

MACHINERY OF GOVERNMENT

37.1 **The President –**

The executive power of the Union formally vests in the President and may be exercised by him either directly or through officers subordinate to him, in accordance with the Constitution.

37.2 **The Council of Ministers -**

- (i) In the exercise of his functions, the President is aided and advised by a council of Ministers headed by the Prime Minister. In the actual practice, the executive authority resides in the Council of Ministers.
- (ii) The Council of Ministers consists of three categories of Ministers, namely :
 - (a) Ministers of Cabinet rank ;
 - (b) Ministers of State ; and
 - (c) Deputy Ministers.
- (iii) The Cabinet, which consists of Ministers of the first category only, is responsible for shaping the overall policies of the Government. In discharging its responsibilities, it sometimes functions through its committees.

37.3 **Transaction of Government Business**

- (i) Among the rules issued by the President for the convenient transaction of the business of the Government under Article 77(3) of the Constitution, are :
 - (a) The Government of India (Allocation of Business) Rules ; and
 - (b) The Government of India (Transaction of Business) Rules.
- (ii) The allocation of Business Rules allocate the business of the Government among its different departments which are assigned to the charge of the Ministers by the President on the advice of the Prime Minister. In relation to the business allotted to a Minister, these rules also permit the association of another Minister or Deputy Minister to perform such functions as may be specifically assigned to him.
- (iii) The Transaction of Business Rules seek to define the authority, responsibility and obligations of each department in the matter of disposal

of business allotted to it. While providing that the business allotted to a department will be disposed off by, or under the direction of, the Minister-In-Charge, these rules also specify :

(a) cases or classes of cases to be submitted to the President, the Prime Minister, the Cabinet or its committees for prior approval;

(b) the circumstances in which the department primarily concerned with the business under disposal will have to consult other departments concerned and secure their concurrence before taking final decision.

37.4

Department-

- (i) A department is responsible for the formulation of the policies of the Government within its sphere of responsibility and also for the execution and review of those policies.
- (ii) For the efficient disposal of business allotted to it, a department is divided into wings, divisions, branches and sections.
- (iii) A department is normally headed by a Secretary to the Government of India who acts as the Administrative Head of the Department and Principal Adviser of the Minister on all matters of policy and Administration within the department.
- (iv) Where the volume of work in a department exceeds the manageable charge of a Secretary, one or more wings may be established with a Secretary/Special Secretary/Additional Secretary/Joint Secretary in charge of each wing. Such a functionary is normally vested with the maximum measure of independent functioning and responsibility in respect of the business falling within his wing subject, however, to the overall responsibility of the Secretary for the Administration of the department as a whole.
- (v) A section is generally the lowest organisational unit in a department with a well-defined area of work. It normally consists of assistants and clerks supervised by a Section Officer/OS/Head Clerk. Initial handling of cases (including noting and drafting) is generally done by assistants and clerks who are also known as the dealing hands.
- (vi) While the above represents the commonly adopted pattern of organisation of a department, there are certain variations, the most notable among them being the desk officer system. In this system the work of a department at the lowest level is organised into distinct functional desks, each manned by an officer of appropriate rank, e.g. Under Secretary or Section Officer, who

handles the cases himself and is provided adequate stenographic/clerical assistance.

37.5

Attached and subordinate offices -

- (i) 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.
- (ii) Attached offices are generally responsible for providing executive direction required in 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 questions dealt with by them.
- (iii) 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.
- (iv) CBI Head Office is an attached office under the Cabinet Secretariat and the CBI Offices are the subordinate offices. The configuration of CBI, its hierarchy, divisions, zones, regions, branches and units has already been explained in Chapter-1.

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