

# **PUBLIC ADMINISTRATION: THEORY AND PRACTICE**

**BA POLITICAL SCIENCE**

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**III Semester**

**CORE COURSE**



**UNIVERSITY OF CALICUT**

**SCHOOL OF DISTANCE EDUCATION**

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STUDY MATERIAL

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**PUBLIC ADMINISTRATION: THEORY AND PRACTICE**

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## MODULE- I

### DEFINITION, NATURE, SCOPE AND IMPORTANCE OF PUBLIC ADMINISTRATION - PUBLIC ADMINISTRATION AND PRIVATE ADMINISTRATION

Public Administration is an aspect of a more generic concept of administration. Public Administration houses the implementation of government policy and an academic discipline that studies this implementation and that prepares civil servants for this work. Some of the various definitions which have been offered for them are: the management of public programmes; and the study of government decision making, the analysis of the policies themselves, the various inputs that have produced them, and the inputs necessary to produce alternative policies. Public Administration is centrally concerned with the organization of government policies and programmes as well as the behaviour of officials formally responsible for their conduct.

Before understanding the meaning of public administration, it is necessary to understand the meaning of the word 'administration'. The English word 'administer' is derived from a combination of two Latin words 'ad' and 'ministrare' meaning 'to serve or manage'. Literally, the term 'administration' means management the affairs of public or private. Administration refers to mobilisation of resources – human and material- to achieve pre-set of objectives. Administration is thus an activity undertaken in pursuit of the realisation of a goal. It is an effort requiring a group of persons, each individually carrying out certain allotted tasks, which when so performed by all, leads to the achievement of an objective which has already been established and made explicit.

Public Administration is a part, even though a large and important part, of administration. Administration means performance of the executive functions of the state. Public Administration lends itself to two usages. It refers to the practice. Also, it means a field of intellectual enquiry or discipline. Public Administration refers to the study of the activities of the State, but these activities may relate to the executive or the legislature or the judiciary. Many thinkers restrict it to the executive. But some scholars would have broaden the definition of the term and extended it to all the three branches. Public Administration refers to the organisation and management of activities financed from the tax-payer's money.

In the USA, civil servants and academics such as Woodrow Wilson promoted American civil service reform in 1880, moving public administration in to academia. Woodrow Wilson is considered the father of public administration.

As a discipline, public administration is a post-1947 growth in India. Despite being very young discipline in a family of social science, it has shot into prominence; and today it is a very popular subject. Public Administration is the front of the government, being its visible face. The visibility of public administration is conspicuous and continues. While the government observes fixed hours of working but public administration is ever at work.

With the ushering in an era of welfare states, the administration is construed as a “moral act” and “administrator as a moral agent”. Public Administration has become the machinery for formulating plans and programmes and carrying them out. All this reveals that Public Administration is imperative for all societies -developed or developing, dictatorial or democratic.

### **The Meaning of Public Administration**

The conventional view of the public administration is that it discusses only the processes, leaving aside the substantive concerns. Thus it concerns itself with planning, organisation, staffing, directing, coordinating, reporting, budgeting, evaluating, etc. The advent of public policy studies has obliged the public administration to study contents of public policies. This is a substantive field. Therefore, public administration deals not only with the processes but also the substantive field.

Public Administration is a part of the wider field of administration. Administration is a process permeating all collective effort, be in public or private, civil or military, large scale or otherwise, and is thus of universal nature. Administration, being characteristic of all enterprises in pursuit of conscious purposes, and is not a peculiarity of modern age alone. Public Administration of today, however, has three distinguishing features: Its purpose have been completely reoriented, its functions have enormously increased in number, variety and complexity, and its methodology has enormously increased in number, variety and complexity, and methodology has grown from trial-and- error stage into an orderly discipline with an organized, ever-increasing body of knowledge and experience.

Public Administration exists in a political system for the accomplishment of the goals and objectives formulated by the political decision makers. It is also known as governmental administration because the adjective ‘public’ in the word ‘public administration’ means ‘government’. Hence, the focus of public administration is on public bureaucracy, that is, bureaucratic organisation (or administrative organisation) of the government.

Public Administration has gained greater importance since the emergence of Administrative State. It is an instrument not only for protecting and restraining but also fostering and promoting. Its contents, today, are more positive in nature for it is now engaged in looking after myriad needs of human life- health, education, recreation, sanitation, social security, etc. It is, therefore, a creative factor, its motto being the ‘welfare of man’. These functions are in addition to its basic functions of maintaining law and order in society. In nature, contents and scope – all go to make it the ‘heart of the problem of modern government’. A country’s progress is, thus, largely determined by the quality of its public administration. In the analysis, Administration is a moral act and administrator is a moral agent. This thesis is basic to the transformation which is needed in public administration to make it an effective instrument for the ushering in of the democratic welfare state.

Public Administration is the machinery used by the service state to place itself in a position to make plans and programmes that can be carried out, and to carry out the plans and programmes it has made. Administration is of importance for another reason too. Its essentially national character makes it a powerful instrument of national integration. Public Administration is the first need of a society, more so of a developing country like India, which has chalked out for herself numerous plans of economic and social betterment.

“Administration”, as E N. Gladden says, “is a long and slightly pompous word, but it has humble meaning”. The word *administer*, derived from the Latin word *ad + ministrare*, means to care for or to look after people, to manage affairs. Administration is a process permeating all collective effort, be it public or private, civil or military, large scale or otherwise, and it thus has a universal nature. Public Administration of today, however, has distinguishing features: its purpose has been completely reoriented, its functions have enormously increased in number, variety and complexity, and its discipline ever increased body of knowledge and experience.

In the words of Woodrow Wilson, “Public administration is detailed and systematic application of law”. Every particular application of law is an act of administration.

Pfiffner defines Public administration as consisting of all those operations having for their purpose the fulfilment or enforcement of public policy.

According to Gladden, “Public administration concerned with the administration of the government.”

Professor L D. White observes, “Public administration consists of all those operations having for their purpose the fulfilment or enforcement of public policy”.

According to Luther Gullick, “Public Administration is that part of the science of administration which has to do with government and thus concerns itself primarily with the executive branch where the work of the Government is done”

Waldo defines Public Administration as “the art and science of management as applied to the affairs of state.”

Public Administration lends itself to two usages: it is an activity; and it also refers to the discipline (or subject) of intellectual inquiry and study. Maintaining law and order is an activity and is part of public administration. But public administration is also a discipline like Economics, Sociology, History etc., and is a subject of study : it studies these activities and functions, formulates concepts and builds models and theories. The above definitions point out that the term Public Administration has been used in two senses. In the wider sense it includes all the activities of the government whether in the sphere of the legislative, executive or judicial branch of the government. This wider view has been taken by L D. White, Woodrow Wilson, Pfiffner and Marshall Dimock. In the narrow sense public administration is concerned with activities of the executive branch only. This view has been taken by Gullick, Simon, Willoughby, Fayol and Ordway Tead. By common usage and practice the term ‘public administration’ is restricted to the organisation and operations of the executive branch only. Public Administration may thus be defined as government in action.

## **NATURE OF PUBLIC ADMINISTRATION**

There are two divergent views regarding the nature of Public Administration. These views are:

### **(a). Integral View**

According to this view, public administration is sum total of all the activities undertaken in pursuit of and in fulfilment of public policy. These activities include not only managerial and technical but also manual and clerical. Thus the activities of all persons from top to bottom constitute although they are of varying significance to running of administrative machinery. L D. White shares this view. According to him, Public Administration “consists of all those operations having for their purpose the fulfilment or enforcement of public policy. This definition covers a multitude of particular operations in many fields – the delivery of a letter, the of public land, the negotiation of treaty, the award of compensation to an injured workman, the removal of a litter from a park, and licensing the use of atomic energy.

Similarly, Dimock holds that administration is concerned with the ‘what’ and ‘how’ of the government. The ‘what’ is the subject matter, the technical knowledge of a field which enables the administration to perform his tasks. The ‘how’ is the technique of management, the principles according to which cooperative programmes are carried to success.

### **(b). Managerial View**

According to this view, the work of only those persons who are engaged in the performance of managerial functions in an organisation constitute administration. It is these persons who shoulder the responsibility of keeping the enterprise on keel and to run it most efficiently. Their job is to plan, programme and organize all the activities in an organisation so as to achieve the desired ends.

Simon Smithburg, Thompson and Luther Gullick subscribe to this view of administration. Luther Gullick says, ‘Administration has to do with getting things done; with accomplishment of defined objectives’. The term administration is also used in narrower sense to refer to those patterns of behaviours that are common to many kinds of co-operating groups or the specific technological methods used to reach these goals.

The above two views differ from each other in many ways. The integral view includes the activities of all persons engaged in administration whereas the managerial view restricts itself only to the activities of a few persons at the top. The integral view postulates all types of activities from manual to managerial, from non- technical to technical whereas managerial view takes into account only the managerial activities in an organisation. Luther Gullick defines these techniques by the letters of the word: POSDCORB which means Planning, Organisation, Staffing, Direction, Co-ordinating, Reporting and Budgeting. As study public administration examines the every aspects of government’s effort to discharge the laws and give effect to public policy; as a process it is all the steps taken between the time an enforcement agency assumes jurisdiction and the last break is placed; and as a vocation, it is organising and directing the activities of others in a public agency.



## **SCOPE OF PUBLIC ADMINISTRATION**

There is no unanimous opinion regarding the scope of public administration. There are two different views explaining the subject matter of public administration. They are POSDCORB view and the subject matter view. Broadly speaking, Public Administration embraces the entire area and all the activity of the government. But by established usage the term has come to signify primarily the organisation, personnel, practices and procedures essential to the effective performance of the civilian functions entrusted to the executive branch of government. Public Administration is in fact the executive in action. It does not include the study of judicial or legislative administrations, although they too share in the implementation of public policy. We study in it the actual administration or the actual administrative machinery of the state.

### **POSDCORB View**

Luther Gulick sums up the scope of the subject by the letters of the word 'POSDCORB' by which means: Planning, Organisation, Staffing, Direction, Co-ordinating, Reporting and Budgeting.

Planning means the working out in broad outline the things to be done, the method to be adopted to accomplish the purpose.

Organisation means the establishment of the formal structure of authority through which the work is sub- divided, arranged, defined and coordinated.

Staffing means the recruitment and training of the personnel and their condition of work.

Directing means making decisions and issuing orders and instructions.

Co-ordinating means inter- relating the work of various divisions, sections and other parts of organisation.

Reporting means informing the agency to whom the executive is responsible about what is going on.

Budgeting means fixed planning, control and accounting.

According to Gullick, the POSDCORB activities are common to all organisations. They are the common problems of management, which are found in the different agencies regardless of the peculiar nature of the work they do. There are several thinkers who are of the opinion that the POSDCORB view of the scope of public administration overlooks the fact that different agencies are faced with different administrative problems, which are peculiar to the nature of the services, they render and the functions they perform. This view takes into consideration only the common techniques of administration and ignores the study of the 'subject matter' with which an agency is concerned.

### **The Subject Matter View**

The subject matter view is more or less similar to the integral view of the nature of the public administration. According to this view public administration studies the sum total of the entire activities of the government; the executive, legislature and judiciary. Thus the scope of public administration is very wide.

However, the POSDCORB view and subject matter view are not mutually exclusive, but complement each other. They together constitute the proper scope of the study of public administration. Thus Lewis Meriam rightly said, "Public administration is an instrument with two blades like a pair of scissors. One blade may be knowledge of the fields covered by POSDCORB; the other blade is knowledge of the subject matter in which these techniques are applied. Both blades must be good to make an effective tool."

Public Administration as a discipline consists of five branches:

- (I). Organisational theory and Behaviour;
- (II). Public Personal Administration;
- (III). Public Financial Administration;
- (IV). Comparative and Development Administration and
- (V). Public Policy Analysis

The scope of public administration varies with people's expectations of what they should get from government. Throughout the world the demands made by the people upon governments have continually increased and in time to come they would further increase.

### **IMPORTANCE OF PUBLIC ADMINISTRATION**

Public administration has a very important place not only as an instrument of governance but also as an important mechanism for preserving and promoting the welfare of community in the era of welfare states. It has a great impact upon the life of the people as well. It is a vital process charged with the implementation of great objective.

The importance of public administration may be studied under three heads:

- (I). Its importance to the people.
- (II). Its importance in a democracy

### **Public Administration and the People**

Public administration has a very important place in the life of people. It is the branch of government that touches more directly and more strikingly than any other the lives of human beings. All people use the service of public administration almost in their in their activity. There are several departments of administration like the employment exchanges, industries department, medical department, and agriculture department etc, which affect almost every citizen in one way or other. With the advancement of science and technology the problem of maintaining effective coordination between the administration and the rest of the community has become great important. So the pursuit of knowledge of public administration becomes most essential element in the modern time.

## **Public Administration and Democracy**

The ideals of democracy, i.e., progress, prosperity and protection of the common man can be obtained only through impartial, honest and efficient administration. An administrator should be neutral in politics and serve faithfully any political party which comes in power. In the field of government he must possess some aptitude for getting along with politicians. Modern democracy has brought in the concept of a welfare state. It has increased the scope of state activity leading to ever increasing demands on public administration for more and more of services. Undue intervention of politicians in administration and it may cease to be an effective instrument for the realisation of nations' ideals.

## **Importance of Public Administration as a Subject**

Almost for all his needs the citizen depends upon public administration. In view of the important role of public administration in the life of the people, its study cannot be ignored by the citizen of a state. Therefore, its teaching should become a part of the curriculum of education. The study of public administration will help the people to become better administrators.

## **Causes of its Growing Importance**

Industrial revolution and technological developments have contributed the importance of public administration. The ordinary person can feel secure only if large scale organisation based on sound principles of administration caters his interests. The rapid means of transport and communication have made the existence of large scale administration possible.

Emergence of concept of planning for the socio- economic amelioration of the common man has led to the development public administration. Formulation and execution of these plans widens the sphere of public administration.

With the inception of welfare states the concept of police states has suffered setbacks. The welfare states look after the individuals in all way of life. These are the factors responsible for the development and growing importance of public administration.

## **DIFFERENCES BETWEEN PUBLIC ADMINISTRATION AND PRIVATE ADMINISTRATION**

Public administration and private administration are two species of the same genus, namely *administration*. But administration exercises great power, more in public administration. Public administration is often compared with private administration with a view to finding out similarities and dissimilarities between the two. Both the 'classical organisation theory' and 'human relation theory' first originated in private administration.

The management of affairs by private individuals or body of individuals is private administration while management of affairs by central, state or local government is public administration. There are some points of similarity between public and private administration. However, there are some basic differences between the public and private administration. The following are the important differences between the two types of administration.

(a). Political Direction

In public administration there is political direction. The administrators under public administration have to carry out the orders which they get from the political executive with no option of his own.

(b). Profit Motive

Public administration is conducted with the motive of service while the motive of private administration is profit making. If private administration is useful to the public, its service to it is a by-product of profit making. Private administration will never undertake a work if it does not bring profit.

(c). Service and cost

In public administration there is an intimate relationship between service rendered and the cost of the service charged from the public. Only such amount of money is raised by taxation, which is necessary for the rendering of service. In private administration income of funds exceeds expenditure because there is usually an attempt to extract as much money as possible from the public.

(d). Nature of Functions

Public administration is more comprehensive. It deals with the various types of the needs of the people. In a socialist State the scope of State is still larger. Private administration does not cover so many aspects of human life. It is mostly concerned with the economic needs of life.

(e). Efficiency

It is considered by many that in public administration efficiency is less. Because of extravagance, red-tapism, and corruption, which may dominate in public administration it may not be in a position to function in an efficient manner. But in private administration the level of efficiency is superior to public administration. The incentive of more profits impels the individuals to devote themselves more to work.

(f). Public Responsibility

Public administration has responsibility to the public. It has to face the criticism of the public, press, and political parties. The private administration does not have any great responsibility towards the public. It is only responsible to the people indirectly and that too for securing its own ends and not for the welfare of the people.

(g). Public Relations

The public and private administration also differ on the principles of public relations. Public relations have a narrower content in public administration than in private administration.

(h). Uniform Treatment

Public administration is consistent in procedure and uniform in dealings with the public. In such a system a civil servant cannot show favour to some people and disfavour to others. But private administration need not bother much about uniformity in treatment.

(i). Monopolistic

In the field of public administration, there is generally a monopoly of the government and it does not allow private parties to compete with it. For example, no person can establish post and telegraph, railways etc. But in private administration, several individuals or organizations compete with each other to supply the same commodity or meet the same needs. Thus there is no monopoly in private administration.

(j). Financial meticulousness

Public administration has to be very careful in financial matters. Public money is to be spent meticulously and according to the prescribed procedure. It is the legislature, which exercises financial control over executive. But there is no difference between finance and administration in private administration. There is no external financial control.

(k). Social Prestige

Public Administration carries a greater social prestige than private administration. Service to the community is the basic characterising public administration.

(l). Social Consequence

The social consequence of public administration will be great because a defect in it will do more harm to the public. But in private administration this will be less. Even if any harm is done by it will be of less significance and thereby may be negligible.

The Public Administration has certain distinctive features, which differentiate it from private administration. Public Administration is far more closely tied up with the constitution and formal laws of a country than private administration. It is thus closest to political science and emphasises elements such as equality, fairness and rule of law in decision-making. Private administration, on the other hand, stands by profit, effectiveness, cost-benefit analysis. The difference between the two is more apparent than real. Both respond to the environment differently which inevitably produces consequences for the functioning of organisation and their management. It can be concluded that public and private administration are the two species of the same genus, but they have special values and techniques of their own which give to each its distinctive character.

## MODULE -II

### ADMINISTRATIVE LAW- RULE OF LAW- DELEGATED LEGISLATION-ADMINISTRATIVE ADJUDICATION

With the ever growing complexity of administration tasks the administrative techniques to achieve them also becoming more and more complex. Achievement of some objectives is possible through persuasion or constant watch and periodical inspections. Yet some of the objectives can be achieved only through the control of human behaviour by applicability of set rules and orders. These administrative rules and orders are described by different names, viz., Administrative Law or rule making, Administrative Legislation, Delegated Legislation and Quasi Legislation. In its broader sense, Administrative Law as understood the whole body of law relating to public administration. According to Barthelemy, Administrative law is the sum total of the principles according to which the activity of the service (other than judicial) concerned with the execution of law is exercised. It is one of the two great branches of the public law, the other being Constitutional Law. Constitutional law is concerned with the construction of the machinery of the government, while administrative law studies the parts of which that machinery is made, their interrelation and the way in which each of them functions.

In a narrower sense, administrative law is the law of official powers and responsibility, or the law which determines the amount of discretion permitted to administrative officers and agencies. In the books on the public administration and administrative law, the subject is usually dealt with in this sense, the topics covered including the legal basis of administration, administrative discretion and its limits, various kinds of official responsibility.

#### Definitions of Administrative Law

Ivor Jennings. " Administrative law is the law relating to the administration. It determines the organisation , powers and duties of administrative authorities and indicates to the individual remedies for the violation of rights".

According to F.G. Goodnow, Administrative law is "that part of the public law which fixes the organisation and determines the competence of the administrative authorities and indicates to the individual remedies for the violation of rights".

W.B. Murno. defines it " as a system of jurisprudence which on the one hand relieves public officials from amenability to the ordinary courts for acts performed in their official capacity and on the other hand sets up a special jurisdiction to hold them accountable".

## Dicey on Administrative Law

Dicey – a celebrated English writer- in his famous work, *Law of the Constitution*, identified administrative law, with that part of the French 'Droit Administratif' according to which actions by the citizens against officials for wrongful acts committed in their official capacity, are tried, not by ordinary courts of law but by special administrative courts manned by civil servants. Since there existed no such system in England, Dicey denied the existence of administrative law in that country altogether. According to him, the basic principles of English Constitution was the rule of law, which he contrasted with the French Droit Administratif.

Dicey pointed out three distinguishing features of Droit Administratif.

Firstly, according to it, the rights of the states are determined by a special body of law which are not applicable to the citizens.

Secondly, the ordinary courts have no jurisdiction in cases in which the state or state officials in their official capacity are a party. Such cases are tried by administrative courts consisting of officials instead of judges.

Thirdly, as an inference from the arrangements, Dicey thought that a special protection was given to officials in France for wrongful acts done in the course of their duty.

President Lowell of the Harvard University in his work *Government of England* took the same view of administrative law as Dicey and popularized it in USA.

## Criticism of Dicey's Views

Dicey's view that the French Droit Administratif gave a special protection to officials and the state in their dealing with the citizens and their rights and claims, was an inference from the official composition of administrative courts. The administrative courts had been born during the French revolution era under the influence of the theory of separation of powers and the practical needs of the situation. In the course of their evolution, these courts acquired an independent status and developed a jurisdiction which instead of being a menace to the liberty of the citizens, became its bulwark of protection.

Dicey's statement that under the English 'rule of law' the administrative authorities and the private citizens had equality before law and the former possessed no special advantage, is also incorrect. The executive has still a number of privileges before the courts.

Dicey's third argument of rule of law that the constitution instated of being the source of citizen's right is their result, is also not quite correct. Only a very small part of the English constitutional law has grown out of the decisions of courts concerning the rights of individuals. The bulk of it is found on customs, traditions, and statutory.

## Sources of Administrative Law

Administrative law comprise large number statutes, charters, rules, regulations and procedures and also those resolutions, orders, decisions, etc. Administration includes both the law that controls the administration as well as the law made by the administrative authorities. The sources of administrative law are:

- (1). the constitution of the country
- (2). the enactments or status and resolutions of the legislature
- (3). Charters granted by the legislature or the executive
- (4). Ordinances, rules, regulations, orders or decisions issued by the administrative authorities
- (5). Customs and conventions
- (6). Judicial decisions.

### **Scope of Administrative Law**

In its wider sense, Administrative Law covers the whole of public administration. In reality, public administration is studied under the name of Administrative Law. A committee on Public Administration of the Social Research Council stated that the following outlines of the scope of administrative law:

(a) Problems of public personnel. (b) Problem of financial administration. (c) Legal conditions of administrative discretion (d) Administrative law and administrative courts. (e) Administrative regulations (f) Administrative examinations (g) Government contracts (h) Claims against Government (i) Remedies against administrative action (j) Law relating to the status and recognition of personal association (k) legal rules as applicable to the action of plural – headed administrative bodies.

Administrative law is the body of law which concerns the functions of administration and the relations of the administrative authorities with the individuals as well as the other authorities of the state. It does not deal with the organisation of these administrative authorities and their internal problems, which come within the scope of public administration.

### **Rule of Law**

The rule of law is one of the peculiar features of the British constitution. The conception of the 'rule of law' was fully analysed and set forth by A V. Dicey, in his book "Introduction to the Study of the Law of the Constitution". Dicey gave to the rule of law, three distinct interpretations. These are:

1). Rule of law means that "no man is punishable or can be lawfully made to suffer in body or goods except for a distinct breach of law established in the ordinary legal manner before the ordinary courts of the land". It implies that no one in England can be punished arbitrarily.

2). The Rule of law means equality before law. Dicey observes that "not only with us no man above the law, but that here every man, whatever be his rank or condition, is subject to the ordinary law of the realm and amenable to the jurisdiction of the ordinary tribunals". It implies that in England, every citizen, rich or poor, high or low is subject to uniform law and the same courts of law. If any public official commits any wrong or exceeds the power vested in him by law, he can be sued in any ordinary court and will be tried in a will be tried in any ordinary court and will be tried in an ordinary manner.



3). Rule of law means that “the general principles of the constitution are ... the result of judicial decisions determining the rights of private persons in particular cases brought before the courts”. It implies that in the England, the right of citizen do not flow the constitution but are based on various judicial decisions.

### **Rule of Law vs. Administrative Law**

Rule of law prevalent in England has three distinguishing features, namely,

(i) The absolute supremacy of the ordinary law of the land, permitting no arbitrary power of discretion to administrative authorities. Under it no person was punishable till he has actually violated the law of the land as proved before the ordinary court of law.

(ii) Equality before law for both the officials and non- officials

(iii) The primacy of rights of the individuals which constitute the source of constitutional law insisted of the latter being the source of the former.

### **DELEGATED LEGISLATION**

Delegated legislation is one of the topics in the field of Administrative Law, and has close bearings on parliamentary government and power of the executive in general. Lord Heward identified the emergence of delegated legislation and administrative tribunals as the manifestation of ‘Despotism’, the title of book which appeared in 1929. C K. Allen depicted this new power of the Executive as ‘Bureaucracy Triumphant’. Delegated Legislation has become indispensable in the modern welfare states which have undertaken multifarious duties in order to ameliorate the lot of common masses.

### **Meaning**

‘Delegated Legislation’ refers to the law -making power conferred by legislature on the executive. This term is, therefore, also known as Executive Legislation. Since the law - making power given to the Executive is not its original power, it is called subordinate legislation. It is void if it violates the parent Act, or transgress the power granted under the Act.

Donoughmore Committee thus defined the Delegated Legislation, “The word legislation has grammatically two meaning - the operation or function of legislation; and the laws which result there from. So too delegated legislation may mean either exercise by a subordinate authority, such as a minister, of the legislative power delegated to him by the Parliament, or the subsidiary laws themselves passed by Ministers in the shape of departmental regulations and other statutory rules and orders.”

Passing of law is the responsibility of the legislature and not of the Executive. Since the rules made by the Executive have the force of laws and are enforceable by the courts of laws, this rule making power is teamed as Delegated Legislation, Executive Legislation or Subordinate Legislation. It is clear that delegated legislation means the exercise by a subordinate authority such as a minister of the legislative power delegated to him by the Parliament. Parliament passes the bill in general terms and delegates the authority of rule - making under the Act to the Minister concerned. If the rule is not consistent with the statute, it is null and void. The term delegated legislation is used in two senses: (a) It refers to the powers delegated to the executive to make rules. (b) It means the output of the exercise of that power, *viz.*, rules, regulations, orders, etc.

## **Reasons for the Growth of Delegated Legislation**

The delegated legislation has come almost a universal phenomenon. It owes certain important factors which have contributed a great deal towards this development. They are as follows:

(a) Lack of Parliamentary Time

A welfare state postulates extensive legislative activity. The enormous volume of legislative business renders it imperative that Parliament should enact laws, embodying broad principles, leaving details to be supplied by the executive departments.

(b) Scientific and Technological Character of the Subject matter

Parliament is, generally speaking, a body of laymen, certainly not of the various fields of knowledge and learning. There are, therefore, limitations on the ability of Parliament to tackle scientific and technical matters.

(c) Need to Secure Flexibility

Law may require amendments, or modifications with the change of times. Parliament is not always in session. Hence, it cannot adopt the law to the changing conditions. Delegation of this power to the executive enables it to make alterations in the law whenever deemed essential.

(d) To Provide Unforeseen Contingencies

Emergencies like war, famine, economic crisis require prompt action. It is not desirable to wait for the session of the Parliament to meet such eventualities. Hence such a power need be vested with the executive who is always prepared to take action.

(e) Legislature cannot foresee

It is not possible for the legislature to foresee and include in the law all contingencies which may arise in case of large and complex matters. Hence they are left to the departments to be regulated and as when the opportunity arises.

(f) Affected Interests Better Consulted

Administrative agencies can make better consultation with the interests affected than the legislature which cannot conveniently arrange for such consultations.

(g) Administrator better aware of the requirements of the situation

The administrator is better aware of the requirements of the situation than a lay parliamentarian. He can, therefore, draft rules in the light of what is administratively feasible. Laws passed by the legislature are not necessarily concerned with the administrative feasibility of rules. Hence, many a time they seem unworkable and the Administrator finds himself in a dilemma. In order to cope with such a situation, he may enforce the laws in a way as to defeat its purpose.

(h) Rules to be Lenient in the Initial Stages

Government is entering into new spheres especially trade and commerce. If people get adjusted to the new situation, government rules may be stiffed. The administrative rule making procedure alone can permit hardening of the rules after passage of some time.

(i) Proper Drafting of Rules

Since rule - making is done in keeping with the circumstances; drafting of rules is apt to be more perfect than the legislation through the Parliament. Hence it preferred. Administrative agencies offer the services of the expert and are better equipped for experimentation than legislature.

### **Advantages of Delegated Legislation**

(a) Time of Parliament Saved

Delegated legislation enables the parliament to save time. Time, thus saved, can be more fruitful utilized by the legislature on important issues of policy.

(b) Flexibility of Rules

Laws passed by the legislature are comparatively rigid. Administrative rule, on the other hand, is easily changeable in response to fast changing needs, without a formal amendment of the Act.

(c) Interests Affected Consulted

Delegated legislation makes prior consultation with the affected interests possible. Such a consultation will make legislation more effective.

(d) Expert Knowledge Utilized

Parliament is composed of laymen. Delegated legislation helps in making use of the expert knowledge and working out details on correct lines.

(e) Avoidance of Litigation

Administrative legislation permits a definite statement of policy thus avoiding possibility of litigation or compulsion.

(f) Prompt action in Emergencies

Parliament is in session for a few months in a year. If emergencies crop up during its interval, they cannot be tackling promptly till the Executive is empowered to meet them through its power of issuing rules and regulations.

### **Disadvantages of Delegated Legislation**

(a) Individual Liberties at Stake

It is apprehended that vesting of discretionary powers with the officials turns democracy into despotism. Concentration of legislative and executive authorities results in jeopardising the liberties of the individuals.

(b) Delegation of Unlimited Powers

Once this process of delegation of legislative powers commences, it is apprehended that unlimited powers may be delegated to the Executive. In India for instance, the legislature has been passing Skeleton bills, giving blanket powers to the Executive.

(c) Jurisdiction of Courts Ousted

Delegated legislation often seeks to oust the jurisdiction of the courts. This results in depriving the citizens of judicial protection. The enabling Act may clearly specify that the rules made there under shall not be called in question in any court of law.

(d) Interest of the People Ignored

It is generally contended by the critics that it may serve the interests of the influential parties or the interested groups, thus ignoring the interest of the general masses.

(e) Inadequate Scrutiny

Inadequate scrutiny of the rules and regulations by parliament makes delegated legislation develop into despotism. This is rather unfair.

(f) Confusion and Chaos

It is contended that too much flexibility leads to confusion and causes chaos. Hence it very adversely affects the administration.

### **Delegated legislation in India**

There is considerable use of delegated legislation in India. The constitutional provisions take precedence over the parliament enactments. As such, the Acts passed by the Indian Parliament are challengeable in the courts of law. They must conform to the Constitution otherwise their provisions are liable to be declared null and void. The delegated Legislation may therefore be declared void under the following situations: the enabling Act is ultra vires, the subordinate legislation violates the Constitution and the subordinate legislation runs counter to the provision of the Enabling Act.

### **ADMINISTRATIVE ADJUDICATION**

Administrative Adjudication is the latest addition to the administrative techniques. Administrative Adjudication means the determination of questions of a judicial or quasi-judicial nature by an administrative department or agency. Like a regular court, administrative bodies hear the parties, sift evidence, and pronounce a decision in cases where legal rights or duties are involved.

In the words of L D. White, "administrative adjudication means the investigation and settling of a dispute involving a private party on the basis of a law and fact by an administrative agency."

Prof. Dimock defines Administrative adjudication as the process by which administrative agencies settle issues arising in the course of their work when legal rights are in question.

Blachly and Oatman describe administrative tribunals or Administrative Courts as, “authorities outside the ordinary court system which interpret and apply the laws when acts of public administration are attacked in formal suits or by other established methods.

The agencies for administrative adjudication may comprise –(a) the ministers; (b) the head of the department (permanent); (c) a ministerial tribunal; (d) a special committee or commission like Independent Regulatory Commissions; (e) specialised courts of law; (f) single member tribunal; (g) composite tribunal.

The main point of difference between administrative adjudication and administration of justice by the courts is that administrative justice is administered by administrative agencies instead of regular courts. The administrative courts follow the principles of law and evidence. The administrative courts are manned by officers belonging to the executive branch whereas the judges are the members of the judiciary independent of executive control.

### **Kinds of Administrative Adjudication**

Administrative adjudication may take the following forms:

1. Advisory administrative adjudication which means that the power of final decision is vested in the head of the department or other authority
2. Administrative adjudication may constitute a part of the regular functions of an administrative officer.
3. Administrative adjudication may be combined with a legislative administrative process.
4. Regular suits may be filled against administrative decision.
5. Administrative adjudication may be adopted for settlement of claims.
6. Administrative adjudication may sometimes serve as a condition precedent to the performance of an administrative act.

### **Causes of Growth of Administrative Adjudication**

The following causes have led to the growth of administrative adjudication:

- a. A by-product of welfare state

The administrative tribunals rendering administrative justice constitute a by-product of welfare state. With the emergence of welfare state, social interest began to be given precedence over the individual rights. The existing judiciary failed to uphold new system. The new system of administrative adjudication suited new social ends espoused by a welfare state. It proved a potential instrument for enforcing social policy and legislation.

- b. Suitable to Industrialized and Urbanized Societies

Administrative adjudication suits modern industrialised and urbanized society as well. The industrialised society necessitates positive and prompt action which is possible if the problems arising out of the new order are not left to the mercy of ordinary courts.

c. Safety to be ensured

A good number of situations are such as require quick and firm action otherwise health and safety of the people may remain in jeopardy. Such cases, if to be dealt with in the ordinary courts of law, would cause immense loss to the state treasury and undermine national prestige.

d. Standards of conduct to be devised

The main business of the ordinary courts is to settle disputes and not to set standard of human behaviour. It is for the legislature to set such standards. The legislature is not in a position to prescribe in exact details the pattern of conduct. This power is delegated by the legislature to the administration. The disputes arising out of the enforcement of these standards can be properly tackled by the Administrative courts alone.

### **Advantages of Administrative Adjudication**

The following are the advantages of Administrative Adjudication:

a. Cheaper

Administrative justice is cheaper comparatively. In suits, lawyers may or may not appear. No court fees are to be paid, no counsel is to be briefed, no affidavits are to be sworn.

b. Speedy justice

Justice by the Administrative Tribunals is speedy.

c. Useful in developing democracies

In developing democracies which experiment with new social and economic programmes, ordinary courts would be completely misfit. All the disputes arising out of such programmes will get struck, thus giving a setback to the programme itself unless we shift over to the Administrative Courts.

d. Fixing of standards

The disputes which come for adjudication before the Administrative Tribunals are not concerned with the proprietary or other claims of the disputants but the fixation of public standards of performance. Such standards of performance can be determined only by these administrative and not ordinary courts.

e. Flexibility

The legalistic approach to problems is static, unprogressive, and individualistic. The fast changing society necessitates a progressive attitude and an adaptation of policies to meet changing conditions.

### **Disadvantages of Administrative Adjudication**

a. Violation of Rule of Law

It violates the rule of law- the corner stone of democracy. Rule of law stands for equality before law, supremacy of law and due procedure of law over governmental arbitrariness. The administrative tribunals, with their separate law and procedure often made by them, adversely affect the celebrated principles of Rule of Law.

b. Limited right to appeal

The right to appeal from the decisions of these courts is either very limited or is non-existent. The opportunity for judicial review is restricted.

c. Lack of Publicity

The rules of procedure of administrative courts do not provide for the publicity of proceedings. Provision of oral hearing may not be there or it is there it may not be open to the public and the press.

d. Tribunal is not act judicially

Tribunals are not manned by judicial luminaries. As such, they do not have the impartial outlook.

e. Uniform procedures non – existent

The administrative courts do not observe uniform procedures. It leads to inconsistent and arbitrary decisions. Fixed standards of conduct are conspicuous by their absence.

Though these defects seem to be quite alarming yet they are not inherent defects. There is a necessity of providing proper safeguards to eliminate these defects.

### **Administrative Tribunals**

Administrative Tribunals radically differ from the ordinary courts regarding their construction and procedure. They consist of administrative officials and experts and not judges. Their procedure is simple and much more informal than that of ordinary courts. The usual rules of evidence are not observed. Lawyers are not allowed to appear. Facts are ascertained through questioning by the hearing officers.

### **In India**

In India, the number of Administrative Tribunals goes on increasing annually. Over 3000 such courts exist in India, Income Tax Appellate Tribunal, Railway Rates Tribunal, Labour Courts, Election Tribunals are some of the examples of such tribunals. Certain other agencies of Government as Central Board of Revenue, Collectors of Customs and Revenue also perform adjudicatory functions. They are manned by permanent civil service and constitute part of administrative machinery. The decisions of administrative courts are open to judicial review.

## **MODULE III**

### **PRINCIPLES OF ORGANISATIONS: HIERARCHY - UNITY OF COMMAND - SPAN OF CONTROL - DELEGATION - Co-ORDINATION -COMMUNICATION**

Administration is a cooperative effort of a group of people in pursuit of a common objective. It is necessary that this group should be organised in order to attain the desired goals. In other words, organisation is an essential element of administration. It facilitates the proper utilisation of men, material, and money for the accomplishment of the defined purpose. Hence, there can be no administration without organisation. Dimock stated, "Organisation is the basic tool by means of which the administrative process is kept operating". So organisation is prior to every administrative action, for no administrative action can be implemented without an organisation.

#### **Meaning of Organisation**

The term organisation is used in at least three different meanings namely:

1. The act of designing the administrative structure,
2. Both designing and building the structure, i.e., planning the scheme of the structure and appointing suitable personnel to it, and
3. The resulting administrative structure itself.

'Organisation', "is the work of connecting inter- dependent parts so that each has a special function, act, office or relation to the whole".

In the words of L D. White, "Organisation is an arrangement of personnel for facilitating the accomplishment of some agreed purpose through allocation of functions and responsibilities".

According to Pfiffner, "Organisation consist of the relationship of individual to individual and a group to groups which are so related as to bring about an orderly division of labour".

According to Luther Gullick, "Organisation is the formal structure of authority through which work sub-division are arranged, defined and coordinated for the defined objective".

In opinion of Milward, " Organisation structure is a pattern of inter- related posts connected by line of delegated authority".

According to Gladden, "organisation is concerned with the pattern of relationship between persons in an enterprise, so constructed as to fulfil the enterpriser's function".



## **Characteristics of the Organisation**

Nicholas Henry has summarised the characteristics of the organisation in the following manner:

1. they are purposeful, complex human activities
2. they are characterised by secondary relationship
3. they have specialised and limited goals
4. they are characterised by sustained cooperative activity
5. they are integrated within a larger social system
6. they provide service and products to their environment
7. they are dependent upon exchange with their environment.

According to L D. White, an organisation has three primary elements viz., persons, combined efforts, and a common purpose.

In old days, organisation was simple because human society was in its primitive stage. The relationship pattern in the old simple organisations was different from what it is today. There have been many factors at work which have influenced and added to the complexity of modern organisations. They include (a) the liberation of the individual in our social philosophy and policies; (b) the development of new understandings of the nature of human co-operation; (c) the broadening range of organisation goals; (d) the movement toward task specialization.

It is important that organisations are social entities and as such, they are subject to the same kinds of influences, pressure, prejudices, and biases as any of the social organisms.

## **Theories of Organisation**

### **1. Structural- Functional Theory**

This theory is also known as traditional or mechanistic theory of organisation and a classical theory of organisation. According to this theory, organisation is a formal structure of plan, amenable to creation in accordance with certain accepted principles in the same way as the plan of a building which can be prepared in advance by the architect according to some principles. The whole concept of the theory is based on two assumptions. Firstly, the theory assumes that there are certain fundamental principles in accordance with which an organisation can be built up to meet the contemplated purpose or activity. Secondly, this theory regards organisation as a machine wherein the human beings are made to fit like cogs.

## **Human Relation Theory**

The late 1930's marked the emergence of a revolt against traditionalism in organisation theory. It was a revolt against the dehumanisation of organisation. The essence of this theory lies its dominant emphasis on people, on human motivation and on informal group functioning. The theory rejects institutionalization. It lays more emphasis on the day to day informal functioning of the structure. It considers it more important and indicative than the charts and maps.

## **Base of Organisation**

An analysis of the organisation reveals that they are normally organised on four principles. These are: (1) function or purpose; (2) process; (3) clientele or commodity; (4) area or place or geography.

### **Function**

When the organisation is built up on the basis of the nature of functions to be performed it is said to be organised on functional basis. Most of the organisations in the modern governments follow functional principles because it is useful in giving comprehensive service to the people. In India many departments of the government like health, education, defence, labour etc are organised on these principles.

### **Process**

Process is a technique or primary skill of a specialised type. Engineering, accounting, medical care, legal care etc are examples of this basis. When an organisation is built up on the nature of activity more or less specialised it is said to have been organised on the principle of process. Ministry of Law and Justice, Urban Development, Housing etc are examples of such organisations. It is a fact that only important process or professional skills constitute the basis of departments. In fact it is not always easy to draw a line between function and process. For e.g. finance may appear to be a process if we consider the special kind of skill required in its management. But it is a function if we consider that fiscal management is one of the central purposes of any administrative organisation.

### **Clientele**

It means the body of persons to be served. Sometimes some social groups have some social problems, which require the particular attention of the government. When a department is established to meet the special problems of a section of the community the basis of such department is said to be clientele or persons served. In India the department of scheduled caste and scheduled tribe and the department of rehabilitation are organised on this principles.

### **Area or Territory**

Organisations spreading over a large area or territory have the characteristics of area or territory. It is a fact that the government cannot conduct the whole business from a single place. Naturally it has to decentralise many of its departments and locate them in the different parts of the state. Ministry of External Affairs is an example of this principle.

In fact no single principle can be said to be complete in it. If we examine the formation of various organisations we can find that all the four principles have been at work. No single factor can be decisive throughout the entire organisation. One factor may help us to decide at one point. Another factor may be useful at another point. But at every point one determinant must be balanced against another.

## **PRINCIPLES OF ORGANISATION**

### **Hierarchy or the Scalar Process**

The literal meaning of hierarchy is the rule of control of the higher over the lower. Hierarchy means a graded organisation of several successive levels in which one of the lower level is immediately subordinate to the next higher one and through it to the other higher steps right up to the top. The shape of the administrative structure is that of a pyramid. Mooney and Reily call it the scalar process. They say “a scale means a series of steps something graded. In organisation it means the grading of duties not according to different functions, but according to degrees of authority and corresponding responsibility.

The basic features of the hierarchical structure are:

- a. A person will have only one immediate superior from whom he will receive orders.
- b. A person will not receive orders from lower status.
- c. No intermediate level shall be skipped over in the dealing of the people at the top with those lower level or vice versa.
- d. A person who is given responsibility for a task will have authority commensurate with this responsibility.

From the above features it is clear that in the scalar system authority command and control descend from the top to the bottom step by step. The secretary of department will deal with the joint secretary who in turn shall deal with the deputy secretary who further shall deal with the under secretary. The under secretary shall further deal with the section officer who in turn deal with assistants, clerks etc. Similarly, the upward communication shall also be exactly the same when a section officer deals with higher officers.

L D. White narrates the basic functions of hierarchy. According to him its primarily the channel of command. It is the principal channel of communication downward and upward along with the flow of information, advice, specific instructions, warnings and commands. It is the channel for the delegation of authority.

### **Merits and Demerits of Scalar Principles**

The advantages of the scalar system need no emphasis. It is almost indispensable for every large- scale organisation. Some of the merits of the system are:

1. Scalar system or hierarchical system serves as an instrument of integration and coherence. It binds together the various units and divisions into an integrated whole. It acts as a link, which joins the various sections of an organisation most harmoniously.
2. It enables us fix responsibility at each level.
3. It serves a channel of communication both upwards and downwards.
4. It simplifies the procedure for file movements.
5. It helps to decentralise decision - making and prevents congestion of business at the top.

### **Demerits**

1. It creates superior – subordinate relationship in the administrative system.
2. Procedure through the proper channel may create unnecessary delay in administration.
3. Red tapism is another possible defect of the hierarchical system.
4. Too much rigidity in administration and thus human relationship which essence of good administration is missing in it.
5. As the direction flows from top to bottom it kills the initiative of the lower officers consequently resulting into indecisiveness and efficiency.

### **Span of Control**

By span of control mean the number of subordinates, which a superior officer can effectively supervise, direct and control. Span of control is simply the number of subordinates or the units of work that an administrator can personally direct. In the words of Dimock, “ The span of control is the number and range of direct, habitual communication contacts between the chief executive of an enterprise and his principal fellow officers. V A. Graicunas described this concept is related to the principle of “span of attention”.

There are limits to human capacity; and if the span of supervision extended too thinly, unsatisfactory results occur. There are some who limit it to 3 persons; others put at 7; and still others restrict it to 20. The problem of fixing the number of subordinates is a problem of span of control and is related to the psychological problem of span of attention. In fact nobody can attend to more than a certain number of things or persons. It means the span of attention is limited.

There are several factors, which are determinants of the degree of span of control. They are nature of work, leadership, age of agency and the location of the organisational units. If the nature of work is of homogenous character, span of control is more than if the work is of heterogeneous character. Again the span of control increases or decreases depending upon the qualities of the supervisor. Supervisor is more easy and span of control increases if the organisation has been long in existence. Moreover, supervision becomes easier when the subordinates work under the same roof where the supervisor sits.

### **Span of Control under revision**

The idea of span of control has come under revision during the recent years. The increasing use of automation in administration, the information revolution and the growing role of the specialist are chiefly responsible for such change. Automation and mechanical process have resulted in simplification and expediting of communications. The headquarters are now linked with field office through internet; mobile phones, fax and other fast means of communications. The use of latest means of communications has hardened the span of control. The length of span of control has increased and the superior can control more subordinates.

The entry specialist in the public services has also affected span of control considerably. Since they are conscious of their expertise, do not tolerate any interference from the ignorant laymen. They dislike vertical relationship in the organisation and so that the old patterns of organisation are undergoing a change. The well - known concept of superior -subordinate relationship is facing a challenge. Everybody wants recognition as a matter of right. Thus the job of the chief executive is now more of coordination than of supervisor and control.

## **UNITY OF COMMAND**

Unity of command means that no individual employee should be subject to the orders of more than one immediate superior. Thus it means that each individual employee shall have only one man as his superior and shall receive orders only from him. If he gets orders from more than one officer it may difficult for him to discharge his duties. Responsibility can be fixed only if we know where the authority rests and this is not possible if the authority stands divided. Absence of conflict in orders, exercise of effective supervision over the employee and clear fixation of responsibility are the advantages of unity of command.

In the words of Pfiffner and Presthus, “ The concept of unity of command requires that every member of an organisation should report to one, and only one leader”. According to Fayol, unity of command means “an employee should receive orders from one superior only”.

It is fact that in practise we find significant exceptions to these principles. It is usually seen that an individual employee is subject to a dual command. This can be seen more in the professional fields. There one gets orders not only from the administrative side but also from the professional side. For e.g. a doctor employed in a local body is under the administrative control of the chairman of local body. At the same time professionally he is under the control of the director of public health.

Unity of command has been seriously affected by the increasing number and growing influence of Staff and Auxiliary agencies. The fact that the agencies are manned by experts has added their growing significance. Defenders of the principle of unity of command have tried to save it by pointing out that the technical experts in public administration do not really exercise independent authority and control. They are of the opinion that they work only as advisors. It is also argued that its violation does not occur when an employee receives orders from more than one superior in one and same matter.

## **Delegation**

According to Mooney, delegation means conferring of specified authority by a higher to a lower authority. The scalar principles is the principles of integration and binds the various levels and units of the organisation with a continues chain of authority. The essence of the scalar principle is delegation of authority. Delegation of authority is a feature common to all types of large scale organisations. The smaller the organisation the lesser is

the need for division of authority. It is when an organisation grows that the need for delegation arises, because one person or a group of persons can no longer make all the decisions. Authority and responsibility along with duties must, therefore, be divided. Delegation is one of the main ways for dividing and distributing authority. The extent of delegation of authority, however, is inversely related to the size and complexity of the organisation.

### **Meaning of Delegation**

Delegation is the devolution of authority by a superior person to his agent or subordinate subject to his supervision and control. According to Terry, delegation means conferring authority from one executive or organisation unit to other. Thus delegation is not essentially devolution from a higher authority to a lower authority. It can as well be from a lower to a higher authority and between equal authorities.

### **Form of Delegation**

Described in terms of degree of authority delegated, delegation may be full or partial; conditional and unconditional; formal and informal; direct or indirect.

Delegation is full when complete powers are conferred on the agents for example, when a diplomatic representative is sent abroad with full powers to negotiate. It is partial when he is required to get advice and guidance on crucial point from the delegating authority in his country. Delegation is conditional when the action of a subordinate is subject to confirmation and revision by the superior.

According to Mooney, delegation means conferring of specified authority by a higher to lower authority. It means that delegation is the devolution of authority by a superior person to his agent or subordinate subject to his supervision and control. Legally the delegated authority is still with the superior. But in practise its exercise is given to the subordinate or agent. In modern administration system delegation becomes necessary due to two reasons. (1) No head can actually exercise all powers legally vested him. (2) Without delegation the subordinates would not be able to do their work.

### **General Principles of Delegation**

There are certain general principles of delegation. Delegation should be written and specific and it should be made to a position rather than to an individual. Only that much of authority should be delegated as it is within the competence of subordinate to exercise safely. Delegation should be properly planned and systematic. Policies, regulations and procedures should be well defined as to give no misunderstanding to the employees using discretionary powers. Finally there should be free and open lines of communication between the delegators and delegates.

### **Hindrances of Delegation**

There are certain hindrances to delegation. Hindrances can be either organisational or personal. Lack of established methods and procedures, lack of means of coordination and communication, unstable and non-repetitive nature of work and size and location of

an organisation are some of the organisational hindrances. Egotism to keep power, to remain in limelight and to take to credit of everything, fear of disloyalty on the part of subordinates, absence of emotional maturity, lack of confidence in the competence of the subordinates are some of the personal factors which may become hindrance to delegation.

## **Coordination**

Coordination is an important principle of organisation. No organisation can achieve the desired objective without coordination. In a negative sense coordination means the removal of conflicts and overlapping in administration. In the positive sense it means to secure cooperation and teamwork among the numerous employees of an organisation. According to Charles Worth "coordination is the integration of several parts into an orderly whole to achieve the purpose of the undertaking". Terry says "coordination is the adjustment of the parts to each other and of the movement and operation of parts in time so that each can make its maximum contribution to the product of the whole".

According to L D. White, effective coordination is an absolute essential to good administration".

Thus coordination means making arrangements so that all parts of an organisation pull together towards defined goals, without duplication, without gaps and conflicts and on time.

There are two types of coordination and they are internal coordination and external coordination. Internal coordination is concerned with the coordination of activities of individuals working in an organisation and external coordination is concerned with coordinating the activities of different organisational units. Coordination can be effected either automatically or deliberately. Automatic coordination is possible only in small scale organisation where the head of the organisation knows each and everybody. Deliberate coordination can be made either coercive or voluntary. Coercive coordination can be achieved through the organisational hierarchy. In fact bulk of coordination in any organisation is secured voluntary by mutual adjustment and agreement. Some of the important techniques of voluntary coordination are conferences, reference consultation and clearance, organisational devices like interdepartmental committees, standardisation of procedure and methods, decentralisation of activities and verbal and written communications.

## **Hindrance of Coordination**

Coordination is not free from difficulties. According to Gullick some of the difficulties arise from the following factors. 1) Uncertainty of the future. 2) The lack of knowledge and experience. 3) Lack of the knowledge and experience. 4) Lack of orderly methods of developing and adopting new ideas and programmes.

## Communication

Communication has to be recognized as the first principle of administration. Effective communication is vital to the successful achievement of agency objectives. Millet is regarding communication as “the blood stream of administrative organisation”. Pfiffner considers it “the heart of management”.

According to Tead “the underlying aim of communication is a meeting of minds on common issues”.

Communication is often used in the sense of imparting knowledge or transmitting information. The term, as used here, however, has a wider connotation, and includes interchange of thoughts, partaking ideas, and a sense of participation and sharing. Communication in an organisation may be internal, external and interpersonal. The first deals with relationship between the organisation and its employees. The second is concerned with the relationship of the agency with the public and is called ‘public relations’. The third is related to the relationship among the agency’s employees *inter se*. Communication has also been classified as “up”, “down”, “across”. ‘up’ communication is achieved by such method as systematic, written and verbal reports of performance and progress, statistical and accounting reports concerning work, written verbal requests for guidance, suggestion and discussions. Means are, thus, provided for higher level to obtain evidence about work problem.

‘Down’ communication is achieved through devices, such as, directives, manuals, written or verbal orders or instructions, staff conferences, budget sanctions and establishment authorization.

Across communication is achieved through exchange of written or verbal information and reports, formal and informal and personal contacts, staff meetings and coordination committees. To aim is to bring together different but related parts of the organisation.

## Difficulties and Barriers

The first great difficulty is the complexity of language. Word differences are a big hindrance to mutual understanding. Second barrier is the ideological barriers. Differences in political background, education, and results in different social and political views. Thirdly, lack of a will or desire to communicate is not known. Size and distance may be said to be the fourth barrier of communication. Lastly, there may be lack of definite and recognized means of communication.

According to Millet, there are seven factors necessary to make the communication effective, namely, it should be clear, consistent with the expectation of the recipient, adequate, timely, uniform, and acceptable.



## **Organisation and Methods (O&M)**

The term O&M used in two senses. In the wider sense it means organisation and management, which includes the study of the entire process of management namely planning, organising, coordinating, motivating, directing and controlling. In a narrow sense it means organisation and methods and is concerned with the organisation of public bodies and their office procedures with a view to improving both. O&M is the title now generally used to describe the study by the whole time staff of the organisations of public bodies or private firms and of the office procedures they adopt.

This term is also used as equivalent to management improvement. In this sense the term organisation and methods cease to be a mere technique and becomes a function namely that of improving administration. According to Millward, it exists not only as a management tool but also as a service for managers, auditors, others who need it because they have not themselves the time or the necessary expertise. The purpose of O&M office is to assist line officials to improve management. Research and development, training, investigation, coordination and improvement programme, information and publication are the important functions of organisation and methods.

## **MODULE -IV**

### **UNITS AND FORMS OF ORGANISATION- LINE, STAFF AND AUXILIARY AGENCIES**

The chief executive is at the head of the administrative system of a country. Administration is like a pyramid; at the top is the chief executive. Broadly speaking, there are two types of chief executive: 1) the Parliamentary, and 2) the Presidential. An analysis of the cabinet and presidential type of chief executive reveals many points of differences. In countries where parliamentary system of government prevails, the real chief executive is the cabinet, which is a plural body. The Prime Minister, who is the head of the cabinet, regards other members as his colleagues. Unlike this, the chief executive in Presidential system of government is a single individual, the president.

#### **Functions of the Chief Executive**

The chief executive has, broadly speaking, two types of functions to perform-political and administrative. The former functions include obtaining and retaining the legislative support for his policies and programmes, providing leadership to nation etc. His administrative functions are summed up by Gullick in the words of 'POSDCORB'.

The numerous administrative duties of the chief executive may now briefly be described.

- 1). He formulates the administrative policy.
- 2). The chief executive authorizes the structure of the organisation through which administration functions.
- 3). The chief executive wields power in personnel administration. He appoints and dismisses the public officials.
- 4). The chief executive issues directives, proclamations, orders, etc., to make the administrative activities conform to the statutory provisions.
- 5). He has budgetary responsibilities. The chief executive prepares and submits the annual budget to the legislature and after the latter's approval, executes and implements it.
- 6). Coordination is among his most important functions.

The role of the chief executive is made up of all these functions. Obviously, no single individual can singly perform such a formidable conglomeration of functions. He needs help. And, in practice, this help he receives from the organs, or organs, attached to him. This organ, called by the generic term 'General Staff'. The general staff provides expert advice and assistance to the chief executive.

## **Staff, line and Auxiliary Agencies**

The traditional pattern of organizing the administrative branch of the government is departmental. In early days each department was a self-contained unit and carried on all the activities, which were required for its maintenance. It assumed full responsibility for all its primary and secondary operations. But as time advanced the affairs of each department grew in magnitude and complexity and the age of specialisation were reached. In the interest of efficiency and economy it was considered desirable that the departmental organisation should be broken into two new directions. These new directions are staff agencies and auxiliary agencies as distinct from line agencies.

The concept of line and staff has been derived from military vocabulary. As the growth of armies became complex the field commanders who were engaged in the task of actual fighting felt the need for specialised services, which led to the formation of general particularly in the United States the need was felt to adopt a system similar to the army staff to advice the matters, which were not directly connected with business. The system first entered into private business management and later to the government.

A government conducts its business with the help of a highly elaborate system of organisation. The central hierarchy comprises the line and assisting the line there are staff and auxiliary agencies. The line works at the direct accomplishment of programme objectives and is served by staff and auxiliary services. Staffs provide specialised advice but not command. Auxiliary provides common services.

### **Staff Agencies**

In fact the chief executive has to perform various types of functions. If these functions are to be performed efficiently the chief must have full information about the problems, which he has to meet. If the matter is complicated and the functions are of technical character, relevant information and technical advice of officers having expert knowledge is very necessary. So it is highly necessary to set up special organisations to make research and to act as the technical advisor to the chief executive. These special organisations are called staff agencies. Thus Mooney says, "the staff is an expansion of the personality of the executive. It means more eyes, more ears and more hands to aid him in forming and carrying out his plans".

There are certain characteristics features for the staff agencies. First of all they have no responsibility or authority for the actual performance of the duties for which the service are created and maintained. Secondly their functions are exclusively of a research, consulted and advisory character. Finally they have no power to give orders.

According to Pfiffner there are three kinds of staff agencies. They are general staff, technical staff and advisory staff. The general staff helps chief executive in the administrative work generally by collecting information by research and by shifting the information to the chief. This agency really acts as 'filter and funnel, to the chief executive. Like a funnel it receives all information but like a filter it passes to the chief executive only that information which is essential for decision-making.

The technical staffs consist of the technical officers like engineers, doctors, financial experts etc. They advise the chief in the technical matters of their field and also make functional supervision over the work of the technicians in their appropriate fields.

The auxiliary staffs consists of employees which perform certain duties and functions common to the administrative departments but which are incidental in character. Every department requires purchase of stationeries, printing of papers and reports and accounting etc. Willoughby calls them as 'institutional or housekeeping activities' while L D. White refers them as 'auxiliary services'.

### **Functions of the Staff Agencies**

L D. White summarizes the important functions performed by the staff agencies as follows.

- 1). To ensure that the chief executive is adequately and correctly informed.
- 2). To assist him in foreseeing problems and planning future programmes.
- 3). To ensure that matters for his decisions reach his desk promptly.
- 4). To exclude every matter that can be settled elsewhere in the system.
- 5). To secure means of ensuring compliance by subordinating with established policy and executive direction.

According to Mooney, the three functions of staff agencies are informative, advisory and supervisory. The informative functions are to collect for the chief executive all the relevant information on which his decisions may be based. The advisory functions mean the functions of the staff to advise the chief executive as to what, in its opinion the decisions should be. The supervisory functions is to see that the decisions taken by the chief is duly communicated to, and implemented by line agencies concerned.

Thus the main functions of the staff agency are to furnish to the executive all relevant information regarding the case, to put at the proper time and to offer its advice on the matter. The staff agency stands outside the main line of administrative hierarchy. Its functions is not command but to advice. In India the planning commission, the department of economic affairs, cabinet secretariat, cabinet committees, prime minister's office etc are examples of staff agencies.

### **Line Agencies**

The principal agencies, which are organised on the basis of major substantial purpose and are concerned with the provision of services to the people are known as line agencies. They are concerned with the primary objects for which government exists. From top to bottom a single 'line' of authority extends downwards from secretary to the deputy secretary, under secretary, superintendents and clerks. In fact they deal directly with the people; supplying services to the people, regulating their conducts, implementing programmes sanctioned by the legislature, collecting taxes etc. The major line agencies in the government of India are the department of defence, education, health, labour, railway etc.

There are three kinds of line agencies, 1) Department. 2) Corporation. 3) Independent Regulatory Commissions. Department is the largest and the most prevalent form of administrative organisation. The public corporation is a new organised device imported in public administration from private business administration. The Independent Regulatory Commission is a mixture of departmental as well as corporation system. At the top it has a corporate character, but internally it has a departmental structure.

### **Distinction between Line and Staff Agencies**

In practice the line and staff agencies are strongly intermingled. Sometimes it is very difficult to find between the two. It has been realised that the staff is not only advisory but also executive in nature. On some matters the staff can command and exercise power. At the same time we can find certain differences between two agencies. Important of them are following.

1. The line agencies are meant to accomplish the purpose for which they exist and as such they are an end themselves. But staff agencies exist to help the line agencies and hence they are only means to an end.
2. Line agencies come direct contact with the people whereas staff agencies remain behind the curtain.
3. Line agencies are executing agencies. But staff agencies are advisory and consultative agencies.
4. Line agencies issue orders whereas staff agencies have no power to send such orders. They merely contribute their specialised advice to the executive.

### **Auxiliary Agencies**

Auxiliary agencies are the agencies, which serve the line agencies rather than the public. They perform functions common to all the departments. A line agency, in order to perform primary duties, has to meet with different kinds of activities like recruitment, contracting, purchasing, storing, supplying, accounting etc. in the past each department performed all this functions. But today with specialisation of functions in public administration it has become desirable to organise these functions under separate agencies and such agencies are called the auxiliary agencies.

### **Advantages of Auxiliary Agencies**

1. The line agencies can devote time in the performance of their primary activities.
2. It ensures specialisation of functions.
3. Since it avoids duplicity of work it secures economy in administration. A single auxiliary agency, by doing a work for all the departments really saves time and money.
4. It has the advantage of closer supervision of the auxiliary functions.
5. It also has the advantage of increased scope of operations and reduced unit costs, such as in large –scale purchasing, common godowns etc.

## **Disadvantages**

1. The establishment of auxiliary agencies may weaken the responsibility of line agencies.
2. Auxiliary agencies may encroach upon the power of the line agencies and thus there may arise conflicts between the two.
3. The auxiliary agencies tend to consider their mission superior to the objects sought by the line agencies and hence happen to subordinate questions of welfare of the economy.
4. Sometimes undue results in getting the required service or goods on account of long negotiation with the auxiliary agencies.

In conclusion it may be remarked that the case for establishing an auxiliary agencies regarding any matter should be adjusted on the exigencies of the situation. While the auxiliary agencies have ample justification under favourable circumstances there is a point of marginal unity beyond which the unity and sense of full responsibility of the line department becomes the greater good. We should not forget the fact that the nature of an auxiliary agency is primarily facilitating rather than controlling.

## **Department**

The solid foundations of administration lie within the departments. It is the departments which do the substantive work. Here it is that the arms of executive branch rendering services to the citizens. All the administrative operations are performed by the officials and employees of high and low category working in various departments. Therefore the study of the organisation and internal administration of departments is of great importance in public administration.

Literally the term 'department' means a part or portion of a larger whole. In the technical phraseology of administration, however, the term has a special connotation. It means the biggest blocks or companies immediately below the chief executive into which the entire work of the government is divided. Thus a department is the fundamental organisational units of administration on which rest the obligation of carrying on governmental operations. The department is responsible and subordinates to the chief executive.

## **Basis of Departmental Organisation**

There are four different principles or bases on which a department is organised. These bases are:

1. The functional or purpose principle
2. The process or professional principle
3. The clientele or person
4. The geographical principle

### **The functional principles**

Where the department is organised on the basis of the nature of function or purpose, it is said to have been organised on functional principle. Examples of such departments are: Health, Human Resource Development, Defence, Commerce and Industry, etc.

### **The Process Principle**

Department may be created on the basis of technical skill involved in the performance of the work. Thus the Department of Law, Department of Space and Department of Ocean Development are the examples.

### **The Clientele Principle**

When a department is established to meet the special problems of a section of community, the basis of such department is said to be clientele or person served. Thus the Department of SC\ST is a department organised on clientele basis.

### **Geographical Principle**

When territory or geographical area serves as the basis for the organisation of a department it is called geographical principles of departmental organisation. Thus the basis of Foreign Affairs department is geographical.

Department may differ from on another basis of their size, structure, nature of work, internal relationship etc.

### **The Bureau and the Board**

Like the basis of organisation of departments the headship of the department is also equally important. If the headship of the department lies in single individual it is called bureau type of organisation. On the contrary if the head of the department is a body of persons jointly responsible it is called board type of organisation. The board is also sometimes known as a 'commission'. A commission is a group of members having the duty not only of acting collectively as a board but also of serving individually as heads of organisation units that have been set up for the performance of administration work that has to be done. In India there are both types of departments. Usually the minister is the head of a number of departments like education, defence, agriculture etc. but some of the departments are headed by a board. For e.g. the railway board, the revenue board, the electricity board etc.

## **KINDS OF BOARDS**

### **Administrative Boards**

Where board is the head of the department its known as administrative board. For e.g. Railway Board, Revenue Board etc.

### **Advisory Board**

It is often attached to the head of the department for giving him advice on administrative matters. But the advice is not binding on the head. Generally advisory board consists of technical hands or experts, for e.g. Railway Advisory Board, UGC, and PSC etc.

### **Board in to Hierarchy**

Sometimes a board is found tied in the hierarchy or as intermediate level. It is not empowered to run the department but performs quasi-legislative and quasi-judicial functions with regard to the specific field entrusted to it. For e.g. the Electricity Board, Board of Secondary Education etc.

### **The Regulatory Commissions**

In USA some commissions have been created to regulate and control private persons and property in the interest of general well being. These commissions have quasi-legislative and quasi-judicial functions.

### **Public Corporations**

Public Corporations represent a category of line agency different from the department and regulatory commissions. Public corporation is said to have come into existence as a result of the entry of the state into the field of business and commercial enterprises. According to Robson, public corporations is the most important innovation in political organisation and constitutional practise. Dimock defines public corporations as a publically owned enterprises that has been chartered under federal, state or local law for a particular business or financial purpose. Corporation is a corporate judicial person capable of entering into contracts and acting in its own name.

Really public corporations are the result of the state entering in business and other commercial enterprises as we in the private sector. The social complexities ushered in by the industrial and urban civilization of the modern times made it necessary for the state not only to regulate business and industry but also take up some of them directly into its own hands in order to ensure for the common man the supply of certain essential goods or service at reasonable rates.

The purposes for which corporations are created are mainly three. They are 1) the extension or facilitation of credit 2) the management and operation of some industrial, commercial or other business undertaking 3) undertaking the multipurpose development of some region.

The corporations have certain common characteristics. First of all legal person capable of suing and being sued. It is really created under a special statute of the legislature. Its functions are primarily of a business or industrial nature. Again, it is run on business lines and not in accordance with the departmental procedure and practices. It has its own budget and finance separate from the national budget and finance. It enjoys complete administrative autonomy from the control of the chief executive of the state. Its personnel do not form a part of civil services but are recruited independently.



## **Kinds of Corporations**

According to L D. White there are three types of corporations. Firstly, there are corporations owned and controlled by government. These are known as government corporations in which all or majority of members of the board of directors consist of government nominees. Secondly there is the mixed corporation in which the government has either some investment or some nominees in the board of directors or both. They are conventionally called mixed enterprises. Thirdly there are corporations established by private parties under authority of law and subject to some degree of supervision by the government but there is no government representation. The government really enjoys powers of supervision and control under the incorporation law.

## **Corporation and Company**

A public corporation resembles a joint stock company for the reason in the eyes of law both are juridical persons acting in their names, owing property and carrying out some economic activities. But actually there are some differences between a company and a corporation. Firstly, each corporation is constituted under a separate statute of the legislature. But each company is incorporated under General Company Act. Secondly public corporations are constituted for public benefit while the main motive of a company is private profit and not public benefit. Thirdly public corporations have no shareholders. Private individuals have no right to participate in or control over the management of the corporations. But in companies there can be private participation.

## **Corporation and Departments**

There are difference between a corporation and a department. Departmental system is generally meant for the state regulatory activities whereas corporation system is for business enterprises. Departmental system invariably follows 'bureau' system. It means that it is headed by a single person called secretary of the department. But corporation is headed by a board of directors. Again corporation is a corporate body and so it can be used in the court of law. It has its own assets and liabilities but the case of the department is entirely different. Another difference is that corporation is generally meant to produce revenues whereas departments are mostly spending units of the government. Again the corporation enjoys both administrative and financial autonomy. On the contrary the department works under the strict control of the chief executive. Moreover, a corporation is created by an act of the legislature whereas a department can be created by an order of the chief executive. The financial status, methods and the procedures of the public corporation differ from those of the department. The corporation is not depending on the legislature for the funds. But a department cannot function without the annual grant. Finally there is flexibility of procedure and policy in the working of corporations whereas the working of a department is characterizes by redtapism, routine formalism and rigidity.

## **Accountability to Parliament**

The public corporation is accountable to the parliament. Really the legislature is the custodian of the finance of the state.

## **MODULE -V**

### **PERSONAL ADMINISTRATION- NATURE OF THE PERSONNEL PROBLEMS, SPOILS, MERIT, BUREAUCRATIC, ARISTOCRATIC AND DEMOCRATIC SYSTEM**

According to L. D. White “many elements combine to make good administration, leadership, organization, finance, morale, methods and procedures; but greater than any of these is manpower.” It is a fact that well thought out and well-planned policies fail to succeed and the best organizations based on scientific principles breakdown if the human material is not competent to execute the work. Really no activity of public administration can be performed today without civil servants.

The employees, officers, servants who fill various positions in an organization are collectively known as “personnel” in public administration. The problems of personnel administration are the most important and most complex. Other problems of public administration are easy and simple because they affect only the employees. But the problem of personnel administration affects the public. The general public is concerned in the sense that it wants a system of personnel wherein all citizens will have an equal opportunity to enter the government service and rise to higher grades on the basis of talent and qualification. The government as an employer is interested in securing efficient personnel and in getting the maximum work for a minimum expenditure. The employees are interested in getting a good pay, proper work conditions, security of job and a handsome pension at retirement.

Under the impact of science and technology, the activities of the state have multiplied. At every step the citizen comes into contact with the personnel who is the sovereign factor in public administration. In fact the government service is presented as a life career. By this it is meant that steps shall be taken to make public employment a worthwhile life work, with entrance to the service is open and attractive to young men and women of capacity and character and with opportunity of advancement through service and growth to posts of distinction and honour. It is also considered as a honourable occupation which one normally takes up in youth with the expectation of advancement and pursues until retirement.

There are various principles on the basis of which personnel can be appointed in public administration. One of such principles is Spoils system.

#### **Spoils system**

Spoils system means the public offices constitute spoils to be enjoyed by the political party, which becomes victorious at the polls. According to this system civil servants are appointed mainly on the basis of party considerations. When a new party comes to power, it dismisses all the employees appointed by the predecessor and fills the vacancies with its own men. This system is also known as “hiring and firing” of public officials and employees. However in the USA the spoils system suffered a set back in 1881 when

President Garfield was assassinated by a disgruntled employee who was removed by him from the office. To save the future Presidents from such tragedies, Pendleton Act was passed by the Congress in 1883. The act gave the civil service permanency of tenure and its present character. But even now spoils system exists in America, many of the posts still immune from the operation of civil service regulations. Appointments to these posts are made by the chief executive without consulting the Civil Service Commission. In India also the ministers appoint officials to their personal staff with out consulting the public service commission. Thus the political party in power is in a position to appoint certain number of employees of its choice without consulting the expert body.

### **Merits of Spoils System**

1. The American faith in democratic principle induced them to opt for spoils system. They advocate equality of rights and opportunities. As such no man has any more rights to position than another. The simplicity of their administration during the eighteenth century was also responsible for upholding such a view.
2. Personal motive also played predominant part in opting for such system. The Chief Executive is in a position to get assistance of a band of loyalists chosen by him on the basis of their personal qualifications.
3. The spoils system is fully consistent with the system of party government. The policies of a party can be properly implemented by the officials appointed by the party chief.
4. The theory of rotation of office also favours the system. This system is considered as an effective means of stopping government from becoming a caste alien to the people.

### **Defects**

1. The spoils system is a bane on efficient administration. Inefficiency of administration and political corruption will be the result of it.
2. It causes a profound degradation into the life of politicians. Political parties may contest for protecting selfish motives rather than for achieving public welfare.
3. In the spoils system the employees may use their offices illegitimately to promote the welfare of their political parties or political leaders.
4. Frequent replacement of high administrative officials is detrimental to the continuity, which is very essential for efficient administration.

### **Merit System**

Merit System implies a system in which the appointment and conditions of service of an employee are determined solely by his own merit, which includes his educational and technical qualifications, personal capacities and physical fitness. Under this system recruitment is made through open competitive examination held by an independent agency. No distinction is made between citizens on the basis of any party affiliation. Civil servants remain neutral in policies and promotions take place strictly on the basis of merit. In various democratic countries merit system is used for the selection and recruitment of public services.

### **Advantages of Merit System**

1. By making administration free from political parties the merit system really increases its efficiency.
2. In this system right man is put at the right place and full justice is done by providing equal opportunities to all the citizens to compete with any office of the state.
3. It frees the employees from economic worries. The adoption of equitable rates of remuneration and proper retirement benefits will make them free from economic worries.
4. Neutrality in politics will naturally lead to efficiency in administration.

### **Disadvantages**

1. Since power of appointment is concentrated in the civil service commission, the principle of responsibility stands undermined. It is generally considered that workers must be motivated towards effective performance by their own programme leaders and supervisors. The directing officers should have control over their subordinate staff.
2. In the merit system the loyalists may not be recruited and there may be frequent conflicts between the political heads and the permanent services.

The disadvantages of the merit system are not so glaring as those of the spoils system. Hence there is a tendency to adjust the personnel system more and more fully to the recruitments of the merit principle. Infact the services should be loyal to the people rather than to party leaders.

### **Bureaucratic System**

In the broader sense the term is used to describe any personnel system where the employees are classified in a system of administration composed of a hierarchy of sections, divisions, bureaus, departments and the like. In the narrow sense the term is used to denote "a body of public servants organized in a hierarchical system which stands outside the sphere of effective public control". Bureaucracy is a form of administration which can be seen, in large scale organization and bureaucratic personnel system is a pure recruitment pattern adopted by the imperialistic government of the past. Thus it may be used synonymous with autocratic personnel system.

### **Characteristics**

In this system the services owe their appointments to the King and are responsible to him. The king recruits them and prescribes their conditions of service. Really the king makes his autocratic rule effective through these services. Being responsible to the king alone the services regard themselves as superior to the people. In this system the public services not only perform executive but also legislative and judicial functions.

### **Advantages**

1. This system produces highest degree of efficiency
2. It can be used well as an instrument of political suppression.
3. It secures unity and concentration of power, which are very essential for effective administration.

### **Disadvantages**

1. It has no place in democracy because there is no popular control. It is highly necessary that the public services should be responsible to the public and responsive to their needs.
2. This system causes a wide gap between the public servants and other classes of the society.
3. It makes public officials not only unresponsive but also turns them hostile to the common man.
4. Concentration of too much power with the officials and the head of administration may tempt them to act in a tyrannical manner.

### **Aristocratic System**

The word "aristocracy" means government by the nobles. The aristocratic system began and developed in England and was later adopted by other western countries. Under this system a distinction is made between different grade of personnel and promotion from lower to the higher is strictly restricted. The appointment to the higher class is not made through a competitive examination but depends upon the discretion of the chief executive. The officers hold office purely on the basis of the personal judgment of the appointing authorities. The officers are called administrative chiefs. The relation between them and the appointing authorities is personal in nature, and the latter should have wide discretionary power in making their selections. In India the administrative officer, for instance are known as secretaries, joint secretaries and deputy secretaries.

Next to the higher class is the administrative class, which includes all those who occupy all the important positions in public administration. They generally belong to the IAS cadre in India. This cadre is recruited through a competitive examination. Another salient feature of the aristocratic system is that public service is made a permanent career. This introduces professionalism in public services. Another notable feature of this system is that the educational qualifications prescribed for such posts are meant for determining the general mental attainments of the candidates rather than any special expert knowledge.

### **Advantages**

1. This system beautifully combines the principles of representative government with efficient government. The minister who is a political chief represents the popular feature of administration while the secretary who has acquired the position after long training and experience represents the expert character. The combination of popular sovereignty and expertness naturally leads to more efficiency and accuracy.
2. The discretion given to the ministers in selecting their administrative personnel helps in maintaining harmonious relations between them and the officers.

### **Disadvantages**

1. This system is said to be highly undemocratic because it creates a class rather than a representative civil service. Administrative class is taken from the highest class of society, the executive from the middle and others from the lower middle class
2. It creates conservative administrators who may not be ready to implement reforms in the country.
3. The low age limit debars people hailing from rural areas for competing for administrative services.
4. It debars the lower grade employees from getting promoted to higher administration posts. Lack of incentives to promotion may impair efficiency also.

### **Democratic system**

This system is based on the democratic principle that no man is superior to others in enjoying rights. There is no class division in this system. An employee may join at the lowest level and can ultimately attain the highest position. Since promotions are based on objective tests there is no restriction for an individual to rise from one class to another. Highly specialized qualifications are required for the job. Again in this system public service is not a lifelong career. Any individual can enter government service at any stage and can leave it whenever he likes. Mutual regard helps an employee to attain the highest place in administration.

### **Advantages**

1. This system provides equal opportunities to all. Since merit is the only criterion for selection it is based on justice and fair play.
2. Since there is no limit to promotion it provides incentive to efficient work. Through hard work any employee can achieve the highest place.
3. Since there is no age restriction the system provides a large scope for selecting the talented.
4. It is more economical as the state saves the training cost. Ambitious employees will get training in the industries where they seek jobs.
5. It is based upon the democratic principle that every citizen is equally entitled to public office.

### **Disadvantages**

1. Too much specialization in public administration may create narrow vision and outlook among the personnel.
2. The top management is placed in the hands of amateurs who hold office for the particular period. Since they may not be officers who can discharge their duties well and also lack qualities of general administration, the highest permanent officers in the system ie, the Bureau chief may be over burdened.
3. Public service ceases to be career service.

## **Tenure of Office**

One of the most important personnel administrations is that of the tenure by which civil servants hold office. At present there are three tenure systems. They are 1) tenure at the will of the appointing officer 2) tenure for a fixed number of years and 3) tenure during good behaviour. The question is as to which of the three tenures shall be employed for civil servants.

### **Tenure at the will of the appointing officer**

It is the system which is universally found in private undertakings. In the government undertakings the case is entirely different because the managing heads are not directly interested in the financial results. But the private management is more interested in mere exploitation of workers. By making use of these employees they want to make maximum profit. So this system would cause severe hardships to the employees by unjust dismissals. It will result in instability and inefficiency in administration.

### **Tenure of a fixed term**

This system does not suit the administrative class because short terms can neither give capable persons nor provide any opportunity for specialization and experience in their profession. Tenure for the fixed term is suitable only for the political executive. This system would really make political office, political spoils to be appropriated by the party victorious at the polls.

### **Tenure during good behaviour or life tenure**

Because of the drawbacks of the other systems it is highly necessary that tenure during good behaviour should be applied to the administrative services. According to this system a civil servant can remain in office until the age of retirement if he performs his functions satisfactorily. This system will ensure efficiency in administration by making the office permanent and continuous. It really makes government services a permanent career. It becomes a profession, which capable men would choose.

### **Government service – a life career**

One of the important problems of personnel administration is the extent to which government services can be presented as a life career. By career we mean a honourable occupation which one normally takes up in youth with the expectation of advancement and pursues until retirement. The purpose of the career system is to attract young men and women of talent and ambition to the government service. Opportunities of promotion and advancement should be provided so that people may select government job as a permanent career.

### **Essentials of career system**

To establish government service career system first of all there should be security and permanence of job. Many people want to enter government service because it provides security of job. Secondly there should be equal opportunities for all citizens to compete for government services. No special privileges should be given to any particular category of individuals. Thirdly there should be equal pay for equal work. Finally full freedom and opportunity of advancement should be provided. Promotion should be on the basis of merit, not on the basis of personal considerations.

The career system gives to the state a class of employees who are competent, loyal and contented. The employees really get security of tenure and adequate opportunities for promotion. It provides him freedom from want during his service period as well as after retirement. All classes of employees including the specialists should be provided with opportunity of advancement and promotion. Career service is the only effective way of attracting the best and the talented men to public service. In India because of high unemployment the government can get the best talented persons for its services without making them career services.

## **Recruitment**

Recruitment means attracting the proper and suitable type of candidate for the post to be filled. It is selection by a competent authority to a post in a service. It is an important aspect of personnel administration. In ancient days there was no problem of recruitment as the King himself selected and appointed his employees. But as the state expanded it became necessary to have a capable team of employees to run the administration successfully. China is said to be the first country to develop a scientific system of recruitment through competitive examinations as early as in the second century BC. In modern times Prussia first introduced the system of competitive examinations. In India the system was established in 1853.

There are negative and positive aspects of recruitment. If recruitment stands for eliminating the political influence or preventing favouritism it is known as negative concept of recruitment. It could not provide the best persons to administration. Now the emphasis is given to secure the best and the most competent persons for public services. Thus the concept of positive recruitment emerged. It means that the personal agency will recruit the best, the most talented and competent personnel. Thus in a positive recruitment new techniques should be used to attract the most qualified personnel.

In fact recruitment means attracting the proper and suitable type of candidates for particular jobs. Government is not the only employer in society. There are other employers in society. There are other employers like bankers, industrialists, universities etc. People join the service they get better pay and other attractive conditions of service. The interest of administration requires that only competent and deserving persons with keen intellect and skill should get the public office.

## **Methods of recruitment**

Methods of selection are basically two. They are selection from without the service or recruitment and selection from within the service or promotion. The problem of recruitment is not merely a question of technical choice between the two methods. It goes to the nature of the whole personnel system. In fact the problem of direct recruitment or promotion arises only in the case of higher middle positions. It is very clear that the lowest posts must be recruited from without because there is no still lower class of personnel from which to promote. It is also clear that recruitment of fresh and inexperienced men from outside to the highest position is also not advisable. Hence it is generally considered that promotion system suits the highest positions.

## **Merits of Recruitment from within (Promotion)**



1. Recruitment by promotion provides ample opportunities for advancement to the employees. It is an incentive to the hard working employees.
2. The expectation of promotion for honest and intelligent work will heighten the morale of the employees. The experience gained by the employees in the lower jobs helps them to undertake higher responsibilities.
3. The defect of the examination system can be removed through recruitment from within or promotion. The best criterion to judge ones worth is his own work.
4. Procuring of efficient employees through this system is easier than that of direct recruitment.
5. It is economical for the government as the cost of training is saved.
6. The burden of public service commission is lessened in this system. It avoids notifications, examinations and interviews.
7. It re- establishes the human factor in public administration.

### **Demerits**

1. It is said that this method narrows down the area of selection. When the selection is made from within the service it results in the selection of less capable officers.
2. Selection from within through promotion may lead to stagnation and conservatism. New innovation cannot be seen in such a system. It is highly necessary to inject new blood to the administrative system in the form of direct recruitment.
3. Again it is said that since recruitment is confined to those who are already in service it undermines the principle of equality completely ignoring academic brilliance. This system gives consideration only to experience.

### **Merits of recruitment from without (Direct recruitment)**

1. It is in consonance with the principle of democracy because under this system all qualified persons get equal opportunity public offices.
2. Since the area of selection is wide, best talented persons can be recruited.
3. By giving young men and women an opportunity to enter the service the system keeps itself adapted to new ideas and outlooks of the society.
4. In the technical and professional fields of development of new techniques requires new entrants to provide leadership in the adoption of those techniques.
5. Recruitment from outside creates a competitive spirit among the employees and they try to keep up- to - date with new developments in their fields.

### **Demerits**

1. This method is said to be highly expensive because a lot of money is to be spent for providing training to the new employees.
2. It reduces incentive to good work because chance of promotion to higher service is bleak.
3. It may create an unnecessary rivalry between the old, experienced people who are already in service and the young people who are already appointed as fresh employees.
4. The examinations, tests or interviews which are used in direct recruitment system cannot be considered as fool proof methods for assessing the personal qualities of the applicants.
5. The agencies of recruitment like the public service commission will be overburdened if all services are recruited from without.

## **Training**

Today administrative activities are very complex and specialized. So a layman's knowledge may not be sufficient to carry them out. It is also a fact that the nature of administrative activities is always changing. Hence the provision for adequate training is highly necessary in administration. In public administration training means a conscious effort made to improve or increase an employee's skill, powers or intelligence and to develop his attitude and schemes of values in a desired direction. William G Torpey defines training as "the process of developing skills, habits, knowledge and attitudes in employees in their present government positions as well as preparing employees for future government positions."

### **Objects of training**

Training plays a vital part in administration. It is essential not only for effecting efficiency of administration but also for broadening the vision of the employees. It teaches them precision, makes them self-reliant and develops the capacity to take decisions. It really enables an employee to adjust himself to the new situations and comprehend the goals and values of the organization in which he is to work. Thus the central object of training is efficiency, i.e., to increase the effectiveness of the work of the officials for the purpose of administration. In fact efficiency has two important aspects; technical efficiency in the present work of the employees and the improvement of their morale.

Besides these it is said that training helps the employee to become people oriented and creates respect and regard for general public. For performing certain functions like that of police man or fire man proper training is necessary. Again it is said that training will widen the outlook and broaden the vision of the employees and develop their capacities, the efficiency and prestige of the department will go up.

## **TYPES OF TRAINING**

### **Formal training**

Formal training is a training which is carefully conceived, pre arranged and conducted under expert guidance. Formal training is imparted with a view to create administrative skill by well-defined courses at proper stages in the man's career. Formal training may be discussed under four heads.

### **Pre- entry training**

It is the training given to the aspirants of public service before they enter the service. In the strict sense pre- entry training may take the shape of vocational or professional training at technical schools or colleges. It is a fact that candidates can be well trained through liberal education also. In Britain there is pre- entry training through liberal education. It is assumed that general education broadens the outlook and widens the mentality of young men.

## **Orientation Training**

It aims at introducing an employ to the basic concept of his job, to the new work environments, and to the organization and its goals. Orientation training is gaining importance gradually in India also. This is with a view to keep the rural bureaucracy attuned to the new tasks. The National Institute of Community Development Hyderabad is devoting special attention to this problem.

## **In service training**

It is a sort of training which is imparted to the candidates after their selection to the public service. This training will stimulate the employees to make best efforts and to improve their performance. It will boost the morale of the employees. This type of training may be organized either centrally or department wise. There are three methods of in service training. Firstly the services may on their own accord undertake training, making use of their own staff. Secondly, the government may entrust an outside training institute to provide training. Thirdly the government may ask the employees whom it is desired to give training, to work in various universities.

## **Post entry training**

Post entry training is a training imparted to the employees during the course of his services. It aims at enabling the employees for a better performance. Refresher course and self- efforts are the two ways through which post entry training is usually imparted. For conducting refresher courses the government may hold seminars by inviting officials of different departments. As part of self - efforts the government is providing all facilities to the employees for making self improvement. The importance of post- entry training is being realized even in the developing countries like India. Hence the central government is liberalizing its policy of granting study for its employees, for adding to their qualifications.

## **Promotion**

No personnel system can remain efficient without giving ample opportunities to the employees to rise higher and higher. So a sound promotion policy is indispensable to keep the employees efficient and contented. In the words of L. D. White, "promotion means an appointment from a given position to a more difficult type of work and greater responsibility, accompanied by change of title and usually in increase in pay." Thus promotion means rising to a higher post carrying a higher grade. This change in duties and responsibilities are the essential characteristic of the promotion process.

## **Importance of promotion**

Firstly the existence of proper promotion system is essential for attracting talented persons to public services and preventing them from migrating to private services. Lack of promotion scope is always discouraging to the employees. Secondly a good promotion system keeps the employees interested in the job and works as an incentive to them. Actual promotion is a reward and the possibility for promotion is a possible reward. The actual promotion given to the employees tend to create conditioned stable and efficient personnel. Thirdly proper promotion system helps in retaining the service of the most

capable amongst its employees and also in giving them an incentive to improve their capacities and qualifications. In the absence of promotions, ambitious, intelligent and capable may leave the job. Lastly it is said that the public interest is best secured when reasonable opportunities for promotion exists for all.

### **Principles of promotion**

The need for principles of promotion is needed because opportunities for promotions are limited. A good number of employees cannot get any promotion and happen to retire from the same class in which they had started their career. It is essential to secure the morale of the service that the employees who are not given promotion should be made to feel that their exclusion from promotion is not arbitrary. Hence there arises the importance of principles of promotion. Generally speaking there are two main principles of promotion. They are seniority principle and merit principle.

### **The Seniority Principle**

This is the oldest principle and is still valid today. The seniority principle means that the length of service is the criterion upon which promotion is made. According to this principle, the employee who has longer service to his credit would be entitled to get promotion. However, determination of seniority is not a simple affair. A public servant of a higher grade is senior to those who are in lower grade. Similarly an employee of a higher class, though getting actually less pay is senior to an employee of a lower class getting more pay.

### **Advantages of Seniority principle**

1. It is an objective criterion. So it cannot be misused.
2. Senior man is more experienced. Experience should be a qualification for higher post.
3. It is a fair and just basis of promotion because everybody gets an opportunity for promotion.
4. Interference by politicians can be avoided.
5. It boosts the morale of the employees as they are sure of promotion at their turn.
6. It leads to automatic promotion.
7. The principle of seniority is simple.

### **Disadvantages**

1. It does not lead to the selection of the best. There is no guarantee that the senior man is more competent than the junior.
2. It does not ensure that every officer will get a higher post and hold it for a reasonable period.
3. If seniority alone is the basis of promotion, employees would not make any effort for self-improvement.
4. For the organization as a whole the system may prove to be dangerous because the senior may not necessarily be efficient or intelligent.

## **Merit principle**

Merit principle means that promotion would be made on the basis of qualifications and achievements of the employee irrespective of the high length of service. The most meritorious or best – qualified persons would be promoted. It provides due incentive to the efficient and hard working employees. Since it boosts the general morale the employees it increases the efficiency of the department. Generally speaking, there are three methods of judging the merits of the candidates. They are personal judgment of the Head of the Department, Promotional Examinations and Service Ratings.

### **Personal judgment of the Head of Department**

The Head of Department is the right person to judge the merit of the employees as he maintains close contact with them. This system has the advantage of being both simple and comprehensive. But this system can work only in small organizations. Moreover, this system is highly subjective and may be subject to favouritism and personal considerations. In order to avoid this defect it is suggested that promotion of the employees should be placed in the hands of a board, organized in each service.

### **Promotional examination**

Promotion may also be made on the basis of a written examination. This written examination may be an open competition or a limited competition or merely a pass examination. In the open competition system, any one of, whether within the service or outside the service can compete for the post. This system is justified on the ground that it widens the range of selection and new blood and fresh ideas can be injected to the department. Under the limited competition system, examination is limited to the employees who are already in service. This is also known as closed system. This system is preferred by employees in the lower grades. Besides examination, in this system, an equal weight is given to the confidential report of the employees also. In the pass examination system the candidate has just to pass the examination and only such candidates will be promoted. This system is followed in India in junior clerical, typist, steno, and other mechanical jobs.

### **Service Ratings**

Under this system the qualifications of the employees for promotion are determined on the basis of service records. This is also called efficiency rating. Maintenance of service records of the employees enables the promotion making authority to gather the necessary data on the basis of which efficiency may be evaluated. In the U S A, efficiency rating has been made a very elaborate affair.

Thus, it is difficult to pass a judgment on either seniority or merit as a principle of promotion. Both have their own merits and defects. Anyway the authorities on the subject have come to the mutual agreement that,

1. In promotion to higher post, merit alone should be the only consideration.
2. In promotion to middle posts merit should be the primary consideration and seniority should be the secondary consideration.
3. In promotion to the lower posts of a routine nature only seniority should be considered.

## **MODULE- IV**

### **BUREAUCRACY- MEANING - CHARACTERISTICS - DEFECTS AND MERITS - UPSC AND PSC's**

The term bureaucracy is derived from the French term 'bureau' meaning a desk, means a desk government. It is a government by bureaucracy, but now the term has been given different interpretations by different writers.

In the words of H.J.Laski "bureaucracy is the term usually applied to a system of government, the control of which is completely in the hands of the officials that their power jeopardizes the liberties of the ordinary citizen".

E.N.Gladden defines bureaucracy as "a government of officials".

Marshal E. Dimock is of the view that "bureaucratization means specialization, hierarchies and long lines of communication".

Max Weber describes it as a system of administration characterized by expertness, impartiality and the absence of humanity.

Technically the term is used in two senses. In its larger sense, it is used to describe any personnel system where the employees are classified in a system of administration composed of a hierarchy of sections, divisions, bureaus, departments and the like. In its restricted sense it is used to describe, "a body of public servants organized in a hierarchical system which stands outside the sphere of effective public control". Bureaucracy is a system of administration in which professional class of expert civil servants administers the affairs of the state in an impartial manner and is organized in a hierarchical way. The rise of capitalism resulted in the increased functions of the state. The emergence of socialist state also compelled the state to enter the new fields of administration such as the public ownership of industries. All these factors really increased the importance of bureaucracy. The introduction of merit system attracted able and efficient men to bureaucracy. Moreover, the adoption of career system gave the civil servants a position of permanency.

According to Max Weber there are three characteristics of bureaucracy. They are the following.

1. The regular activities required for the purposes of the bureaucratically governed structures are distributed in a fixed way as official duties.
2. The authority to give the commands required for the discharge of these duties is distributed in a stable way and is strictly delimited by rules concerning a coercive means, physical, or otherwise, which may be placed at the disposal of officials.
3. Methodical provision is made for the regular and continuous fulfillment of these duties and for the execution of the corresponding rights.

Max Weber further says that there is hierarchical principle in all bureaucratic structures; a reliance on written documents, field, records and the apparatus of the modern office management; the formulation of general rules of practices for the management of the office. The characteristic features of bureaucracy, explained by Max Weber can be summarized as separation of office and its incumbent, selection by merit, fixed remuneration of officials, the official is subject to discipline and control while performing his official function, hierarchy of office, allocation of the activities of the organization needed to fulfil its objectives, allocation of authority required to discharged these activities and strict adherence to rules.

According to Ferrel Heady a well defined hierarchy, division of labour based on functional specialization, a system of rules covering the rights and duties of the positional incumbents, a system of procedures for dealing with situations impersonality of interpersonal relationship, and selection for employment and promotion is based on technical competence are the structural features of bureaucracy. Apart from these structural features there are some behavioural features and they are objectively, precision, consistency, and discretion. According to him bureaucracy is “an organization that maximizes efficiency in administration or an institutionalized method and organized social conduct in the interest of administrative efficiency.

Prof. Frierdrich gives six criteria of bureaucracy. They are differentiation of functions, qualification for office, hierarchical organization and discipline, objectivity of method, precision, and consistency or continuity involving adherence to rules and keeping of records, and lastly the exercise of discretion involving secrecy in regard to certain aspects of government.

Thus bureaucracy is a type of administrative organization or a government by civil servants for their own aggrandizement or a professional class hierarchically organized. Bureaucracy is indispensable in a democratic system; but it should not be irresponsible and unresponsive. The civil servants should be always co-operative with the general public in understanding and solving their problems. The anti people attitude of the civil servants persuade many to think against bureaucracy in a democratic system.

### **TYPES OF BUREAUCRACY**

According to Morstein Marx, there are four types of bureaucracy and they are the guardian Bureaucracy, the Caste Bureaucracy, the Patronage Bureaucracy and the Merit Bureaucracy.

#### **Guardian Bureaucracy**

Guardian Bureaucracy is that which is dedicated to the general welfare of the community. It acts as champion of justice and custodian of community's welfare. The ancient Chinese administrative system was of this type.

#### **Caste Bureaucracy**

This type of bureaucracy has a caste base. Most of the civil servants belong to the aristocratic families. Thus in this system civil servants are taken from the upper strata of the society. It is prevalent in oligarchic political systems.

## **Patronage Bureaucracy**

If public appointments are made on the basis of personal favour or as political rewards, it is termed as patronage Bureaucracy. The spoils system prevalent in the U.S.A provides for such a type of bureaucracy.

## **Merit Bureaucracy**

If the civil servants are appointed on the basis of merit, through a competitive examination, it is termed as Merit Bureaucracy. It aims at an efficient public service and is taken as a carrier open to talent.

## **Evils of Bureaucracy**

It is a fact that many look at bureaucracy with ridicule and the civil servants are contemptuously called "bureaucrats". Harold Laski in his definition of bureaucracy sees the danger of jeopardizing the liberties of individuals in the hands of the officials. Ramsay Muir says bureaucracy thrives under the cloak of ministerial responsibility. It is ruinous when it becomes the master. The defects of bureaucracy may be briefly summarized as follows.

### **Circumlocution**

The greatest criticism of bureaucracy is about its lengthy and roundabout way of doing the work. The bureaucrats are very particular in following the formal rules and regulations. Even if the matter is of an urgent nature it has to pass through all the stages of its official procedure. In the words of Bagehot "it is an inevitable defect that the governments will care more for routine than for the results".

### **Red- tape**

Closely associated with circumlocution there is the defect of red- tapism. It means blind trained in rules and regulations they give undue importance to them rather than to the genuine needs of the community. They forget the fact that the rules and regulations exist for the service of the community. Following the prescribed rules is not itself bas, but the blind attachment to them certainly impairs the efficiency of work.

### **Formalism**

Another defect of bureaucracy is it excessive adherence to formalism. Too much use of forms and formalities makes the official lose his sense of judgment and initiative. The language and the forms of official letters and the method of making note on the file and sending it upwards, all are fixed beforehand and each office acts mechanically in the prescribed manner.

### **Unresponsiveness**

Bureaucracy is not usually responsive to the needs of the people. It considers itself as the self- appointed guardian and interpreter of public interest. It keeps on following its old standardized procedures and does not react to the changing political climate of the country. Even in India we can find civil servants who think themselves as a separate and superior class to all other people whom they are destined to govern. As a result of the day-to-day routines civil servants develop special preferences, antipathies and discriminations. Bertrand Russell says that bureaucracy tends to develop a negative psychology perpetually prone to prohibitions.



## **Despotism**

Since bureaucracy craves for power it has been condemned as despotic. It usurps the powers of the legislature on the one hand and sidetracks the courts on the other. In fact the government services are taking more and more powers to themselves. The power hungry bureaucrats have an inherent lust for power. They are really becoming despotic and their despotism wears cloaks of ministerial responsibilities and delegation by the parliament.

## **Corruption**

Corruption is the malady of Indian bureaucracy. Corruption has gone into the very root of the bureaucratic structure. The civil services are in general prone to illegal extortion of money from the people before doing their work. The spoils system, which prevails in America, also has corrupting influence on the American political system in particular and public in general.

## **Empire building**

Bureaucracy perpetuates the evil of dividing the work of government into many isolated and self – dependent sections, each pursuing its own ends. These units thus develop the tendency of being independent units.

## **Yesmanship**

The top bureaucrats who are political favourites become perfect yesman of their political boss. In their turn they expect yesmanship from their subordinate officers. Such blind obedience of the bureaucrats will weaken the efficiency of administration and lower the morale of the honest employees

The former American president, Hoover once observed that there are three defects in bureaucracy and they are self- perpetuation, expansion, and demand for more powers. At the same time it is a fact that in the modern age bureaucracy is a necessity and its outright condemnation is irrational. It is highly necessary that the system should be built in such a way as to avoid unnecessary delay, red tapism and formalism. Checks also should be devised in such a way as to keep the bureaucrats always loyal to the people. There should be proper safeguards for keeping the bureaucrats under proper control without sacrificing its virtues.

## **Union Public Service Commission**

Articles 315 to 323 of Part XIV of the Indian constitution provide for a Public Service Commission for the Union and for each state. The Union Public Service Commission (UPSC) is the central agency authorized to conduct the Civil Services Examination, Combined Defence Services Examination, National Defence Academy Examination, Naval Academy Examination and Combined Medical Services Examination.

The first Public Service Commission was set up in response to demands that more Indians be inducted into the Indian Civil Services. Following further Indian demands, the British Indian government then set up a Federal Public Service Commission and provided for the formation of provincial level Public Service Commission under the Government of India Act, 1935. After the independence of India in 1947, its new constitution envisaged a key role for the civil services in government. The constitution provided for the UPSC and the state PSCs, to set the standards and qualifications for entry to these key services of the government.

### **Functions of the Commission**

Functions of the UPSC are to conduct examinations for appointment to the services of the Union.

1. Recruitment to services & posts under the Union through conduct of competitive examinations- This is the regular mode of recruitment where an examination is conducted followed by an interview.
2. On the suitability of officers for appointment on promotion as well as transfer-on-deputation
3. Advising the Government on all matters relating to methods of Recruitment to various services and posts
4. Disciplinary cases relating to different civil services
5. Miscellaneous matters relating to grant of extra ordinary pensions, reimbursement of legal expenses etc

### **Appointments**

The Commission consists of a Chairman and ten Members. The terms and conditions of service of Chairman and Members of the Commission are governed by the Union Public Service Commission Regulations, 1969. The Chairman and other members of the UPSC are appointed by the President of India. At least half of the members of the Commission are Civil Servants (working or retired) with minimum ten years of experience either in Central or State service.

The Commission is serviced by a Secretariat headed by a Secretary with two Additional Secretaries, a number of Joint Secretaries, Deputy Secretaries and other supporting staff.

### **Tenure**

Every member holds office for a term of six years or until he attains the age of sixty-five years, whichever is earlier.

He can submit his resignation at any time to the President of India. He may be removed from his office by the President of India on the ground of misbehavior (only if an inquiry of such misbehavior is made and upheld by Supreme Court) or if he is adjudged insolvent, or engages during his term of office in any paid employment outside the duties of his office, or in the opinion of the President unfit to continue in office by reason of infirmity of mind or body.

U.P.S.C. is amongst the few institutions which function with both autonomy and freedom along with the country's higher judiciary and lately the Election Commission.

## **State Public Service Commissions**

The state Public Service Commission caters to the recruitment activities of the Indian States. Article 315 of the Indian Constitution provides that there shall be a State Public Service Commission for each state. There may be a Public Service Commission two or more states. The composition of the State Public Service Commission is more or less similar to that of the Union Public Service Commission. The chairman and the members of the PSC are nominated by the Governor. Half of the members of such commission shall be in government service at least for ten years. The members shall hold office for six years or until he attains the age of sixty-two years.

### **Functions**

1. To conduct examinations for the appointments to the service of the State Government.
2. To advise on all matters relating to methods of recruitment to State's Civil service posts.
3. To advise on the principle to be followed in making appointments, promotions, transfer etc.
4. To advise all disciplinary matters.
5. To advise on the settlement of claims etc.

The State Legislature, by an act, may provide for exercise of additional functions for the State Public Service Commissions. PSC submit annual report to the Governor as the work done by it.

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