

**1****MINISTRIES AND DEPARTMENTS**

The Constitution has provided an elaborate framework for the governance system in India. Part V, Chapter 1 deals with the Union Executive, Chapter II deals with the Parliament and Chapter IV deals with the Union Judiciary. The Executive Power of the Union vests in the President and is exercised by him either directly or through officers subordinate to him in accordance with the Constitution (Article 53). Article 74 provides that there shall be a Council of Ministers with the Prime Minister as the Head to aid and advice the President, who shall, in the exercise of these functions, act in accordance with such advice. Article 75 provides that the Prime Minister shall be appointed by the President and the other Ministers shall be appointed by the President on the advice of the Prime Minister. Article 77 provides for the Conduct of Government Business.

Exercising powers vested by virtue of Article 77, the President has made the “The Government of India (Allocation of Business) Rules”. The Rules stipulate that the business of the Government of India shall be transacted in the Ministries, Departments, Secretariats and Offices.

The Rules provide that all business allotted to a Department shall be disposed of by, or under general or special directions of, the Minister-in-charge, subject to certain limitations where consultation is required with other departments or where cases have to be submitted to the Prime Minister, the Cabinet and its Committees or the President. These Rules also provide for the constitution of the Standing Committees of the Cabinet and each Standing Committee shall consist of such Ministers as the Prime Minister may, from time to time, specify.

The Rules also provide for appointment of ad hoc Committees of Ministers for investigating and reporting to the Cabinet, and, if so authorized, for taking decisions on such matters. The Rules also stipulate that it shall be the responsibility of the Departmental Secretary, who shall be the administrative head thereof, to ensure observance of these Rules in the Department.

**Structure of the Ministries/Departments**

A typical Ministry consists of one or more departments each under the charge of a Secretary. Usually a Cabinet Minister is in-charge of Ministry with a number of Ministers of State and/or Deputy Ministers to assist him according to the work allotted. The functioning of a ministry can usually be divided into three different levels:

- (a) Political level
- (b) The Secretariat level
- (c) The Executive level

**A. Political Head**

The Minister, the Minister of State, the Deputy Minister and the Parliamentary Secretary are the political officers who are in-charge of a ministry. They come to occupy their position on the strength of their place in the party and board and not by virtue of any expertise or technical qualifications. Broadly speaking the functions of Minister In-charge of a Department are of four kinds.

- I. The Minister initiates the broad policies which the department has to follow and decides all the important policy questions which may arise in the functioning of the department.

- II. The Minister exercises general supervision over the implementation of the policy by the Department.
- III. The Minister bears the responsibility for the policies and the administration of his Department before the Parliament. He answers in Parliament the questions relating to his Department. He has to pilot the legislation and to represent his department before the Parliament as well as the people.
- IV. One of the most important functions of the Minister is to represent his Ministry in the Cabinet. He has to keep in mind the principle of joint responsibility of the Cabinet and ensure co-ordination of his policies with those of other ministries.

The Ministers of State, the Deputy Ministers and the Parliamentary Secretaries share such of the duties of the Cabinet Minister, as he may assign to them. Usually the responsibility of some specific work is allotted to a Minister of State while the Deputy Ministers and the Parliamentary Secretaries provide general assistance to the Minister in-charge.

## B. The Secretariat Organisation

Immediately below the political head, there is the Secretariat organisation of the Department. The function of the Secretariat is to provide to the Minister, mature and expert advice for the formulation of policies and watch over the execution of these policies when they have been formulated. The Secretariat may be called the brain centre of the administrative body directing and controlling the administrative activities. The head of the Secretariat organisation of a department is called the Secretary. For the convenient transaction of business the Department is further sub-divided into convenient units as mentioned below:

<b>Department</b>	<b>Secretary</b>
<b>Wing</b>	<b>Additional Secretary/Joint Secretary</b>
<b>Division</b>	<b>Deputy Secretary</b>
<b>Branch</b>	<b>Under Secretary</b>
<b>Section</b>	<b>Section Officer</b>

The scheme obviously suggests that the Department is sub-divided into a number of wings each headed by a joint Secretary/Additional Secretary. Each Wing is sub-divided into division each headed by a Deputy Secretary; a division into branches each headed by, an Under Secretary and a Branch into sections each headed by a Section Officer. The functions of these levels of functionaries are be described in brief.

- a) **Secretary:** The Secretary is the administrative head of the Ministry or the Department. He is the principal adviser to the Minister on all matters of policy and administration within the ministry/department. He is fully responsible for the efficient administration of the ministry/department before the Parliamentary Committees on Public Accounts, Estimates Committee and Committee on Public Undertaking, etc. He has to keep himself informed of the functioning of the department and exercise control over his subordinates. Mr. Gopaldaswamy Ayyengar suggested that the Secretary should not involve himself in too much of routine. He should be concerned more with the overall policy issues. He should co-ordinate and guide the work of his subordinates rather than do most of the work himself.
- b) **Special Secretary:** This level does not find place in the normal hierarchy. However at times a senior officer is designated as Special Secretary and carries the rank of Secretary itself. Such an arrangement was made for short periods in the Ministry of Agriculture and Ministry of External Affairs. However, this is an exceptional measure and tends to distort the normal functioning of the ministry/ department.

- c) **Additional Secretary:** Originally the officer next in the hierarchy to the Secretary was the Deputy Secretary. But in course of time new levels of Joint Secretary/Additional Secretary and even the Special Secretary came into existence. Various committees have adversely commented on the interposition of these levels between the Secretary and the Deputy Secretary. The post of Additional Secretary is rather more anomalous. There is no specific unit of administration of which an Additional Secretary is to be in-charge. Sometimes, he is placed-in charge of a department and does the work of a Secretary; at other time he is placed at the head of a wing and performs the task of a Joint Secretary. Sometimes he helps the Secretary in a specific field of activity. Richard Tottentam has observed that there is no difference between the functions of a Joint Secretary and Additional Secretary to be placed in-charge of some specific area of work and relieve the Secretary of some of his burdens. In that case he may deal directly with the Minister in respect of the particular area of work allotted to him.
- d) **Deputy Secretary:** The Deputy Secretary is an officer who acts on behalf of the Secretary. He holds charge of a secretariat division and is responsible for the disposal of the Government business dealt with under his charge. He should ordinarily be able to dispose of a large number of cases coming upto him on his own responsibility. However, after independence the post has got rather devalued and there is hardly any decision which a Deputy Secretary is now taking on his own. Most of the important cases are submitted to the Joint Secretary and not even the Joint Secretary is taking many decisions himself.
- e) **Under Secretary:** Under Secretary is an officer in-charge of a branch and exercises control both in regard to the discharge of business and the maintenance of discipline. He should normally initiate action on inward communication. He should be able to dispose of minor cases on his own and send more important cases to the Deputy Secretary in such a form that in ordinary course the Deputy Secretary should be able to deal with the case briefly. He is supposed to be a link between the office and the senior officers of the Ministry.
- f) **Section Officers:** The Superintendents who are in-charge of sections are called Section Officers. A Section Officer has to supervise the work of his staff in his Section. He is also responsible for handling important cases himself. He distributes the work amongst the staff, trains and advises them in the discharge of their duties. He is also supposed to co-ordinate the work of different functionaries in his section and ensure prompt and efficient disposal of work. His other functions include adoption of proper methods of processing of cases, timely submission of arrears statements and other periodical reports, proper maintenance of section diary, file register, Assistants' diaries and other necessary registers. He is also to ensure strict compliance with instructions regarding treatment of secret papers.
- g) **Assistants/UDC's:** An Assistant works under the orders of the Section Officer and is responsible for the work entrusted to him. Each Assistant is allotted a number of subjects whose cases he is to deal with. Selected Assistants may be authorized to submit cases directly to the Branch Officers. UDCs perform functions similar to those of the Assistant except that they are not ordinarily required to deal with cases which are of important nature. These functionaries are ordinarily entrusted with the work of a routine nature. For example, registration of papers, maintenance of circulars and other registers, indexing, recording, preparation of arrears statements, typing, comparing and dispatch, etc.

### Functions of the Secretariat

The functioning of the secretariat in our country has by and large been based on the principle of separating the question of policy from the current administration so that the latter can be handed over to a separate agency which enjoys a certain amount of freedom in the field of execution. If the same persons are required to perform the policy making functions as well as day-to-day administration, the performance on both accounts is likely to suffer. According to L.S. Amery, in such a situation of dual functioning, it is the policy-making

functions which are likely to suffer most. Routine business is always more urgent and calls for less intellectual efforts than the policy making functions. As the human mind tends to follow the path least resistance, the routine functions get attended to while the policy and planning questions are deferred. It may be of interest to note here that in this matter of separation of policy making and executive functions, Indian system is akin to the Swedish system but differs from the British system. In Britain, a Minister is an integrated entity embracing in a single organization both policy making and implementing agencies. The Indian system has, however, operated on the principle of separation of these functions.

*In brief, the secretariat performs the following functions:*

- (i) It helps the Minister in making policies and modifying them from time to time as and when it becomes necessary. It gets the feedback from the field agencies about the execution of the policies decided by the Minister. On the basis of analysis of the feedback data, the secretariat advises the minister either to adopt some new policies or to modify the existing ones.
- (ii) Our democratic system of government is based on the Rule of Law. Many of the policies are expressed in terms of new legislation. While the legislative function of enacting the law vests with the Parliament, someone has to draft the law and place it before the Parliament. The secretariat assists the Minister in preparing the draft legislation.
- (iii) The plans for different sectors of the Government are prepared and placed before the Minister by the Secretariat. They have also to translate these plans into various implementable programmes. This is one of the very important functions of the Secretariat and is of great consequence in giving policy guidance to the field agencies.
- (iv) Financial Control
  - (a) Budgeting and control of expenditure in respect of activities of the Ministries/Departments; and
  - (b) According or securing administrative and financial approval to operational programmes and plans and their subsequent modifications.
- (v) The secretariat has to exercise the necessary supervision and control over the execution of the policies and programmes by the executive departments or semi - autonomous field agencies. While they have to desist from interfering in the day-to-day working of these field organizations, the secretariat has to evaluate their performance and their working results with a view to advising the Minister in respect of further policy formulation.
- (vi) Co-ordination and interpretation of policies-assisting other branches of the government and maintaining contact with the State Governments.
- (vii) Initiating measures to develop greater personnel and organizational competence both in the Ministries/ Departments and its executive agencies. The Secretariat has to see that proper policies of recruitment, training, etc. of personnel at all levels are evolved so that adequate number of personnel of proper qualifications and experience are available at all times to man the various positions in the Secretariat as well as in the field formulations
- (viii) Assisting the Minister in the discharge of his parliamentary responsibilities. The Secretariat has to prepare replies to the parliamentary questions, call-attention notice, adjournment motions, etc., which have to be replied to by the Minister. They have also to advise the Minister with regard to various policy statements and interventions in the debates in the Parliament.

The main functions of the staff are to see that the connected papers with a case are presented to the senior officers in time along with necessary rules and regulations, procedures, precedents, etc. It is then the responsibility of the officers to examine the pros and cons of the case and to present them before the Minister for his policy decision. Of course, not every case has to be placed before the Minister. Different levels of officers are often authorized to take decisions according to the scheme of delegation of powers approved by the Minister of the Cabinet.

Secretariat assist and advise the political executive in policy making, however, the secretariat has come to be criticized on various grounds which may be stated as follows: it takes upon itself a number of field functions; it tends to indulge in empire building; over a period of time the secretariat has turned into an over grown institution and over staffing is apparent in many areas; secretaries very often tend to take a superior attitude vis-à-vis the field agencies. With the increase of a number of departments in the secretariat, coordination has become the real problem. Lack of adequate delegation of work to executive agencies, cumbersome procedures of doing work, widespread desire to postpone decisions to over-consult, to over-coordinate, etc. all lead to delay in the work of the Secretariat. These faults lie not with the concept of the secretariat but with the manner in which it has been functioning.

**Each Department may have one or more attached or subordinate offices. The roles of these offices are:**

*Attached and Subordinate offices-*

- (1) Where the execution of the policies of the government requires decentralisation of executive action and/or direction, a department may have under it executive agencies called 'Attached' and 'Subordinate' offices.
- (2) Attached offices are generally responsible for providing executive direction required in the implementation of the policies laid down by the department to which they are attached. They also serve as repository of technical information and advise the department on technical aspects of question dealt with by them.
- (3) Subordinate offices generally function as field establishments or as agencies responsible for the detailed execution of the policies of government. They function under the direction of an attached office, or where the volume of executive direction involved is not considerable, directly under a department. In the latter case, they assist the departments concerned in handling technical matters in their respective fields of specialisation."

*Besides, the attached and subordinate offices there are a large number of organizations which carry out different functions assigned to them. These may be categorized as follows:*

1. **Constitutional Bodies:** Such bodies which are constituted under the provisions of the Constitution of India.
2. **Statutory Bodies:** Such bodies which are established under the statute or an Act of Parliament.
3. **Autonomous Bodies:** Such bodies which are established by the Government to discharge the activities which are related to governmental functions. Although such bodies are given autonomy to discharge their functions in accordance with the Memorandum of Associations etc., but the Government's control exists since these are funded by the Government of India.
4. **Public Sector Undertakings:** Public Sector Undertaking is that part of the industry which is controlled fully or partly by the Government. These undertakings have been set up in the form of companies or corporations in which the shares are held by the President or his nominees and which are managed by Board of Directors which includes officials and non-officials."

### C. The Executive Organisation

The Secretariat, as we have seen, is responsible for discharging the policy making functions of the Government. Below the secretariat there is, in most of the departments, the executive organisation with a head of its own known as the Head of the Department. The Head of the Secretariat Organisation i.e. Secretary is not technically speaking the Head of the Secretariat Organisation. The Secretary is the Chief Advisor to the Government in the formulation of policies. Primarily his duties are in the nature of 'staff' rather than 'line' work. The executive organisation is the 'line' machinery of the department/ministry and is also often termed (rather confusingly) as a department with its own head who is officially styled as the Head of the Department. Such executive head is designated differently in different departments. Usually he is called Director or Director-General but there are also designations such as Inspector General, Advisor, Commissioner, etc.

#### Advantages of the Separation of secretariat and Executive organisation

Many arguments have been advanced in favour of the Indian system of the separation of functions. Some of the important arguments are given below:

- (i) Freedom from day to day problems execution keeps the policy makers free to do the necessary thinking for forward planning. The policy making functions, by their very nature, require a lot of analysis & thinking. The responsibilities of day-to-day functioning do not permit any time for such analysis.
- (ii) The Secretariat, under the system of separation of functions, can act as dispassionate adviser to the Minister. The proposals coming from the executive agencies are examined from the larger point of view of the Government as a whole. Being a little away from the actual scene of operation, they can take a broader view of things than the operating people can. That is why the Secretary in the Secretariat is a Secretary to the Government as a whole and not only to his Minister.
- (iii) This system of functioning also avoids over-centralization. The executive agencies have to be given reasonable amount of freedom in the implementation of policies and in the discharge of functions allotted to them. If the field functions were to be administered from the Secretariat this would certainly require the orders of the Minister in almost all significant cases, thus taking away the freedom of the field.
- (iv) The separation of the functions also keeps the size of the secretariat reasonably small. If the field functions were also included in the secretariat, their coordination could become rather difficult. At present the limited number of secretaries, who are trained to think in terms of the Government as a whole, are better able to evolve coherent policies for execution by the field. This advantage would be lost if the two functions are combined in the Secretariat.

### Strengths and Weaknesses of the Existing Structure

The existing structure of the Government of India has evolved over a long period. It has certain inherent strengths which have helped it stand the test of time. However, there are weaknesses also which render the system slow, cumbersome and unresponsive.

#### Strengths

##### a. *Time Tested System – adherence to rules and established norms:*

The Government of India has evolved an elaborate structure, rules and procedures for carrying out its functions which have contributed to nation building and the creation of an inclusive state. These have ensured stability both during crises as well as normal times. At the same time, where considered essential, innovative structures have been created in form of empowered commissions, statutory boards, autonomous societies and institutions especially in the fields related to research, science and technology.

**b. Stability:**

The structure of Government staffed by the permanent civil servants has provided continuity and stability during the transfer of power from one elected government to the other. This has contributed to the maturing of our democracy.

**c. Commitment to the Constitution – political neutrality:**

The well laid down rules and procedures of government have upheld the neutrality of the civil services and prevented politicisation of government programmes and services. This has helped in the evolution of institutions based on the principles enshrined in the Constitution.

**d. Link between policy making and its implementation:**

The framework of the Government of India has facilitated a staffing pattern which promotes a link between policy making and implementation. This has also helped the structure of both the Government of India and the States and promoted the concept of cooperative federalism.

**e. A national outlook amongst the public functionaries:**

Public servants working in Government of India as well as its attached and subordinate offices have developed a national outlook transcending parochial boundaries. This has contributed to strengthening national integration.

**Weaknesses****a. Undue emphasis on routine functions:**

The Ministries of Government of India are often unable to focus on their policy analysis and policy making functions due to the large volume of routine work that they are saddled with. This leads to national priorities not receiving due attention. Often, functions which are best carried out by the State or Local Governments or could easily be outsourced continue to be retained with the Union Government.

**b. Proliferation of Ministries/Departments - weak integration and coordination:**

The creation of a large number of Ministries and Departments sometimes due to the compulsion of coalition politics has led to illogical division of work and lack of an integrated approach even on closely related subjects. It has been observed that the Ministries/Departments often carve out exclusive turfs and tend to work in isolated silos. This, at times, detracts from examination of issues from a wide national perspective and in an integrated manner.

**c. An extended hierarchy with too many levels:**

Government of India has an extended vertical structure which leads to examination of issues at many levels frequently causing delays in decision making on the one hand and lack of accountability on the other. Another noteworthy feature of the structure is that several levels are redundant as they do not contribute to the decision making process.

**d. Risk avoidance:**

A fall-out of a multi-layered structure has been the tendency towards reverse delegation and avoidance of risk in decision making. Another aspect of the existing structure is an increasing emphasis on consultations through movement of files as a substitute for taking decisions. This leads to multiplication of work, delays and inefficiency.

**e. Absence of team work:**

The present rigid hierarchal structure effectively rules out team work so necessary in the present context where an inter-disciplinary approach often is the need of the hour to respond effectively to emerging challenges.

**f. Fragmentation of functions:**

At the operational level also, there has been a general trend to divide and subdivide functions making delivery of services inefficient and time-consuming. Several decades ago, this was captured in a telling manner in a Shankar Cartoon, of an official being appointed as “Deputy Assistant Director General, Envelopes (Glue)”.

**g. Issue of autonomy:**

Except in the case of a few committees and boards, there has been considerable weakening of the autonomy conceived at the time of their formation.

## Recommendations for Improving the Organisational Structure

**1. Optimum size of government workforce**

An optimum size of government workforce is essential for its effective functioning. While an oversized government may prove to be a burden on the exchequer apart from breeding inefficiency, an understaffed government may fail to deliver.

**2. Formation of new departments**

Creating new departments to deal with individual subjects has the advantage of focusing greater attention and resources on that field but it also carries with it the disadvantages of lack of coordination and inability to adopt an integrated approach to national priorities and problems. For example, ‘Transport’ is an extremely important subject which requires an integrated approach. Different aspects of this subject are dealt with in different Ministries. The Ministry of Civil Aviation deals, inter-alia, with aircraft and air navigation and other aids relating to air navigation and carriage of passengers and goods by air; while the Ministry of Railways is responsible for all aspects of rail transport; Ministry of Shipping, Road Transport and Highways deals with maritime shipping and navigation, highways and motor vehicles and the Ministry of Urban Development deals with planning and coordination of urban transport systems. Thus, ‘Transport’ as a subject has been fragmented into multiple disciplines and assigned to independent ministries making the necessary integrated national approach to this important sector difficult. Similarly, Energy is now being handled by at least four different departments i.e. the Ministry of Power, Coal, Non-conventional Energy Sources, Petroleum and Atomic Energy. In contrast, in the UK, there is a single Secretary of State (Cabinet Minister) for Transport and a single Secretary of State for Energy. The Commission feels that there is a need to strike a balance between the requirements of functional specialization on the one hand and the need for a holistic approach to key issues on the other. Democracies like the UK and the USA have attempted to achieve this by having between 15 and 25 ministries headed by Cabinet Ministers and assisted by other Ministers.

To implement this concept, Ministry concept need to be redefined. A Ministry would mean a group of departments whose functions and subjects are closely related and is assigned to a First or Coordinating Minister for the purpose of providing overall leadership and coordination. This concept of a Ministry and the Coordinating (or First) Minister may be explicitly laid down in the Allocation of Business Rules. Adequate delegation among the Ministers would have to be laid down in the Transaction of Business Rules. As a consequence of this, rationalization of Secretary level posts wherever required may also need to be carried out. Individual departments or any combination of these could be headed by the Coordinating (or First) Minister, other Cabinet Minister(s)/ Minister(s) of State.



### 3. *Creation of Effective Executive Agencies:*

Separation of policy formulation and implementation call for changes in how the policy implementing agencies are structured. It is necessary that implementation bodies need to be restructured by giving them greater operational autonomy and flexibility while, at the same time, making them responsible and accountable for what they do. It is advisable that, for the purpose, autonomous organizations like executive agencies be set up to carry out operational responsibilities. The executive agency is not a policy-making body.

The line departments of the government are not in a position to optimally deliver government services largely because of the overwhelming nature of centralised controls they are subjected to and the lack of operational autonomy and flexibility. Centralised controls as they exist now reinforce a focus on inputs rather than results and are a great stumbling block to performance.

At present, micro-management is the culture in the ministries. It is, therefore, necessary that the detailed central controls are replaced by guidelines and minimum standards. While standards need to be maintained, advice provided and best practices promoted, the culture must be one of facilitation, not of undue intervention. Civil servants in the implementing agencies must be given autonomy, greater flexibility and incentives to achieve results.

The Commission is of the view that each Union Government Ministry should scrutinize the activities and special purpose bodies of the Ministry. The following questions should be asked as a prelude to the formation of the Ministry's executive agencies: Does the activity/special purpose vehicle need to be carried on at all? Ministries often accumulate activities and bodies that have no use in the present context. Such bodies and activities need to be identified for closure, and their staff should be re-deployed.

Each agency, whether a new body or an existing departmental undertaking/agency/ board/special purpose body, etc. is to function as an executive agency, must be semiautonomous or autonomous and professionally managed under a mandate. Such executive agencies could be structured as a subordinate office of the department or as a board, commission, company, society, etc.

### 4. *Internal structure of the ministry*

A department in the Government of India has a vertical hierarchical structure with the Secretary as the administrative head and several levels comprising Special Secretary/Additional Secretary, Joint Secretary, Director/Deputy Secretary, Under Secretary and Section Officer/Desk Officer. A hierarchical multi-level structure has certain strengths but several weaknesses. While such a system enables a vertical division of labour with extensive supervision and checks and balances at different levels, it also causes delays due to sequential examination, dilutes rather than enhances accountability, prevents an inter-disciplinary approach towards solving problems and kills creativity. For routine regulatory matters such as issue of licenses/permissions etc., such a rigid hierarchical structure with prescribed workflows and adequate delegation may be appropriate, but for functions like policy formulation, managing change, crafting a holistic approach on inter-disciplinary matters, problem solving etc. it does not give optimum results and infact could be counterproductive.

A new approach to policy making would call for restructuring the design of the ministries to make them less hierarchical, by creating flatter structures with team-based orientation. The ministries, as they function now, are centralized, hierarchical organizations tightly divided into many layers, boxes and silos. Much of the civil service hierarchies in the ministries continue to be structured along traditional lines of authority, carefully regulated to ensure that as few mistakes are made as possible. The staff in the ministries is more concerned with internal processes than with results. The systemic rigidities, needless complexities and over-centralization in the policy-making structures are too complex and too constraining. There are too many decision points in the policy structures, and there are a large number of veto points to be negotiated for a decision to emerge.

While such hierarchical exercise of authority provides some control of quality and integrity of decision-making, it often leads to exasperating delays and takes the focus away from delivering results. It is necessary that these hierarchies should be dismantled and team based structures be introduced.

### 5. *Simplification of Governmental Processes*

Government organizations are bureaucratic. The term 'bureaucratic' often carries a negative image and denotes red tapism, insensitivity and the rule bound nature of an organization. When Max Weber propounded 'bureaucracy' as a form of organization he meant organizations structured along rational lines, where:

- offices are placed in a hierarchical order
- operations are governed by impersonal rules thereby reducing discretion. There is a set of rules and procedures to cater for every situation
- officials are given specific duties and areas of responsibility
- appointments are made on the basis of qualifications and merit

Unlike a commercial organization which is driven by the sole profit motive, government organizations have multiple objectives, government organizations function in a more complex environment, the situations which government organizations face are much more varied and challenging and above all government organizations are accountable to several authorities and, above all, to the people. In a commercial organization, the test of profitability determines the decision. This is not possible in government organizations and therefore rules and procedures are developed to minimize discretion, and guide the decision making process within the organization. This is not to say that private commercial organizations never have bureaucratic structures or do not have internal rules but their rules are usually not as elaborate and as rigid as in government organizations. Rules and procedures in government ensure that the organization is able to deal with people in an equitable, predictable and fair manner. However, rigid adherence or over dependence on these tends to curb innovation and reduce organisational responsiveness and sensitivity.

The rules and procedures which govern the working of government organizations are laid down in various laws, regulations and executive instructions. There are general rules which apply to all government Ministries/ Departments. There may also be rules applicable to only a particular organization. The general rules which lay down the procedures in government are provided in the Secretariat Manual of Office Procedure. The Manual has been amended from time to time in order to adapt the procedures to emerging challenges.

The current procedures have several strengths as well as weaknesses.

#### **Strengths:**

- *Recordkeeping* but the present system undeniably creates voluminous manual records, the use of this data remains constrained due to lack of proper categorization, referencing and access systems.
- *Accountability*
- *Institutional memory* While reliance on institutional memory may be desirable in cases where uniformity of approach is required but when it comes to new and emerging problems, a blind application of such precedents may prove counter productive. Over-reliance on precedents, discourages independent application of mind and inhibits creative approaches to problems. Another drawback is that even in routine decision making where such institutional memory can be best used, absence of effective data retrievable systems leads to 'cherry picking' precedents to suit one's convenience.

- *Inbuilt Redundancy-self Correcting*: Examination of an issue on file by multiple levels enables repeated scrutiny which in turn enables correction of errors and omissions at any particular level and thus creates a kind of self correcting mechanism
- The present office procedures enable individual functionaries to record their independent views on the files. The system, at least in theory, safeguards the right of expression of individual functionaries and protects them from extraneous influences and victimization, more so with the coming in force of the Right to Information Act.

### Weaknesses:

- *Multiple Layers Lead to Inefficiency and Delays*
- *Fuzzy Delegation*
- *Focus on File Management at the Expense of outcomes*
- *Absence of Team-based Working*
- The Manual of Office Procedure appears to emphasise the action to be taken on receipt of papers rather than on a proactive approach towards the Departments' priorities.

### How to improve it?

Each Department should lay down a detailed scheme of delegation at all levels so that the decision making takes place at the most appropriate level. It should be laid down in the Manual of Office Procedure that every Ministry should prescribe a detailed scheme of delegation for its officers. This delegation should be arrived at on the basis of an analysis of the activities and functions of the Ministry/Department and the type of decisions that these entail which should be dovetailed with the decision making units identified in that Department.

The scheme of delegation should be updated periodically and should also be 'audited' at regular intervals. The audit should ensure that the delegated authority is actually exercised by the delegatee. The scheme of delegation should be placed in the public domain.

The number of levels through which a file passes for a decision should not exceed three.

- In cases where the Minister's approval is required, the file should be initiated by the Deputy Secretary/Director concerned and should be moved through the Joint Secretary (or Additional Secretary/Special Secretary) and the Secretary (or Special Secretary) to the Minister.
- Cases requiring approval of the Secretary should go through just two levels (e.g. either US and Director, US and JS or Director and JS).
- Cases requiring approval of the JS/Director/DS should come through just one level. The exact combination of levels should be spelt out in the scheme of delegation for each Ministry/Department whereas the number of levels as suggested above should be prescribed in the Manual of Office Procedure.
- The Department dealing with administrative reforms in the Union Government should be entrusted with the task of ensuring compliance with this stipulation.

For addressing cross cutting issues, the Secretary of the concerned Department should have the flexibility to create inter-disciplinary teams.

The Departments should build an electronic database of decisions that are likely to be used as precedents. Thereafter such database should be periodically reviewed and where necessary, changes in rules introduced in order to codify them. There may also be precedents that may be the result of wrong or arbitrary decision making which the Department would prefer not to rely on for the future. In such cases the Department would have to appropriately change its policy/guidelines and if required even the rules to ensure that these precedents are not wrongly used.

**6. *Ensure proper coordination among different levels:***

There is need for ensuring extensive horizontal coordination where policies are spread over a number of departments and where policy delivery mechanisms are distributed in different parts of the government.

Coordination between Government Departments can be achieved through various formal and informal mechanisms. The formal mechanisms may include inter-Ministerial committees and working groups that are set up from time to time to deliberate on specific issues or to oversee the implementation of different government schemes and programmes. Coordination is also achieved through inter-Ministerial consultations which could occur through movement of files or through meetings between the representatives of the concerned Ministries.

The importance of coordination amongst various Ministries/Departments, increases because of new and emerging challenges in many sectors which require a coordinated national response. There is a need for re-grouping of government functions into inter-related categories to improve such coordination. Besides, while examining the internal structures of the Ministries, flexible, inter-disciplinary team based approach needed to improve coordination.

There are other issues and problems for which high level inter-Ministerial coordination would be required. In such cases, the extent and quality of coordination would depend on the skill of the coordinator and the spirit with which the members participate. To achieve the necessary coordination, a Secretary should function as a member of a team rather than as a spokesperson of his/her Department's stated position. Furthermore, effective functioning of the existing mechanisms comprising the Cabinet Secretariat, Committee of Secretaries, Group of Ministers and Cabinet Committees should, therefore, be adequate to meet the requirement of inter-Ministerial coordination.