

Governance Class 01

INTRODUCTION (9:15 AM)

- **Sources-**
- Printed class material.
- NCERT text-Indian constitutional at work.
- Democratic Politics Part 1 and Part 2.
- Political Theory class 11th.
- Newspaper.
- DPSPs

GOVERNANCE (9:45 AM)

- Article 37 mandates that the principles of DPSPs shall serve as a benchmark while exercising governance in India.
- Government is a group of people who had the authority to govern.
- Governance is the manner of governing and the process by which decisions are implemented.
- UNDP -United Nations Development Program defines governance as the exercise of economic and political and administrative authority to manage a country's affairs at all levels.
- It comprises mechanisms, processes, and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations, and mitigate differences.

DEMOCRATIC GOVERNANCE (10:04 AM)

- It is a system of governance where institutions function according to the democratic process, and norms both internally and in their interaction with other institutions.
- The democracy index is released by the economist intelligence unit on categories such as pluralism, civil liberties, and political culture.
- **Four categories of democracy-**
- 1. Full Democracy
- 2. Flawed Democracy
- 3. Hybrid Regimes
- 4. Authoritarian Regime
- **India** is ranked **46th** under the category of **flawed democracy**.
- Democratic governance is the participation of citizens in decision-making, constant feedback, etc.
- The idea of welfare should be complementary to governance.

GOOD GOVERNANCE (10:25 AM)

- Governance by itself is a neutral term while good governance implies positive attributes and values associated with the quality of governance.
- Good governance is linked to enabling an environment conducive to the enjoyment of human rights promoting growth and sustainable human development.
- The **UNDP has recognized 8 core characteristics of good governance-**
- **1. Participatory governance-**
- Participation is pertinent to democratic governance without which the government shall turn autocratic.
- Participation promotes accountability, responsiveness, legitimacy, ease of governance, etc.
- Democracy can be direct as well as indirect.
- The tools of direct democracy are-Initiative, recall, plebiscite, and referendum.
- **Mygov.** in is a giant leap towards participative governance by achieving the following -
- a. It promotes citizen engagement in policy formulation and the opinion of people on the issue of public interest.
- b. It empowers people to connect with the government and contribute towards good governance.
- **2. Consensus oriented-**
- Good governance promotes the mediation of various social interests in order to achieve a broad consensus.
- The consensus-oriented governance could be led to better acceptance and implementation of policy and programs.
- **Examples-**
- The empowerment of gram sabha in scheduled areas through Panchayat extension to the Scheduled Areas Act.
- The Gram Sabha is involved in the identification of beneficiaries consulted before land acquisition etc.
- **3. Transparent-**

- The idea of transparency is how decisions are taken and implemented and proactive disclosure.
- The RTI Act is a giant step towards transparency in governance.
- Transparency also democratizes the governance process.
- **4. Accountability-**
- The acceptance and assumption of responsibility for actions, decisions, and policies is accountability.
- The key elements of accountability are records maintenance, penalty, holding accountable, reforms, etc.
- The following **initiatives** to note accountability-
- Citizen charter, RTI Act, e-governance initiatives, civil society initiatives, etc.
- **5. Responsiveness-**
- Institutions and processes must strive to represent all stakeholders and address the issues within a stipulated time frame.
- **Example-** The Bihar Right to public services act- where citizens have the right to demand services and seek the address of their grievances within the stipulated time.

THE TOPIC OF THE NEXT CLASS- IS THE CONTINUATION OF GOOD GOVERNANCE.

Governance Class 02

A BRIEF DISCUSSION OF THE PREVIOUS CLASS (9:11 AM)

- Initiatives such as Centralized Public Grievance Redress and Monitoring System (CPGRAMS) is an online platform available 24*7 for citizens to lodge their grievances

CONTINUATION OF EIGHT PILLARS OF GOOD GOVERNANCE (9:22 AM)

- **Rule of law**
- The legal structure must follow the provisions of law and rule of law was propounded by A.V. Dicey with three proponents
- 1. Absence of arbitrary power (No person can be punished except for breach of law)
- 2. Equality before the law
- 3. The primacy of the rights of the individual
- **Equitable and inclusive**
- The principles of equity promote the following concepts
- a) Like should be treated alike and unlike should not be treated alike
- b) People placed in similar circumstances shall be treated similarly
- Mandal Commission stated that "there is equality only among equals, to equate unequals is to perpetuate inequality"
- **Effective and efficient**
- The resources and the outcome must be matched, keeping in mind environmental conservation

FEATURES OF GOOD GOVERNANCE (9:49 AM)

- Reducing inequalities
- Good business environment
- Freedom of speech
- Safety of life and property
- Development of basic infrastructure
- Good education and greater employability
- **Second ARC on good governance**
- The second ARC in its 12th report "Citizen-centric Administration" highlights the following barriers to good governance:
- Red-tapism: The complexity of rules and procedures, and non-risk-taking attitudes toward governance lead to policy paralysis
- Lack of accountability
- Low level of awareness among citizens about rights and duties
- Existence of archaic laws: The laws should be harmonized with the contemporary dynamics of markets, demands of the citizens, etc.
- **Role of PRIs in good governance**
- The transformation of India depends upon rural transformation and good governance at the grass root level
- It is expected that a substantial population will shift to urban areas, still, rural governance will remain imperative for democratic decentralization
- Empowerment of gram sabhas

- Resource efficiency: Pimpri Gawali in Maharashtra achieved water security in a short span due to the participation of gram sabha
- The health ministry's micro plan for curbing local transmission of coronavirus disease placed panchayats at the forefront of increasing community mobilization
- Odisha state also promoted the delegation of powers upon the sarpanch to impose quarantine in the village
- Ministry of Panchayati Raj (MoPPR) has launched the eGramSwaraj web portal to bring transparency through de-centralized planning, and progress reporting to enhance the credibility of panchayat
- It will have the features like panchayat profile, planning, progress reporting, accounting, asset directory
- **Good governance indicators**
- The worldwide governance indicator takes six dimensions of governance,
 1. Voice and accountability
 2. Political stability and absence of violence
 3. Government effectiveness
 4. Regulatory qualities
 5. Rule of law
 6. Control of corruption
- Worldwide governance indicator is released by World Bank
- **Stakeholder of governance (10:58 AM)**
- The following key stakeholders of governance are relevant:
 - A. State
 - The role of the state has metamorphosed post-1991, which is still in the process
 - The state has changed from directly providing services to facilitating the growth of the market
 - B. Market
 - It involves the private sector, NPO (Non-Profit Organisations), civil society
 - Civil society is an active citizenry
- **Governance issues**
- Political issues- Identity-based politics (caste, religion, etc.), excessive use of ordinances, criminalization of politics, low voter turnout, etc.
- Legal issues- Pendency of cases, undertrials, judicial infrastructure, custodial death, judicial overreach, etc.
- Economic issues- Fiscal deficit, current account deficit, inflation, NPAs, underemployment, skill development, etc.
- Social and environmental issues- Pollution, caste-based discrimination, etc.
- **Way forward**
- The governance should be promoting qualitative outcome
- Strengthen constitutional and other institutions
- The role of civil society should be promoted
- The rule of law should be upheld
- The initiatives such as "good governance day" is celebrated on 25th December
- Initiatives under "maximum governance, minimum government", where the following steps have been taken:
 1. Reducing the layers of decision making
 2. Merging ministries and departments
 3. DigiLockers, DigiYatra, CoWIN, etc.

RIGHT TO INFORMATION (11:24 AM)

- Thomas Jefferson said that "Information is the currency of democracy"
- The informed citizenry will translate into a vibrant democracy
- **Objectives of RTI**
- To set out a practical regime of right to information for citizens
- To promote transparency and accountability
- Democracy requires an informed citizenry and transparency of information
- To contain corruption
- Uphold ideals of democracy and republicanism
- **Supreme Court judgments**

- The apex court in the Bennett Coleman case held that the right to information is within the ambit of speech and expression
- Indian Express newspaper case, the basic purpose of freedom of speech and expression is that the members should be able to form their beliefs and communicate them freely
- One of the fundamental principles involved in this is people's right to know
- In the SP Gupta case, the apex court held that the people have the right to know about public acts and transactions by public functionaries
- In the Kuldip Nayar case, the apex court held that secrecy becomes a source of corruption; the sunlight and transparency can remove it
- **Public authority**
- The definition of public authority is in Section 2(h) of the RTI Act 2005:
- A body or authority or institution of self-government established:
 - a) By or under the constitution
 - b) Any law made by the Parliament or state legislature
 - c) Notification by the appropriate government which is owned, controlled, or substantially financed by the government

The topic for the next class: Continuation of RTI (issue of political parties under RTI)
Governance Class 03

A BRIEF REVISION OF THE PREVIOUS CLASS (9:15 AM):

SECTION 2h & CIC (CENTRAL INFORMATION COMMISSION) (9:25 AM):

- The political parties qualify as the **public authority** under **section 2h** of the RTI Act 2005 as ruled by CIC in a landmark verdict on **3rd June 2013**.
- **Reasons are given:**
- The political parties are **exempted from paying tax** under section 13A of the IT Act 1961.
- Income from donations of electoral trust, distributing its income contributions to political parties is also exempted under 13B.
- Under section 80GGB, the sum contributed by any political party is also exempted.
- Thus, the **wide tax exemption** given to political parties is substantial funding by the govt.
- The political parties recognized at the national level are allotted land/bungalows free of cost for conducting their political activities and the same is in the state capital for state-recognized parties.
- Therefore, **public resources are being invested** in these political parties.
- The recognized parties are also **allotted slots on AIR and Doordarshan**.
- Therefore, the political parties fall within the ambit of the RTI Act on **two grounds** such as:
 - a) Substantial financing.
 - b) Performing roles of public character.
- The political parties till now have shied away from complying with CIC orders.
- The apex court has agreed to hear a petition to bring them under the RTI Act.
- The political parties under the RTI Act would lead to-
 - Promote inner-party democracy
 - Transparency in political funding.
 - The expenditure will also be in the public domain.
- **Way forward:**
- Section 2h can be amended to explicitly provide for political parties.
- Political parties should opt for **proactive disclosure**.
- It will bring **more transparency** in public life.
- The apex court in a landmark verdict named **Central Public Information Officer SC Vs Subhash Chand Agrawal** held the following:
 - Judicial independence does not stand in contradiction with the need for transparency.
 - The information is to be disclosed or not must be decided on a **case-by-case basis**.
 - The **apex court upheld the Delhi HC judgment** and directed the CPIO to reveal information about personal assets.
 - The **office of CJI** being brought under the purview of the RTI Act has led to wider **judicial transparency**.
- **Obligation of Public information officers (PIO) (10:10 am):**
- The Act mandates the designation of **Public information officers (PIO)**.
- The information has to be revealed as expeditiously as possible but **not beyond 30 days** of receipt of the request.

- The information related to **life** and **personal liberty** shall be provided within **48hr** of receipt of the request.
- **Section 4** of the Act provides for proactive disclosure.
- **Exemptions from the disclosure of information (10:16 am):**
- **Section 8** of the Act is dealing with exemptions to disclosure.
- The following set of information is exempted from disclosure to any citizen:
 - a. Information affecting the sovereignty and integrity of India.
 - b. Information explicitly forbidden by the court.
 - c. Information held in a fiduciary relationship.
 - d. Information related to a commercial contract, trade, and sector.
 - e. A public authority may allow access to information if the public interest in disclosure outweighs the harm in-protected interest.
- **2nd ARC recommendations on RTI Act (10:27 am):**
- The 2nd ARC in its first report titled '**RTI - Master Key to good Governance**' made the following recommendations:
 - The Official Secrets Act is a colonial legacy.
 - It is too broad and vague, giving rise to arbitrariness.
 - At least one day of training should be given to all govt. employees with respect to RTI.
 - Bring armed forces under the purview Act.
 - The Suo-Motu disclosure information should be promoted.
 - The **Official secret act** has certain provisions such as:
 - The definition of prohibited place in section 2 is too wide.
 - Section 3 of the Act provides for passing over in the vicinity of prohibited places is not allowed.
 - The Act punishes communication which may even prove detrimental to investigative journalism and whistle-blowing.

AMENDMENTS IN RTI ACT IN 2019 (10:46 AM):

- The **tenure** of central information commissioners and information commissioners shall be such as prescribed by the central govt and **not statutorily guaranteed**.
- The salaries and allowances of CICs and ICs shall be such as prescribed by the central govt but can not be varied to their disadvantage.
- The federal concern such as the state information commissioners shall also be decided by the central govt.

ISSUES IN RTI ACT (10:54 AM):

- The vacancies at CICs and SICs should be filled on time and govt should take initiative before the completion of the tenure.
- The frequent invocation of section 8 due to its subjective language is detrimental to the free flow of information.
- The appointment to CICs and ICs should be from wider sections of society rather than civil servants only.
- Lack of proactive disclosure.
- The staff skill upgradation and training of staff with technology is lacking.
- Killing of RTI activists.
- As per **Satark Nagarik Sanghatan** and the **Centre For Equity Studies** the top states with respect to pending appeals are Maharashtra and UP.
- The RTI Act has also faced challenges due to a lack of public awareness, and unnecessary/vindictive information being sought.
- [Note: What needs to be focussed in RTI Act:
 - RTI Act (CIC, SIC, Tenure)
 - Issues
 - 2nd ARC recommendations
 - RTI and OSA].

CITIZEN CHARTER- CC (11:20 AM):

- The citizen charter is an instrument that seeks to make the organization **transparent, accountable,** and **citizen-friendly**.
- The **John Major govt.** in the **UK** introduced the concept of citizen charter.
- The **conference of CM** in **1997** decided to formulate a citizen charter, especially in that sector that has a large public interface.
- As per **the 2nd ARC**, CC is a set of commitments made by an organization regarding the standard of services which it delivers.

- CC is a document that outlines the commitment of the public body towards standards quality time frame of services and a grievance redressal mechanism.
- The term citizen implies clients/customers whose interests and values are addressed by CC.
- Therefore, it includes all stakeholders such as customers, clients, beneficiaries, organizations, etc.
- (Term person includes natural person+artificial person in Art 14 but in Art. 25 it concerns only natural person).
- The CC has **not** been given **statutory recognition** in India.
- The **nodal dept** is the **Dept of Administrative Reform and Public Grievance** under the **Ministry of Personnel, public grievances, and Pensions**.
- The **2nd ARC** has identified the following **principles of CC**-
- Set the standard of service.
- Open and full information.
- Consult and involve.
- Encourage access and promote choice.
- Treat all fairly.
- Put things right when they go wrong.
- Use resources effectively.
- Innovate and improve.
- Work with other providers.
- **The essential features of CC are as follows-**
- **Set of standards for service delivery**-It exhibits appropriate, reliable, and transparent service quality standards that can be expected from service providers.
- **The choice and communication with users**-consumers should be offered with a choice of services.
- **Friendly and amicable service delivery**-The service should be added by the chapter to be delivered in a friendly manner.
- **Clear and transparent**-The CC should be precise incorporating information about time, place, and other aspects of service delivery.
- **Grievance redressal mechanism**-There should be a detailed grievance redressal mechanism and time of disposal.

TOPIC FOR THE NEXT CLASS: Continuation of Citizen Charter, Sevottam Model, Social Audit, etc.

Governance Class 04

Issues with the Citizen's Charter: (9:15 AM)

- The lack of awareness among the masses.
- Not available in vernacular languages.
- Poorly designed and not up to the standard.
- No **statutory backing**.
- Not regularly updated.

Ways to improve it, as recommended by the 2nd ARC:

- Wider consultative mechanism and interaction with Civil Society organizations while drafting Citizen Charter.
- One Size Fits All Approach should be avoided, and the capabilities, resources, and resources of the organization are different.
- Therefore there should be a tailormade approach rather than a **uniform Charter**.
- Periodic upgradation should be done.
- The Citizen Charter should be made effective with penalties for not fulfilling the Charter commitments.
- Proper grievance redressal mechanism.
- **The 2nd ARC has also highlighted 3 key components in its Twelfth Report:**
- Citizen Charter,
- Service Delivery Capability, and
- Public Grievance Redressal.
- The above three are recommended by the **2nd ARC** as key components of the **Sevottam Model**.
- Mahatma Gandhi emphasized **Swaraj**.
- The **Sevottam Model** has been promoted in government organizations and the Bureau of Indian Standards (BIS) released the hallmark for organizations that are to be awarded the Sevottam Symbol of Excellence.
- The **Citizen** is always at the heart of the service delivery mechanism.

2nd ARC's seven-step model for Citizen-Centricity: (9:59 AM)

- **Define** all services which you provide and identify your clients.
- Set standards and norms for each service.
- Develop capabilities to meet the **standards**.
- Perform to achieve the standards.
- Monitor performance against set standards.
- Evaluate the impact through an independent mechanism.
- Continuous improvement based on **monitoring** of results.

Social Audit: (10:23 AM)

- It is a **democratic tool** whereby grassroot people themselves participate in assessing the efficacy of the scheme implemented in their area.

Benefits of Social Audit:

- Promotes transparency and accountability.
- Empowers the Gram Sabha.
- Strengthens vulnerable sections and disadvantaged groups.
- It brings professionalism through maintenance and records.
- **Section 17 of MGNREGA** provides for social audits of all projects under the scheme.
- It casts a responsibility upon **Gram Panchayat** to make available relevant documents to Gram Sabha.

Issues with Social Audit: (10:37 AM)

- **Social Audit** provisions are not properly implemented due to a lack of awareness among the masses.
- The Social Audit is also not properly conducted due to a lack of skilled professionals.
- The elected representatives are also not properly trained.
- The **Meghalaya Community Participation and Public Services Social Audit Act, 2017** is an example of statutory recognition of social audit, not confined to MGNREGA only.

Social Accountability: (10:41 PM)

- It promotes obligation and responsibility on the part of the government to be answerable to citizens for its actions.
- **Key principles of social accountability:**
- Information,
- Participation of Citizens,
- Citizen's right to be heard.
- Collective platform.
- Protection of citizens.

E-Governance: (11:00 AM)

- **E-governance** is defined as the use by government agencies of information technologies that can transform relations with citizens, businesses, and other arms of government.
- The **World Bank** has also identified information technology such as the internet, mobile, computing, and wide area networks.
- E-governance in contemporary times can play a big role in transforming governance and enhancing **citizen-centricity** in administration.

Features of E-governance:

- **Simple:** This means simplification of rules and procedures, and making them user-friendly.
- **Moral:** stands for values and ethics, and anti-corruption initiatives.
- **Accountable:** use of ICT for establishment and measurement of performance.
- **Responsive:** sensitivity towards the aspirations of the people.
- **Transparency:** it promotes openness with initiatives such as RTI.

Benefits of E-governance: (11:16 AM)

- The citizen-centric administration and the demand of the citizens rising continuously requires better use of technology.

Government to citizen:

- **Government facilitates** governmental services through the use of ICT, thereby promoting accountability ease of access, transparency quick resolution, etc.
- **SVAMITVA:** Survey of Villages and Mapping with Improved Technologies in Village Areas.

Government to businesses:

- The information-sharing infrastructure and interface with business have to be improved through the use of E-governance.
- **SWIFT:** Single window interface for trade.

- Online GST filing, etc.
- It promotes the use of e-governance for the coordination between ministries, departments, and governmental periodic evaluation.
- Other solutions: **e-Sasmiksha, Public Finance Management System introduced by CAG.**

Government to employees: (11:33 AM)

- It promotes better human resource management.
- Initiatives like **GIMS: Government Instant Messaging System.**

Benefits of e-governance: (11:36 AM)

- The corruption-related challenges can be tackled by promoting accountability and transparency.
- It will simplify the processes and rules with an easy interface.
- Plugging loopholes, e.g. **linking Aadhar with LPG.**
- Citizens empowerment through easy access to information.
- The certainty with respect to rules, etc.
- Better business interface and improving the ease of doing business.
- Personalized healthcare: **Ayushman Bharat Digital Mission.**
- Environment friendly.
- Easy Grievance Redressal, etc.

Recommendations by 2nd ARC: (11:46 AM)

- To promote capacity building.
- To create awareness among citizens.
- To develop technological solutions.
- There should be periodic monitoring and evaluation.
- **E-governance** should ultimately benefit citizens.
- Ultimately benefit citizens.
- Digital literacy must be increased.
- Differential access to technology.
- Lack of content in vernacular languages.
- Privacy concerns and security of the database.
- The issues such as complex interfaces and easy access are missing at times.
- Internet speed also **varies, etc.**

Major E-Governance initiatives: (11:55 AM)

- **PRAGATI:** Proactive Governance and Timely Implementation.
- It is a multi-modal platform based on ICT promoting better monitoring and implementation of projects.
- **Objective:** Project monitoring, project implementation, grievance redressal.
- It is a portal that promotes interaction and monitoring by the PMO, w.r.t secretaries of ministries and departments, and state chief secretaries.
- **Pradhan Mantri Gramin Digital Saksharta Abhiyaan:** To provide digital education, duly certified by third-party agencies to improve digital literacy in rural areas and bridge the digital divide.
- Non-smartphone users, Anthyodaya Households, College Dropouts.
- The purpose is to make persons digitally literate.
- To operate computers, and smartphones, and use **IT effectively.**
- **The Digital India** mission is the flagship program of GOI.

Topic for the next class: Key pillars of Digital India Mission, E-governance issues, etc.

Governance Class 05

Digital India: (9:18 AM)

- The Digital India Mission is primarily to transform India into a **digitally empowered society and knowledge economy.**

Vision of Digital India:

- **Digital infrastructure** as a utility to every citizen.
- Governance and Services on **Demand.**
- Digital Empowerment of **Citizens.**

Nine Pillars of Digital India: (9:45 AM)

- Broadband Highways.
- Universal Access to Phones.
- Public Internet Access Program.
- E-Governance: Reforming government through technology.

- **eKranti**- Electronic delivery of services.
- Information for All.
- Electronics Manufacturing: Target **NET Zero imports**.
- IT for jobs.
- Early Harvest Programmes.

Issues and Challenges of Digital India: (9:56 AM)

- A **skilled workforce** is required and it is necessary for the development of digital infrastructure and its use.
- The issues such as the digital divide also need to be tackled.
- The rise of the digital economy has led to digital fraud which requires effective awareness and technological improvements.
- Internet speed in India is key to **digital initiatives**.
- The advent of the pandemic led to an increase in the use of technology for a variety of services such as **e-Court hearings, online classes, meetings**, etc.
- But it also exhibited a deep digital divide.
- The efforts gained during the pandemic should be sustained.

E-governance and Internet Shutdown: (10:06 AM)

- An internet shutdown is an interruption in internet services for a particular time period.
- Internet shutdown affects freedom of speech and expression, freedom of trade, occupation, profession, etc.
- The internet shutdown can be traced to the following legal provisions:
- **Indian Telegraph Act 1885**: Section 7 of the Indian Telegraph Act provides for the temporary suspension of telegram services.
- The union home secretary or the state home secretary is empowered in this regard.
- It has to be reviewed by a committee.
- **Information Technology Act, 2000**:
- Section 69 A empowers the government to block a particular website.
- The Act also provides for the intersection of communication on certain grounds.

Reasons for Internet shutdown: (10:14 AM)

- Maintain public order.
- Avoid the spread of **fake news**.
- **Sovereignty and integrity of India**.
- According to Internet Advocacy Watchdog Access Report, India has the highest number of internet shutdowns.
- The telecom services including internet shutdown are governed by the **Temporary Suspension of Telecom Services (Public Emergency and Public Safety) Rule, 2017** under the Indian Telegraph Act, 1885.

Anuradha Bhasin vs. Uoi Case: (10:19 AM)

- It is an extremely restrictive step.
- And the test of necessity and proportionality should be satisfied.
- The balance should be between the rights of citizens and national security.
- If there is a genuine threat to public safety and national security then an internet shutdown is a reasonable restriction.

Way Forward:

- It should be used with utmost caution to mitigate threats.
- Shutdowns with steps such as blocking certain websites and social media platforms, rather than wide shutdowns can be an option.
- The economic impact of the shutdown should be **better analyzed**.
- **Proactive intelligence** from the beginning and tracking of key disturbing sources would mitigate the chances of an **internet shutdown**.

Civil Society in India: (10:32 AM)

- **Civil Society** plays a key role in facilitating government-citizen interaction by acting as a bridge, providing feedback, etc.
- Civil Society has been promoting qualitative and quantitative changes.
- And also involved in **public policy changes**.

Pressure Groups: (10:58 AM)

- **Pressure groups** are groups of people who come together to promote their common interests.
- They do not participate in the electoral process but affect governance.

- The PGs act as catalysts in governance.
- They also formulate and build public opinion.
- They act as a **bridge in society**.

Characteristics of Pressure Groups: (11:18 AM)

- Based on certain interests of a particular group to bring about desired changes.
- They use modern as well as traditional means such as **e-Campaign, Lobbying, Public Debating**, propagandizing, etc.
- They do not participate in the electoral process directly but place their people in high offices.
- The Pressure Groups also play a key role in representing the changing conscience dynamics and electoral changes are also affected by their actions.
- Pressure groups are key to any liberal democratic state.
- Types of pressure groups:
- **Business Groups:**
- They facilitate economic development, business growth, etc.
- For example, the Federation of India Chambers of Commerce and Industry (**FICCI**), and the Association of the Chamber of Commerce and Industry of India (**ASSOCHAM**).
- **Trade Unions:** they have been in existence since pre-independence. E.g. **All India Trade Union Congress**.
- **Agrarian Groups/Peasant Organizations:** Bhartiya Kisan Sangh, Bhartiya Kisan Union, etc.
- **Professional Associations:** Indian Medical Association, Bar Council of India, etc.
- **Socio-Religious Associations:** Anglo-Indian Association, Parsi Central Association, etc.
- **Tribal Associations:** Tribal Sangha of Assam.
- **Linguistic Groups:** E.g. Tamil Sangha, Hindi Sahitya Sammelan, etc.

Issues and challenges: (11:34 AM)

- The Pressure Groups have at times narrow goals and **limited ideological** and other commitments.
- They have been accused of lobbying.
- The pressure groups also are at times involved in interfering with governmental policies, laws, etc.
- The pressure group functioning has to be **more democratic**.

Non-Governmental Organizations: (11:50 AM)

- NGOs have been defined by the **World Bank** as organizations that pursue activities to relieve suffering, promote the interest of the poor, protect the environment, and undertake community development.

Promoting Community Mobilization: (11:53 AM)

- They supplement the efforts of the governments and are strategic in development goals.
- In environmental-related issues, they play a key role and **raise public consciousness**.
- The NGOs are also consulted in policy decisions.
- The role of NGOs is instrumental in relief and charity, social consciousness, gender equality, child rights, immoral trafficking, awareness, road safety, etc.
- The NGOs promote **Bottom-Up Approach**.

Topic for the next class: Role of NGOs, challenges, etc.

Governance Class 06

BRIEF REVIEW OF THE LAST CLASS (09:10 AM)

ROLE OF NGOS (09:19 AM)

- The role of the state is supplemented by the efforts of NGOs and they have also led to changes through **PIL**, etc.
- **Amendments to FCRA Act:**
- The administrative expense should be limited to **20 percent**.
- The **Aadhar number** of the office bearer must be provided.
- The foreign contributions must be received only in the account designated by the bank as FCRA Account.
- **Public servants** are **prohibited** from accepting foreign contributions.
- The foreign contribution cannot be transferred to any other person who is not registered.
- The government may suspend the registration for an additional period of **180 days**.
- The restriction on reducing administrative expenses may hamper the strategic recruitment of a skilled workforce.
- The amendments could have been brought through wide consultation with civil society. The provision of compulsory Aadhar details may be a breach of privacy.
- In light of the news, of the need to regulate NGOs because they were, in some cases, involved in fueling environmental protests to halt the growth story.

- This can be seen as a way to regulate such activities.
- The **Vijay Kumar Committee** recommended the modernization of the registration process and details of NGOs should be available in a searchable database.
- The **2nd ARC** recommended a fine balance between the purpose of the legislation and the function of the voluntary sector.
- 2nd ARC recommended the decentralization and delegation of power to the state government and district administration.
- 2nd ARC recommended that there should be the institutionalization of the relationship between the voluntary sector and the government so as to promote the wider interaction between the government and the civil society

CENTRAL SECRETARIAT (09:39 AM)

- The totality of **all ministries and departments** at the union level is known as the central secretariat.
- The cabinet secretariat is to assist the prime minister in his/her cabinet-related responsibilities.
- The departments are headed by senior IAS officer who works under the overall direction of the minister.
- The **cabinet secretary** is the chairman of the **Civil Services Board**.
- **Way Forward:**
- The ministries and departments performing similar functions should be merged.
- The **inverted pyramid structure** is where more officers are involved in policy formulation than, policy implementation.
- Effective implementation of RTI Act.
- The vacancy of officers especially of AIS should be overcome through better coordination between the center and the states.
- **Split System:**
- The policy implementation and policy formulation are handed out separately.
- The split system is a **British** Lineage.
- In a split system, the line agency and the staffing agency are split wherein the line agency is responsible for policy implementation while the staffing agency is for policy formulation.
- Examples of staff organization, ministries departments, etc. Examples of line agencies: are collectors offices, district food, civil supplies office, etc.
- **Tenure System:**
- The tenure system is also known as the **deputation system**.
- Officers from different states are given an opportunity to work in the central secretariat.
- The tenure system provides an opportunity for the AIS and Group A officers to be posted with union government ministries.
- **Benefits of Tenure System:**
- Public policies are formulated by those who have ground-level experience.
- The national interest is promoted, it promotes coordination between the center and states.
- Centre gets a wide pool in empanelment of IAS officers.
- **Issues with the tenure system:**
- The states are reluctant to release their best officers at times.
- The short tenure at the union level gives them little time to understand the nuance and challenges of that particular ministry.
- At times, the officers are reluctant to go back to their parent cadre.

PUBLIC POLICY (10:53 AM)

- Public policy is a **fundamental guide to actions** taken by various units of government to achieve governmental goals.
- Public policy is a wide term that includes, laws, rules, policies, etc.
- **Types of public policy:**
- **a. Substantive Policy:** These are those policies that address the overall welfare and development of the society and bring big changes such as education, employment opportunity, and economic stabilization.
- Examples: Nationalisation of Banks, Right to free and compulsory education (Article 21A).
- **b. Distributive Policies:** They are intended for particular groups in form of public assistance welfare schemes, etc.
- Examples: Pradhanmantri Awas Yojana
- **c. Regulatory Policies:** The regulatory guidelines are issued by independent organizations of various sectors.
- Examples: UGC, SEBI, IRDA, etc.

- **Characteristics of Good Public Policy:**
- Public policy should be drafted through wide consultation.
- Public policy should be oriented towards citizen centrism.
- Public policy should be drafted keeping futuristic goals and unforeseen circumstances.
- Public policy should have realistic goals and should be drafted in synergy with other aspects.
- The planning in India has taken a fundamental change where the planning was abolished to pave way for NITI Aayog.
- The planning commission is a top-down approach and NITI Aayog is a bottom-up or fountain approach.
- The NITI Aayog focuses on decentralized planning with short, medium, and long-term agendas.
- Policies should be prudent from an economic perspective rather than politically motivated. The data analysis and compilation of statistics should be to bring more professionalism and a better understanding of ground realities.
- The feedback mechanism is missing along with dynamism.

SELF-HELP GROUPS (SHGs) (11:52 AM)

- SHGs are associations of people who come together from similar economic backgrounds.
- They are self-governed and peer controlled.
- **The SHG leads to:**
- Financial Inclusion
- Gender Equality
- Leadership Skills
- Financial Literacy
- Inculcate the habit of saving.
- They act as a pressure group
- Socio-economic mobility.
- **Issues:**
- They lack the required skill set.
- There is a zeal but professionalism at times is lacking.
- Patriarchal mindset and migration out of marriage
- **Way Forward**
- Adequate technological support and skill upgradation.
- Promote more peer-to-peer learning.
- It should also be given better-institutionalized support.

The topic for the next classes: The Role of Civil Services in a Democracy Governance Class 07

ROLE OF CIVIL SERVICES IN DEMOCRACY (09:14 AM)

- **Civil Services in India**
- Democracy is an egalitarian concept where power rest with the people.
- The **role** of civil services is both complementary as well as in conflict with the democratic spirit.
- The civil services in India are part of the **Permanent Executive**.
- Civil services are **merit-based** in India.
- The permanent executive has the following **advantages**:
- i) It provides **stability in governance**. The merit-based selection is devoid of political partisanship.
- ii) It provides **continuity in governance**.
- iii) It acts as a check and balances the political executive.
- iv) Wider pool of talent becomes part of the state and the best candidates are selected through a rigorous process.
- v) The civil Services are also deeply involved in policy formulation, policy implementation and administrative adjudication.
- vi) They play a key role in making rules that are consistent with the parent act and are known as delegated legislation.
- vii) Civil servants uphold rule of law and are at forefront of crisis management.

DEMOCRACY AND CIVIL SERVICES ARE COMPLIMENTARY (09:50 AM)

- i) Bureaucracy acts as a bridge between citizens and government.
- ii) Bureaucracy in India brings impartiality to Governance.
- iii) The socio-economic goals are pursued by civil servants and they promote inclusive democracy.

CIVIL SERVICES IN CONFLICT WITH DEMOCRACY (10:00 AM)

- The **elitist outlook** of civil services inherited through the colonial mindset is yet to be get ridden off.
- Civil services also suffer from **rigid organisational structure and Red Tapism**.
- The **resistance to change** is also witnessed.
- The **centralisation of power** also dilutes accountability.

PROVISIONS IN THE CONSTITUTION (10:05 AM)

- **Article 310**
- Every person who is a member of the defence service or civil services of the union holds the post at the pleasure of the President (Doctrine of Pleasure).
- The members of the civil service of the state hold the post at the pleasure of the Governor.
- **Article 311**
- No person who is a member of civil services shall be dismissed or removed by an authority subordinate to that by which he was appointed.
- No person shall be dismissed or removed except after an inquiry in which he has been informed of charges against him and given a reasonable opportunity of being heard.
- **The Articles 53 and 154**
- The executive power of the Union and State shall be vested in the President and the Governor respectively, exercised by him directly or by officers subordinate to him.

WAYS TO STRENGTHEN DEMOCRACY THROUGH CIVIL SERVICES (10:41 AM)

- Insulate civil services from undue political interference.
- The 2nd ARC suggested the establishment of a **Civil Services Board** to promote political neutrality and impartiality.
- The **Surendranath Committee** recommended that performance assessment should be used for the best utilisation of talent.
- **Hota Committee** recommended that **ICT** should be used to make the government more citizen-centric efficient and accountable.
- The **Hota committee** further recommended that there should be an objective evaluation of civil servants and that honest civil servants should be protected from malicious prosecution.
- The committee recommended a **model code of governance to serve as a benchmark for governance standards**.
- The **common issues are** -
- a) Lack of dynamism.
- b) Erosion of values and ethics.
- c) Corruption
- d) Lack of professionalism.

ROLE OF CIVIL SERVANTS POST LIBERALISATION (10:54 AM)

- They facilitate progressive **integration with the global economy**.
- Ensure a well-functioning **market** and a private sector.
- Provide opportunities, and reduce market hurdles, promote the **ease of doing business**.
- They also serve as a catalyser to make the business atmosphere conducive and also promote **investment**.
- All India Services- Indian administrative services, Indian Police Service and Indian Forest Service- promote national integration.
- They promote **cooperative federalism**.
- Uniformity in training and professional standards.
- It promotes better and more **inclusive administration**, reducing regional influence in administrative matters.
- A new all-India service can be created by Parliament after a resolution to that effect has been passed by Rajya Sabha by a majority of not less than 2/3rd of the members present and voting.

ISSUES WITH ALL INDIA SERVICES (11:51 AM)

- The issue of **federalism** wrt deputation of AIS officers, disciplinary action etc.
- The AIS **new cadre policy** wrt different zones has also faced issues such as the classification of states within the zones etc.
- The AIS also suffers from **politicization** and instances of civil servants- politician nexus.
- The AIS also remain in news for **corruption** and many officials have come under scanner by enforcement agencies.

The topic of the next class- Civil services board, recommendation of the 2nd ARC wrt Civil Services Governance Class 08

A BRIEF OVERVIEW OF THE PREVIOUS CLASS - (09:25 AM)

ISSUES WITH ALL INDIA SERVICES -(CONTINUATION FROM THE PREVIOUS CLASS) - (09:36 AM)

- The common recruitment process for administrative as well as police service is not in tune with the work profile.
- Therefore the examination process can be molded to take students with that academic bent and interest in the profession.

SECOND ARC RECOMMENDATIONS WITH RESPECT TO THE REFORMS IN CIVIL SERVICES- (09:47 AM)

- **The second ARC has made certain recommendations with respect to the reforms in civil services -**
- a) The new appointment should be for 20 years and the second review would be for fitness in order to further continue with the job.
- b) To make the performance appraisal transparent and consultative.
- c) There should be a comprehensive management system with new empirical ratings.
- d) The commission also recommended domains where specialized knowledge is vital. The appointment at a higher level should have domain competence.
- e) The position shall be made open to officers of All India Services as well as central services.
- f) There should be minimum weightage to interviews and discretion in the recruitment process.
- g) The optional subject should be removed to provide for a level playing field.
- h) Comprehensive management with numerical ratings should be introduced.
- i) The apex court in the TSR Subramanian case directed the establishment of a civil services board, to consider the promotion and postings of civil servants and to insulate them from undue political interference.
- j) The civil services board in the state is headed by a chief secretary with members including senior most additional secretary or chairman board of revenue or an officer of a comparable rank.
- k) The principal secretary or secretary of the Department of Personnel will also be the member secretary of the civil services board.
- **The civil services board is necessary due to the following reasons-**
- The untimely transfer hampering the security of tenure affects governance, thus the Civil Services Board provides security of tenure.
- It will insulate civil servants from political pressure.
- It will facilitate neutrality and objectivity in their work.
- The Civil Services Board will also promote better positioning and posting of civil servants as per their skill set, past performances, and inclination.

LATERAL ENTRY - (10:11 AM)

- Lateral entry is the recruitment of domain experts at the middle or senior level administrative hierarchy through a direct process rather than a conventional entry mechanism.
- The First ARC, Recognized the need for specialization as the functions of government become diversified.
- The Surendra Nath Committee and Hota Committee have also recommended the domain expertise.
- The Second ARC in its recommendations highlighted the lateral entry at both center and state levels.
- **Arguments in favor of lateral entry-**
- The Lateral entry provides for fresh induction into the governmental setup and knowledge of experts from respective domains.
- It will deal with the shortage of officers by filling vacancies.
- It will infuse competition in the existing civil services.
- It will bring professionalism and widen the talent pool.

CHALLENGES - (10:40 AM)

- The training module is short and they lack governmental experience.
- The Lateral entrants lack grassroots experience.
- The idea of social justice is promoted through affirmative actions such as reservation, while in lateral entry there is no provision of reservation.
- The existing bureaucracy is based on clearly defined hierarchies, wherein the lateral entrant may not be always welcomed by the existing setup.
- The tenure is very short to understand governmental functioning and they complete their tenure after three years (although the government is extending the tenure).
- Existing civil servants also face the issue of adjustment with the lateral entrants and the existing services code, ethics, understanding, etc, may not be understood by the lateral entrant.

WAY FORWARD - (10:51 AM)

- The existing civil services should be reformed for better performance, skill development, etc.
- The lateral entrants can be considered for mission-mode projects, public sector organizations, etc.

- The strong management structure nurturing creativity in and timely recruitment should be focused upon.

MISSION KARMYOGI - (11:14 AM)

- National Program for Civil Services Capacity Building.
- **The national program was launched to achieve the following aim-**
- a) Capacity building.
- b) Civil services with the right mindset and expertise.
- c) Civil servants are more creative, positive, constructive, and progressive.
- **Need -**
- For capacity building.
- To deal with the lack of a learning environment.
- **Steps taken -**
- Self-attestation by the government.
- No interviews in non-gazetted posts.
- Path Breaking exercise Aarambh.
- A national recruitment agency was set up.
- **Vision -**
- Capacity building civil services program.
- **Institutional structure-**
- **The key module and institutional structure are as follows-**
- a) Prime minister's human resource council.
- It is headed by the Prime Minister and acts as the apex body to provide strategic direction to capacity-building reforms.
- b) Cabinet secretariat coordination unit to monitor progress and execution and oversee plans.
- c) Capacity building commission -
- To harmonize training standards.
- To create shared faculty and resources.
- Supervise central training institutions.
- d) Karmyogi Bharat SPV-
- under section-8 of the Companies Act, It will be not a profit company.
- The SPV will own intellectual property rights on the behalf of the government of India.
- The iGOT Karmyogi platform will include Digital e-learning.

6 PILLARS OF MISSION KARMYOGI (11:59 AM)

- a) Policy framework.
- b) Competency framework.
- c) Institutional framework.
- d) iGot Karmyogi.
- e) E-HRMS.
- F) M and E.
- Mission Karmyogi will transform the professional outlook and attitude of the government workforce.
- It will promote on-time service delivery, accountability, and transparency.
- The ultimate aim is to ensure ease of living, ease of doing business, and citizen-centricity which is reducing the gap between the government and the citizens.

THE SYLLABUS OF GOVERNANCE HAS BEEN COMPLETED WITH THIS CLASS.