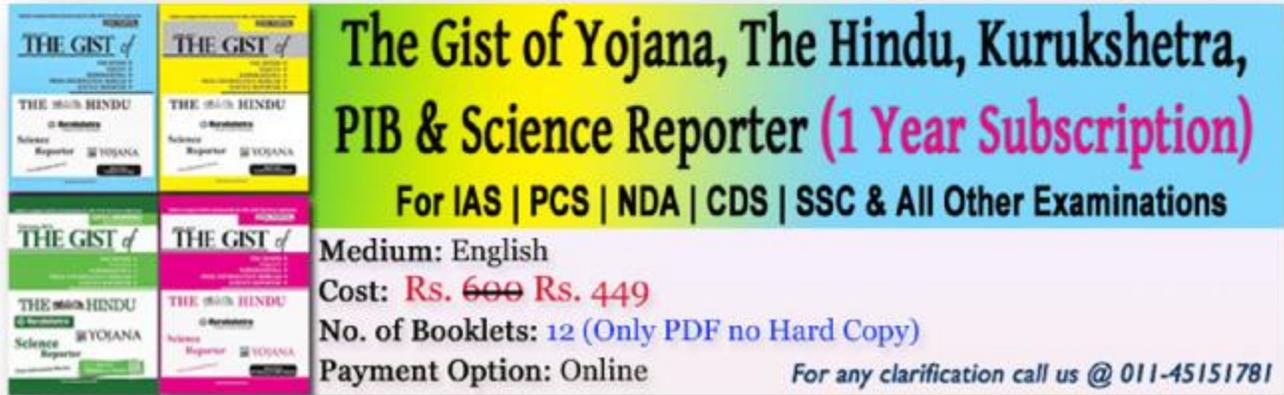
### 14. Registration of Births and Deaths

- a. The emphasis under the Registration of Births and Deaths Act should shift from compliance to prescribed procedures to achieving 100% registration.
- b. Registrars would need to adopt a more proactive approach, and it would be necessary to cast a duty upon them to register each case of birth and death within their jurisdiction irrespective of the fact whether a formal application has been received by them. The Registration could be done based on information from any source or even suo-motu by the Registrar.
- c. Sufficient number of public functionaries should be designated as Registrars so that each one is assigned a manageable jurisdiction.
- d. Each Registrar would need to be empowered under the law to seek and obtain information from any person. For this purpose, the law should provide that the Registrar shall have the power to issue notice seeking information from any person, regarding births and deaths and that person shall be bound to provide such information.
- e. In order to make the process of imposition of fines quick and deterrent, the powers to levy fines should be given to the District Registrar.
- f. There should be no fees for delayed registration. It should be provided that in case of delayed registration, a more elaborate enquiry would be required. The onus for conducting the enquiry should be on the Competent Authority.

### 15. Building Licenses and Completion Certificates

- a. Simplified procedures for grant of building permits on the basis of self-certification by owners / registered architects should be adopted by all State Governments and local bodies.
- b. The JNNURM guidelines should be amended to make adoption of such procedures as a part of the mandatory reforms.
- c. Similar simplification of procedures should be done in the issuance of completion certificates by local bodies. In case of completed buildings, a hundred per cent verification after the issue of completion certificates on the basis of self-certification would be necessary within a specified period of 90 days. The Rules should provide heavy penalties, including demolition, for violation of conditions as well as for negligence or collusion, if any, on the part of the prescribed verifying authority.
- d. The capacity building of the enforcement wings of the local bodies should also be done alongside these initiatives to ensure compliance with local bye-laws. The help of local residents' associations may be enlisted for this purpose.

(With inputs from Second Administrative Commission reports)



**The Gist of Yojana, The Hindu, Kurukshetra,  
PIB & Science Reporter (1 Year Subscription)**  
For IAS | PCS | NDA | CDS | SSC & All Other Examinations

Medium: English  
Cost: ~~Rs. 600~~ Rs. 449  
No. of Booklets: 12 (Only PDF no Hard Copy)  
Payment Option: Online

For any clarification call us @ 011-45151781

## THE GIST DETAILS:

- Ø Medium: English
- Ø Price: Rs. ~~600~~ Rs. 449
- Ø No. of Booklets: 12 (1 Year)
- Ø Publisher: UPSCPORTAL.COM
- Ø File Type: PDF File Only (No Hard Copy)

## TOPICS OF THE GIST

- Ø Gist of The Hindu
- Ø Gist of Yojana
- Ø Gist of Kurukshetra
- Ø Gist of Press Information Bureau
- Ø Gist of Science Reporter

**For Full Information Click Here:**

<http://upscportal.com/civilservices/order-form/the-gist-subscription>

# Weekly Current Affairs Update for IAS Exam

- ❖ You will be provided current affairs on various important topics on a weekly basis
- ❖ Important national and international news from various sources at a single platform for your convenience
- ❖ Various Categories (National, International, Economy, etc..)

**Inaugural Offer**  
₹ 1040 ₹ 299

**For Any Query Call our Moderator at: 011 - 45151781**

## WHY IS IT A WIN-WIN SITUATION FOR THE STUDENTS?

- You will be provided current affairs on various important topics on a weekly basis.
- Important national and international news from various sources at a single platform for your convenience.
- Each and every topic will be given point wise , making it easier to grasp.
- Very handy when it comes to various competitive exams.....

## VARIOUS CATEGORIES:

- **Planning Commission**
- **Ministry of External Affairs**
- **National Portal of India**
- **National**
- **International**
- **Economy**
- **India And The World**
- **Sports**
- **In The News**
- **Science and Technology**
- **Burning Issues (Editorials From Different Newspapers)**

## WHAT YOU WILL GET:

- You will get (52 Issues) PDF Only no Hard Copy

**For Full Information Click Here:**

<http://upscportal.com/civilservices/current-affairs/weekly-update>



# UPSCPORTAL Online Courses

For Civil Services Preliminary & Mains Examinations

For Any Guidance Call our Expert at 011- 65023618

## Online Course for Civil Services Preliminary Examination

- ✓ Online Coaching for CSAT Paper - 1 (GS) 2014  
<http://upscportal.com/civilservices/courses/ias-pre/csat-paper-1>
- ✓ Online Coaching for CSAT Paper - 2 (CSAT) 2014  
<http://www.upscportal.com/civilservices/courses/ias-pre/csat-paper-2>
- ✓ सामान्य अध्ययन प्रारंभिक परीक्षा के लिए ऑनलाइन कोचिंग (पेपर - 1)  
<http://www.upscportal.com/civilservices/courses/ias-pre/csat-paper-1-hindi>
- ✓ सीसैट (CSAT) प्रारंभिक परीक्षा के लिए ऑनलाइन कोचिंग (पेपर - 2)  
<http://www.upscportal.com/civilservices/courses/ias-pre/csat-paper-2-hindi>
- ✓ Integrated Guidance Programme for IAS PRE (CSAT)  
<http://www.upscportal.com/civilservices/online-course/integrated-free-guidanceprogramme>

## Online Course for Civil Services Mains Examination

- ✓ General Studies Mains (NEW PATTERN - Paper 2,3,4,5)  
<http://www.upscportal.com/civilservices/courses/ias-mains-gs>
- ✓ Contemporary Issues for Civil Services Main Examination  
<http://www.upscportal.com/civilservices/courses/contemporary-issues>
- ✓ Public Administration for Mains  
<http://www.upscportal.com/civilservices/courses/ias-mains-pub-ad>
- ✓ Essay Programme for Mains  
<http://www.upscportal.com/civilservices/courses/ias-mains-essay>
- ✓ Free Online IAS Coaching for English Comprehension & Precise  
<http://www.upscportal.com/civilservices/courses/ias-mains-english>

## Online Course for One Day Examination

- ✓ Online Coaching for SSC CGL (Tier-1) Exam  
<http://sscportal.in/community/courses/ssc-cgl-tier-1>

For Full Information about Online Coaching Click below Link:

<http://upscportal.com/civilservices/courses>



## UPSCPORTAL's Study Kits for Civil Services & Other Examinations

- ➔ Medium: English
- ➔ 100% Syllabus Covered
- ➔ Available in Hard Copy

### **Study Kit for Preliminary Examinations:**

- ✓ IAS (Pre) GS Paper 1  
<http://upscportal.com/civilservices/study-kit/ias-pre/csat-paper-1>
- ✓ IAS (Pre) GS Paper 2  
<http://upscportal.com/civilservices/study-kit/ias-pre/csat-paper-2>
- ✓ आई. ए. एस. (सामान्य अध्ययन) प्रारंभिक परीक्षा 2014 पेपर -1  
<http://www.upscportal.com/civilservices/study-kit/ias-pre/csat-paper-1-hindi>
- ✓ आई. ए. एस. (सी-सैट) प्रारंभिक परीक्षा 2014 पेपर -2  
<http://www.upscportal.com/civilservices/study-kit/ias-pre/csat-paper-2-hindi>
- ✓ GS Foundation Course (PT+ MAINS) for 2014  
<http://upscportal.com/civilservices/study-kit/ias-pre/general-studies-foundation-course>
- ✓ सामान्य अध्ययन (GS) फ़ाउंडेशन कोर्स (पी. टी. + मुख्य)  
<http://upscportal.com/civilservices/study-kit/ias-pre/gf-foundation-course-hindi>

### **Study Kit for Mains Examinations:**

- ✓ Contemporary Issues  
<http://www.upscportal.com/civilservices/study-kit/contemporary-issues-ias-mains>
- ✓ Public Administration  
<http://www.upscportal.com/civilservices/study-kit/ias-mains-public-adminstration>
- ✓ Essay Writing  
<http://www.upscportal.com/civilservices/study-kit/essay-mains>
- ✓ English Grammar & Comprehension  
<http://www.upscportal.com/civilservices/study-kit/ias-mains-english-compulsory>
- ✓ History  
<http://www.upscportal.com/civilservices/study-kit/ias-mains-history>
- ✓ Philosophy  
<http://upscportal.com/civilservices/study-kit/ias-mains-philosophy>
- ✓ Sociology  
<http://upscportal.com/civilservices/study-kit/ias-mains-sociology>
- ✓ General Studies  
<http://www.upscportal.com/civilservices/study-kit/gf-mains>

## **Study Kit for UPSC Other Examinations:**

### ✓ **Armed Police Forces (CAPF)**

<http://upscportal.com/civilservices/study-kit/capf>

## **Study Kit for Other One Day Examinations:**

### ✓ **SSC Combined Graduate Level (Tier - I)**

<http://sscportal.in/community/study-kit/cgl>

### ✓ **SSC Combined Graduate Level Examination (Tier - II)**

<http://sscportal.in/community/study-kit/cgl-tier-2>

### ✓ **SSC Combined Higher Secondary Level (10+2) Examination**

<http://sscportal.in/community/study-kit/chsle>

### ✓ **IBPS Specialist Officer Study Kit**

<http://bankpoclerk.com/community/study-kit/ibps-specialist-officer>

### ✓ **IBPS Probationary Officer (PO) Study Kit**

<http://bankpoclerk.com/community/study-kit/ibps-po>

### ✓ **IBPS Clerk Study Kit**

<http://bankpoclerk.com/community/study-kit/ibps-clerk>

*For Full Information about Study Kits Click below Link:*

<http://upscportal.com/civilservices/study-kit>