

**M.A. IVth Semester
Political Science**

**Course Code : POLS 403
DSE - II (New Syllabus)**

PUBLIC POLICY AND GOVERNANCE IN INDIA

Lessons : 1-13

By : Prof. Bhawana Jharta



**CENTRE FOR DISTANCE AND ONLINE
EDUCATION (CDOE)**

CONTENTS

Lesson	Topics	Pages
	Syllabus	
1	Public Policy : Concept, Nature and Scope	1
2	Role of Public Policy in Socio-Economic Development	12
3	Policy-Making Process	19
4	Approaches to the Study of Public Policy	37
5	Conditions for making Public Policy	43
6	Gender Issues and Public Policy	47
7	Governance	54
8	Models of Governance	66
9	E-Governance and Public Administration	70
10	Accountability and Institutional Mechanism of Control	83
11	Corruption and Anti-Corruption Bodies	94
12	Bureaucracy and Governance	110
13	Governance : Issues and Challenges	120

Semester-IV

Course Code: POLS 403

Public Policy and Governance in India

Objectives: The objective of the course is to prepare students to understand the concept of public policy and its role in socio-economic development, to increase their vision about the role of civil society and individual in public administration. Through the different approaches to study the public policy, the students will have a clear understanding of institutional mechanism of control, governance issues and challenges and to formulate reasoned conclusions with a wide range of career opportunities.

Outcome: The course will enhance the students ability to understand, analyze and apply public policy relation with the contemporary issues and challenges in India.

UNIT-I

1. Public Policy: Concept, Nature and Scope
2. Role of Public Policy in Socio-Economic Development
3. Policy Making Process

UNIT-II

1. Approaches to Study the Public Policy: Rational Choice Approach, Incremental Model and Public Choice Theory
2. Condition for making a Public Policy: Internal and External
3. Gender issues and Public Policy

UNIT-III

1. Governance: Concept and Models
2. E-Governance and Public Administration: Role of State, Civil Society and Individuals
3. Accountability and Institutional Mechanism of Control

UNIT-IV

1. Corruption and Anti Corruption Bodies: Ombudsman, Lokpal and Lokayukta
2. Bureaucracy and Governance
3. Governance Issues and Challenges

Suggested Readings:

- Abraham, B.P. et. al., Good Governance, New Delhi: Sage Publication, 2012.
- Addink, G.H., Good Governance: Concept and Context, London: Oxford University Press, 2019.
- Agere, S., Promoting Good Governance: Principles, Practices and Perspectives, Nandan, Commonwealth Secretariat, 2000.
- Anderson, J.E., Public Policy Making: An Introduction, Boston: Houghton, 2006.

- Baghel, C.L. and Kumar, Yogendra, Good Governance: Concept and Approaches, New Delhi: Kanishka Publications, 2006.
- Birkland, Thomas A., An Introduction to the Policy Process, London: M.E. Sharpe, 2001.
- Chakrabarty, B., and Bhattacharya, M., Governance Discourse: A Reader, New Delhi: Oxford University Press, 2008.
- Chatterjee, Partha, The Politics of Governed: Consideration on Political Society in most of the World, New York: Colombia University Press, 2004.
- Dye, Thomas, Understanding Public Policy, New Jersey: Prentice Hall, 1975.
- Farazmand, Ali (ed.), Bureaucracy and Administration, Florida: CRC Press, 2009.
- Gunn, L. and Hogwood, B., Models of Public Policies, Glasgon: University of Strathclyde, 1982.
- Gupta, Akhil, The Discourse of Corruption, the Culture of Politics and the Imagined State, American Ethnologist, 1995.
- Mathur, Kuldeep, Public Policy and Politics in India: How Institution Matter. New Delhi: Oxford University Press. 2013.
- Sapru, R.K., Public Policy: Art and Craft of Policy Analysis, New Delhi: Prentice Hall India, 2012.
- Smith, Brian C. and Smith, Brian, Good Governance and Development, Palgrave McMillan, 2007.
- West, William F., Controlling the Bureaucracy: Institutional Constraints in Theory and Practice, Washington D.C.: Georgetown University Press, 1995.

LESSON-1

Public Policy : Concept, Nature and Scope

Structure :

- 1.0 Introduction
- 1.1 Learning Objectives
- 1.2 Public Policy : An Evolutionary Perspective
- 1.3 What is Public Policy
- 1.4 Nature of Public Policy
 - 1.4.1 Policy-Making and Decision Making
 - 1.4.2 Policies and Goals
 - 1.4.3 Police-making and Planning
- 1.5 Scope of Public Policy
- 1.6 Types of Public Policy
- 1.7 Significance of Public Policy
- 1.8 Summary
- 1.9 Check your progress
- 1.10 Glossary
- 1.11 Answers to check your Progress Exercise
- 1.12 Suggested Readings
- 1.13 Terminal Questions

1.0 Introduction

'Public Policy' is a concept now much in vogue. It is a frequently used term in our daily life and in our academic literature, where we often make references to the national health policy, the new education policy, wage policy, agricultural policy, American or Soviet foreign policy and so on. While a public policy initially emanates from the State institutions- both local and Central Government-it may be implemented through, and directed at, a wide variety of individuals and organisations which may or may not be part of the State apparatus.

In the past, studies on public policy have been dominated by students of political science and thus tended to concentrate on the institutional structure and philosophical justification of the government. The focus has never really been on the policies themselves. Political science has to some extent been preoccupied with the activities of the various political institutions and groups in relation to their process in the pursuit of political power. It hardly recognises the role which such organisations

play towards the formation of policy as one of its main concerns. Yet the policy is an important element of the political process.

In brief, past studies on public policy have been mainly dominated by scholars of political science and public administration and have tended to concentrate more on the content of policy, the process of its formulation and its implementation. Today, the study of public policy has evolved into what is virtually a new branch of the social sciences the so-called policy sciences. This concept of policy sciences was first formulated by Harold Lasswell in 1951. In this lesson, an attempt has been made to analyse the meaning, nature, scope and significance of public policy.

1.1 Learning Objectives:

After studying this lesson, the students will be able to:

- understand the meaning, evolution, nature and scope of public policy.
- be familiar with the different types and significance of public policy.

1.2 Public Policy: An Evolutionary Perspective

Public policy is a relatively new subfield in political science. Its development as an area of study emerged out of the recognition that traditional analysis of government decisions were incomplete descriptions of political activities. As the relationships between society and its various public institutions became more complex and interdependent, the need developed for more comprehensive assessments of what governments did and how and why they pursued some policy alternatives over others. Public policy helps to understand the political realities.

Focus on public policy process has developed with the emergence of modern society and industrialization. During the nineteenth century, representative government began to evolve in some parts of the world. With increased political participation by larger portions of the public, government decisions assumed greater importance and legitimacy. Clashing values with respect to social, economic and political questions have profound implications for politics and government. With these changes, governments began to focus on the problems of their citizens. Robert E. Lane identifies the following five major elements that contributed to the social and intellectual background of the policy science movement:

1. The emphasis on governmental effectiveness, or outputs, as contrasted to line-item costs or inputs,
2. Development of general systems analysis and applied systems analytical thinking,
3. The concept of government policy as applied social science and government programmes as social experiments,
4. The 'social indicator' or measurement movement, and
5. The concept of cybernetics and the development of an information exchange capacity following an Information exploration crisis.

The contemporary public policy and policy analysis has a particularly American and twentieth-century flavour. It was in America where initiatives towards a more unified approach to the study of public problems and policy really began in the work of Harold Lasswell (*Psychopathology and Politics*, 1930 and *The Analysis of Political Behaviour*, 1948), which culminated in the publication of Lasswell's, essay on *The Policy Orientation*, in the book titled, *The Policy Sciences* (1951), co-edited with Daniel Lerner. Their focus was on enhancing democratic values in policy sciences, Thus, Harold Lasswell

stands behind initiating the movement on public policy. In the late 1960s, as Edward S. Quade noted a number of converging factors, such as war, poverty, crime, race relations and pollution could be credited for producing great interest in policy sciences. In the recent times, the study of public policy has evolved into what is virtually a new branch of social sciences, the so-called 'Policy Sciences'.

1.3 What is Public Policy?

Before coming to the term, 'public policy', let us try to understand two of its components, 'public' and 'policy'. We know that public administration emerged as an instrument of the state to serve 'public' interest rather than 'private' interest. In this sense, 'public' consists of all the people, in general, having something in common rather than few individuals having their personal interests. In political life, government is the primary organ to serve the needs and demands of the 'public'. The term 'policy' refers to overall programmes of action towards a given goal. Robert Presthus defines policy as "a choice made by an individual or group of individuals that explains, justifies, guides or outlines a certain course of action" Thus, policy can broadly be defined as a proposed course of action of an individual, a group, an institution or government, to realize a specific objective or purpose, within a given environment.

As an approach to understand the political change, public policy has almost as many definitions as there are policy issues. Let us consider a few definitions to get a better understanding of the concept. Thomas R. Dye is of the opinion that public policy is whatever governments choose to do or not to do. This definition includes all actions and inactions of government as public policy. B. Guy Peters adds that public policy is the "sum of government activities, whether acting directly or through agents, as it has an influence on the lives of citizens". James E. Anderson defines public policy as "a purposive course of action followed by an actor or set of actors in dealing with a problem or matter of concern" This concept of policy focuses attention on what is actually done as against what is proposed or intended by the government and public officials and it differentiates a policy from a decision, which is a choice among competing alternatives.

Larry N. Gerston seeks a definition that responds to the actions and exchanges of both people and governments in a dynamic public policy as "the combination of basic decisions, commitments and actions made by those who hold or affect government positions of authority". Yeheskel Dror defines public policy-making as a "dynamic process which decides major guidelines for action directed at the future, mainly by governmental organs. These guidelines (policies) formally aim at achieving what is in the public interest by the best possible means". Thus, public policies are those developed by governmental institutions and officials, though non- governmental actors and factors may, of course, influence policy development.

The special characteristics of public policies stem from the fact that they are formulated by what David Easton has called the 'authorities' in a political system, 'elders, chiefs, executives, legislators, judges, administrators, counsellors, monarchs and the like'. These, he says, are the persons who 'engage in the daily affairs of a political system' and 'are recognized by most members of the system as having responsibility for these matters' and take actions that are 'accepted as binding by most of the members so long as they act within the limits of their roles'.

Thomas A. Birkland defines public policy as a statement by government-at whatever level-of what it intends to do about a public problem. Such statement can be found in the constitution, statutes, regulation, court decisions, agency or leadership decisions or even in changes in the behaviour of government officials at all levels. For example, a law that says that those caught driving while intoxicated will go to jail for up to one year is a statement of government policy to punish drunken drivers.

On the basis of the definitions, discussed above, we can describe some of the key attributes of public policy as:

1. Made in response to some problems that require attention.
2. Made on behalf of the public
3. A course of action adopted and pursued by the government to serve public interest.
4. What governments actually do and what subsequently happens rather than what they intend to do.
5. Made by governments even if the ideas come from outside the government or through the interaction of the government and non-governmental actors.
6. Having a legal and authoritative base, where members of a society accept it legitimate to pay taxes, obey traffic rules and follow pollution control norms because of their legal binding and coercive power.

Thus, public policy is mainly concerned with resolving public problems, thereby serving public interest. It is primarily a government-led effort to address public issues. It has a legal backing and is accepted voluntarily by the people. It helps in regulating public behaviour, organizing bureaucracies, distributing benefits, extracting taxes or all these things at once. Overall, public policy has a problem-solving approach.

1.4 Nature of Public Policy

A policy may be general or specific, broad or narrow, simple or complex, public or private, written or unwritten, explicit or implicit, discretionary or detailed, and qualitative or quantitative. Here the emphasis is on 'public policy' which is what a government chooses as guidance for action. From the viewpoint of public policy, activities of government can be put into three categories.

First, activities which are attached to specific policies; second, activities which are general in nature; and third, activities which are based on vague and inconsistent policies. However, in practice, a government rarely has a set of guiding principles for all its activities. Important public policies are often made more explicit, particularly where the issue of a law, a regulation, or a plan and the like is involved. It is true that a public policy is often subject to different interpretations. For example, the Supreme Court of India may, through its decisions, give new interpretations to some of the articles of the Constitution which may amount to a new policy.

A public policy may cover a major portion of its activities which are consistent with the development policy. Socio-economic development, equality, or liberty or self-reliance or similar broad principles of guidance for action may be adopted as a developmental policy or national goal. A public policy may be narrow, covering a specific activity, such as family planning. A public policy may also be applied to all people in a country or it may be limited to a section of its people.

Besides, each level of government-central, state and local-may have its specific or general policies. Then there are 'megapolicies'. General guidelines to be followed by all specific policies are termed a 'megapolicy'. According to Dror, 'megapolicies' form a kind of master policy, as distinct from concrete discrete policies, and involve the establishment of overall goals to serve as guidelines for the larger sets of concrete and specific policies. All policies generally contain definite goals or objectives in more implicit or explicit terms.

Public policies in modern political systems are purposive or goal- oriented statements. Again, a public policy may be either positive or negative in form. In its positive form, it may involve some form of

overt government action to deal with a particular problem. On the other hand, in its negative form, it involves a decision by public servants not to take action on some matter on which a governmental order is sought. Public policy is based on law and it commands the obedience of the citizens. Public policy has thus a legally coercive quality that citizens accept as legitimate, e.g., taxes must be paid unless one wants to run the risk of fines or jail sentences. This legally coercive quality of public policies makes public organisations distinct from the private organisations.

The nature of policy as a purposive course of action can be better or more fully understood if it is compared with related concepts.

1.4.1 Policy-making and Decision-making

Policy-making is closely related to decision-making. However, it is not the same as decision-making. Policy-making does involve decision-making, but a decision does not necessarily constitute a policy. Decision-making often involves an identification of a problem, a careful analysis of possible alternatives and a selection of one alternative for action. Generally, decisions are taken by the administrators in their day-to-day work within the existing framework of policy. The policy decisions eventually taken thus provide a sense of direction to the courses of administrative action.

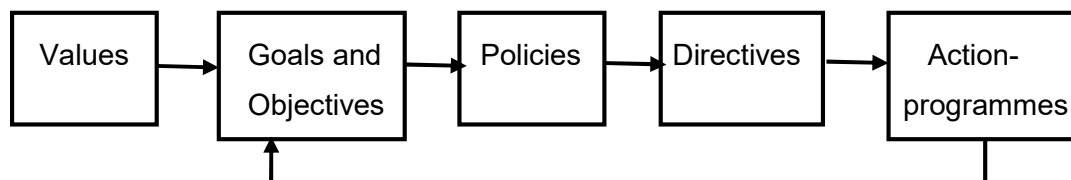
Anderson says: "Policy decisions are decisions made by public officials that authorize or give direction and content to public policy actions". These may include decisions to issue executive orders, promulgate administrative rules, or make important judicial interpretations of laws.

1.4.2 Policies and Goals

Policies are distinct from goals and can be distinguished from the latter as means from ends. By goals or objectives one means the ends towards which actions are directed. It is reasonable to expect that a policy indicates the direction towards which action is sought. Policies involve a deliberate choice of actions designed to attain those goals and objectives. The actions can take the form of directives to do or refrain from certain actions. Public policies are translated into action programmes that aim to achieve the ends stated in the policy. To say that policy-making involves a choice of goals or objectives is to argue that it deals with values.

Policies as well as objectives are chosen under the influence of values. Decision makers often act on the basis of their beliefs or perceptions of the public interest concerning what is a proper or morally correct public policy. Studies of the Supreme Court show that the judges are influenced by policy values in deciding cases."

Thus goals and objectives depend on the values of the policy makers. This could be explained in the following manner:



Many students of policy sciences would like to apply science or reason (making use of the rationality model) for the determination of policy objectives and goals. They try to solve problems mainly by using such objective methods as operations research or cost-benefit analysis so as to limit policy

objectives. Such an approach, based on a rationality model can, however, be applied only to a limited number of problems.

1.4.3 Policy-making and Planning

Policy-making must be distinguished from planning. Broadly speaking, a plan is a programme of action for attaining definite goals or objectives. In this sense, a plan is a policy statement and planning implies policy-making. Often the goals or policies of a plan are not stipulated in the plan documents. They may be stated only in very general or vague terms, or are found to be internally inconsistent or contradictory. A national development plan, broadly speaking, is a collection of targets or individual projects which, when put together, may not constitute an integrated scheme.

Allocation of resources for investments and showing of targets in different sectors of the economy are considered to be at the core of planning. However, it has been aptly stated that a plan needs a proper policy framework. Targets cannot be achieved just because investments are provided for. They have to be drawn within the framework of policies. Successful policies make for successful plans and administration.

1.5 Scope of Public Policy

A significant part of the study of public policy consists of the development of scenarios and extrapolations of contemporary trends. The scope and sheer size of the public sector has grown enormously in all the developing countries in response to the increasing complexity of technology, social organisation, industrialisation and urbanisation. At present the functions of practically all governments, specially of the developing countries, have significantly increased. They are now concerned with the more complex functions of nation-building and socio-economic progress. Today the government is not merely the keeper of peace, the arbiter of disputes, and the provider of common goods and day-to-day services. For better or worse, government has, directly or indirectly, become the principal innovator, the major determiner of social and economic programmes and the main financier as well as the main guarantor of large-scale enterprises.

To quote a United Nations publication, "...in countries where the problem of poverty is less serious, there is great pressure on governments to accelerate national development, make use of up-to-date and relevant technological innovations, adopt and facilitate necessary institutional changes, increase national production, make full use of human and other resources, and improve the level of living". These trends and developments have therefore enhanced both the size and scope of public policy. Michael Teitz describes the outreach of public policy in terms of the citizen's life cycle:

"Modern urban man is born in a publicly financed hospital, receives his education in a publicly supported school and university, spends a good part of his time travelling on publicly built transportation facilities, communicates through the post office or the quasi-public telephone system, drinks his public drinking water, disposes of his garbage through the public removal system, reads his public library books, picnics in his public parks, is protected by public police, fire, and health systems, eventually, he dies, again in a hospital, and may even be buried in a public cemetery. Ideological conservatives notwithstanding, his everyday life is inextricably bound up with government decisions on these and numerous other public services",

The line of argument developed here is that all of us are greatly affected by the myriad public policies in our everyday lives. The range of public policy is vast: from the vital to the trivial. Today public policies may deal with such substantive areas as defence, environment protection, medical care and health, education, housing, taxation, inflation, science and technology, and so on.

Today, people expect their governments to address most of their issues. Whether it is a conventional problem, like water, electricity, housing, security, jobs and so on or a new challenge in the form of environmental pollution or terrorism, people look upon government as a problem resolver. In a democratic nation like India, over the years, as more and more people turned to the government to resolve society's problems, the government grew in size and public policy expanded in scope to encompass just about every sector of Indian life. Even during the period of market economy, public has a trust on their government. During this period, the government is expected to have polices to regulate the market forces and protect the interest of common public. There is hardly any personal or societal problem for which some group will not demand a governmental solution. As a result of public trust in government, the scope of public policy has expanded to almost every aspect of civic life. Public policy deals with the activities of not only the local government but also the state and national governments. Whether people face problems, policies are framed to address them. So, the scope of public policy is much wider, ranging from local to national issues.

1.6 Significance of Public Policy

Public policy is a significant component of any political system. It is primarily concerned with the public and their problems. The role of public policy is to shape the society for its betterment. W. Parsons, while narrating the role of public policy, states that the wider purpose of public policy involves enlightenment, the fuller development of individuals in society and the development of consensus, social awareness and legitimacy, rather than simply the delivery of goods and services. Public policies, thus, involve improving the democratic and political capacities of the people and not simply the efficiency and effectiveness of the delivery of services. This implies that public policy has a participatory and democratic character.

Public policy also has a developmental role. Well-planned policies help in the socio-economic development of a nation. After independence, India formulated a number of policies aimed at socio-economic transformation. Planning commission was set up. Five-year plans were formulated. Policies regarding agricultural development, industrial growth, poverty eradication and rural development were framed. Today, we can see the positive results of these policies. Public policies also helped India in its nation-building task. India could not only defend itself from external aggression but also succeed in keeping divergent groups, castes and linguistic and religious sects united. Thus, since independence, public policies in India have helped in achieving socio-economic development and maintaining national unity and integrity.

Public policy is an important mechanism for shaping the future. We can understand the future by extrapolation of the present trends. The idea of projecting some key social trends into the future may be of great help in this regard. The data for these purposes may include changes in rate of population growth, education, public health and the like. We can carry the process further by forecasting what these projections might look like after a decade, since people cannot avoid being concerned with the consequences of public policies. Therefore, the study of public policy helps shape the future by projecting new policies and choices. The study of public policy helps in describing, analyzing and explaining the causes and consequences of a particular governmental activity. Thus, the study of public policy is significant in understanding the real politics underlying the framing of policies. Thomas R. Dye mentions three reasons for studying public policy:

1. Scientific understanding
2. Professional advice
3. Policy recommendations

First, public policy can be studied in order to gain greater knowledge about its origin, the processes by which it is developed and its consequences for society. This, in turn, will increase our understanding of the political system and society, in general. Policy study helps us to learn about the linkages between social and economic conditions in society, the responses of the political system to those conditions and the effects, if any, of government activities on these conditions. According to Dye, it adds to the breadth, significance, reliability and theoretical development of the social sciences. Clarke E. Cochran calls scientific reason as theoretical reason. He argues that one studies public policy so that one can know more about the process, both in pursuit of knowledge for its own sake and to inform practitioners. In a course of public policy, theory may be applied to particular cases or policy areas. As knowledge filters from the more abstract to the more applied, insights from the theoretical world are employed, knowingly or unknowingly, by practitioners.

Public policy has professional utility also. An understanding of the causes and consequences of public policy permits us to apply social science knowledge to the solution of practical problems. Factual knowledge is a prerequisite to prescribing for the ills of society. If certain end values are desired, the question of what policies would best implement these ends is a factual question requiring scientific study. In other words, policy studies can produce professional advice. Even government agencies as well as private research organizations are usually more concerned with the practical application of the knowledge about public policy than its theoretical explanation.

Finally, public policy has a political utility. Thomas R. Dye calls it 'policy recommendation'- one of the reasons to study public policy. It ensures that the nation adopts the right policies to achieve the right goals. It is frequently argued that political science cannot be silent or impotent in the face of great social and political crises and that the political scientist has a moral obligation to advance specific public policies. Thus, people with political goals study public policy to learn how to promote their preferred policy options. This task is accomplished by the politicians with the knowledge of public policies.

Thus, policy studies can be undertaken not only for scientific and professional purposes but also to invoke political discussion, advance the level of political awareness and improve the quality of public policies.

1.6 Types of Public Policies

One of the consistent efforts among the policy scholars has been to develop categories of public policies. Such categorization is useful in understanding why and how certain kinds of policies are made the way they are. It also helps us understand why some groups do better than others in the process of public policy-making. In a political system, the government performs a number of activities. It regulates conflicts within society, it organizes society to carry on conflict with other societies, it distributes a great variety of symbolic rewards and material services to the members of the society and it extracts money from society in the form of taxes. Thus, on the basis of these activities, there may be different categorization of public policies.

The earliest attempts at making policy typologies generally separated policy into topical categories such as health, education, transportation, environmental policy and so on. This typology was useful for sorting different kinds of policy domains, but it was not useful in explaining the politics that underlie these policies.

Theodore Lowi was the first who highlighted policy dynamics in his scheme of classic policy types in 1964. This may be called as the beginning of the modern era of developing policy typologies. Lowi suggested the following three types of policies, each associated with a particular political process and behaviour.

1. Regulatory
2. Distributive
3. Redistributive

Regulatory policies are concerned with regulation and control of individual conduct by coercive techniques. These policies deal with the regulation of trade, quality of education and safety measures. This type of regulation is conducted by autonomous institutions that work on behalf of the government. In India, Securities and Exchange Board of India (SEBI), Telecom Regulatory Authority of India (TRAI), the Bureau of Indian Standards (BIS) and Reserve Bank of India (RBI) are examples of regulatory agencies. Ripley and Franklin later divided regulatory policies into two categories, that is protective and competitive regulatory. Protective regulatory policies are designed to protect the public at large from the negative effects of private activities, such as vehicular pollution and unhealthy consumer products. The competitive regulatory policies involve policies aimed to restrict the provision of goods and services to one or a few designated deliverers who are selected from a large number of competing potential deliverers. Ripley and Franklin give the examples of allocation of radio and television frequencies and the awarding of cable television franchises in this connection.

Distributive policies grant goods and services to specific interest group of the population. All public welfare programmes are distributive. Agricultural subsidies to the farmers, subsidized food to the poor and government health services are examples of such policies. These benefits are usually distributive in the process of developing authorization and appropriation bills as part of the budgeting process. However, in this type of policies, the government becomes more interested in serving particular interests rather than in serving the public interest due to the political compulsions.

Redistributive policies are aiming at redistributing resources from one group to another. The main objective of such policies is to set up an equitable society through redistribution of social and economic rewards. Income tax policies are often cited as examples of redistributive policies. Redistributive policy intends to manipulate the allocation of wealth, property, personal or civil rights, or some other valued items among social classes. However, the problem with such policies is that they are difficult to adopt because the less powerful has to prevail over the more powerful or at least persuade more powerful groups that it is right and just to approve the redistribution of some resource to the less powerful. Due to this, conversion of such policies into legislation becomes very difficult.

Fred M. Frohock adds two more types of policies in the Lowi's threetold dimension of public policy. These are capitalization and ethical policies. Subsidies and tax concessions received by the business class come under capitalization policies. Such distribution, in theory, if not in practice, is aimed at increasing the productive capacity of society's institutions. Although normally included in distributive policies, capitalization policies are not like the primary consumptive distribution of welfare programmes. Ethical policies are aimed at establishing the correct practice for some moral issues. For example, the U.S. Supreme Court's decision in 1973 (Roe vs. Wade) made abortion a legally acceptable alternative in the first three months. The court did not settle the moral issues of abortion, many people still view abortion as morally wrong, even though abortions are legally permitted. But the public policies following the court's decision set out what ought and ought not to be done in an area marked off by deep moral convictions. In this way, the Supreme Court decision established legally permissible practices on a moral matter.

Different kinds of public policies explain the varied functions performed by the government. They represent the pattern of action either to resolve conflicting claims or provide incentives for cooperation. Thus, different types of policies are useful in understanding why and how certain kinds of policies are made the way they are. They also help us to understand why some groups do better than others in the process of public policy-making. In this way, public policies are basically aimed at providing oxygen to the political life.

1.8 Summary:

The study of Public Policy has emerged as an interdisciplinary field of enquiry. Public Policy denotes the means of the state to intervene in public life of the citizens for affecting a positive change. The study of public policy is concerned with the application of scientific methods and insights for the improvement of social life and solving public problems. Public policy is an important mechanism for moving a social system from the past to future. Public policy is not only concerned with the description and explanation of the causes and consequences of government activity but also with the development of scientific knowledge about the forces shaping public policy. The study of public policy helps to understand the social ills of the subject under study. It is the means to bring social transformation in a positive way. Public policy involves improving the democratic or political capacities of people and not simply the efficiency and effectiveness of delivery of goods and services. The public policy may consist of long term, short term, scientific, professional and political objectives. Executive, legislature, judicial agencies, political parties, bureaucracy and pressure groups play a significant role in policy formulation process.

1.9 Check Your Progress

1. Define public policy.
2. How Policies are different from goals?
3. Distinguish between Regulatory, Distributive and Redistributive public policies.
4. Why Public Policy should be studied?

1.10 Glossary:

- **Line - item costs** : A line item can be defined as a detailed entry in a financial document that represents a specific revenue, expense, asset, liability, or equity item. It provides a comprehensive breakdown of financial information, allowing for better analysis, decision-making, and evaluation of financial performance.
- **Cybernetics** : the science of communications and automatic control systems in both machines and living things.
- **Legitimate** : Conforming to law or to rules
- **Coercive Power** : a type of power that uses force or threats to make people do things they do not want to do.
- **Extrapolations** : The action of estimating or concluding something by assuming that existing trends will continue or a current method will remain applicable.
- **Myriad** : a countless or extremely great number of people or things.
- **Autonomous** : having the right or power of self-government
- **Ethical** : Pertaining to or dealing with morals or the principles of morality; pertaining to right and wrong conduct

1.11 Answers to Check Your Progress Exercise

1. See Section 1.3
2. See Sub-Section 1.4.2

3. See Section 1.6

4. See Section 1.7

1.12 Suggested Readings

- Sapru, R.K. (1996). Public Policy : Formulation, Implementation and Evaluation. New Delhi : Sterling Publishers Pvt. Ltd.
- Sapru, R.K. (2011), Public Policy, Art and Craft of Policy Analysis. New Delhi : PHI Learning Pvt. Ltd.
- Chakrabarty, Bidyut and Chand, Prakash, (2016) Public Policy : Concept, Theory and Practice. New Delhi : Sage Publications.
- Anderson, James E. (1975). Public Policy Making : An Introduction. London : Thomas Nelson and Sons.
- Frohock, Fred M. (1979). Public Policy : Scope and Logic. NJ, Prentice Hall : Englewood Cliffs.
- Dye, Thomas R. (1978). Understanding Public Policy. Prentice Hall : Englewood Cliffs.
- Sivaramkrishnam, Arvind (2012). Public Policy and Citizenship, Battling Managerialism in India. New Delhi : Sage Publications.

1.13 Terminal Questions

1. Discuss the meaning and nature of Public Policy.
2. Write in detail about the scope and significance of the Public Policy.
3. Describe the various types of Public Policies.

Lesson-2

Role of Public Policy in Socio-Economic Development

Structure

- 2.0 Introduction
- 2.1 Learning Objectives
- 2.2 Role of Public Policy in Socio-Economic Development
- 2.3 Public Policy's contribution to Socio-Economic Development in India
- 2.4 Summary
- 2.5 Check Your Progress
- 2.6 Glossary
- 2.7 Answers to Check Your Progress Exercise
- 2.8 Suggested Readings
- 2.9 Terminal Questions

2.0 Introduction:

Public policy plays a crucial role in driving socio-economic development by shaping the regulatory environment, allocating resources, and addressing social challenges. In this lesson, an attempt has been made to discuss some key ways in which public policy influences socio-economic development. Efforts have also been made to analyze how some important policy decisions have brought about socio-economic change in India.

2.1 Learning Objectives:

After reading this lesson, the learners will be able to:

- comprehend the role of public policy in socio-economic Development.
- know about the contribution of public policy in socio-economic development in India.

2.2 Role of Public Policy in Socio-economic development:

Here are some key ways in which public policy influences socio-economic development:

1. **Promoting Economic Growth:** Public policies can stimulate economic growth by creating a conducive business environment, supporting innovation and entrepreneurship, and attracting investments. Policies that promote competition, trade liberalization, infrastructure development, and technology adoption can drive economic expansion and job creation.
2. **Reducing Inequality:** Public policies can address income inequality and promote social inclusion by implementing progressive tax policies, social welfare programs, education and healthcare initiatives, and targeted assistance for vulnerable populations. By reducing disparities in income, wealth, and opportunities, policies can enhance social cohesion and improve overall well-being.
3. **Improving Human Capital:** Education, healthcare, and social protection policies play a crucial role in enhancing human capital development. Investing in quality education,

skills training, healthcare services, and social safety nets can empower individuals to reach their full potential, contribute to economic productivity, and lead healthier lives.

4. **Sustainable Development:** Public policies can advance sustainability goals by promoting environmental protection, resource conservation, renewable energy adoption, and climate change mitigation. Sustainable development policies aim to balance economic growth with environmental stewardship and social equity to ensure long-term prosperity for current and future generations.
5. **Infrastructure Development:** Infrastructure policies, such as transportation, energy, water, and digital infrastructure investments, are essential for fostering economic development, improving connectivity, and enhancing quality of life. Well-designed infrastructure projects can boost productivity, create employment opportunities, and facilitate social integration.
6. **Regulatory Frameworks:** Public policies establish regulatory frameworks that govern market competition, consumer protection, labor rights, environmental standards, and corporate governance. Effective regulations help prevent market failures, ensure fair competition, protect public interests, and promote responsible business practices.
7. **Innovation and Technology:** Innovation policies support research and development activities, technology transfer, intellectual property rights protection, and digital transformation initiatives. By fostering innovation ecosystems and promoting technology adoption, public policies can drive economic diversification, enhance productivity, and spur technological advancements.
8. **Globalization and Trade:** Trade policies influence international economic relations, market access, tariff regimes, trade agreements, and export promotion strategies. By engaging in global trade and investment flows, countries can expand market opportunities, attract foreign direct investment, and benefit from knowledge exchange and specialization.
9. **Social Change:** Social change can be brought through social planning. Social planning is the process by which policy makers-legislators, government agencies, planners, and, often funders-try to solve community problems or improve conditions of various sections of society by devising and implementing policies intended to have certain results. These policies may take the form of laws, regulations, incentives, media campaigns, programs or services, information-a wide range of possibilities.

2.3 Public Policy's Contribution to Socio-Economic Development in India

A specific policy design acts critically in bringing about dramatic metamorphosis in India's Socio-economic circumstances. For instance, it goes without saying that the 73rd Amendment Act of 1992 translates into reality the Gandhian ideological mission of participatory democracy involving people at the grassroots in governance. This could not have been possible without the policy changes that this Amendment Act brought about in the context of a drive towards democratizing governance that had begun in the 1980s. The 73rd Amendment Act was not merely a procedural but a substantive addition to the 1950 Constitution of India: by making people at the grassroots integral to governance. It also created, on the other hand, a definite space for government-people interface which so far remains peripheral in rural administration. One can safely argue that policy decisions set in motion processes to empower those at the grassroots by giving them adequate institutional strength to effectively participate in rural/urban governance. In that sense, these Amendment Acts remain critical in conceptualizing public policy into not merely a legal design, but also an effective instrument to realize the Gandhian ideological mission of democratic decentralization of power and authority.

Public policy is clearly directional. Implicit here is the idea that policy decisions, are usually ideology-driven and institutionalized devices which are drawn on inputs from various sources, including external sources, as is evident in the context of globalization. Here, our primary focus is to comprehend the role of specific policy designs that have contributed significantly to India's socio-economic development.

Of the major rights-based social legislations, the 2005 National Rural Employment Guarantee Act which, in 2009, became Mahatma Gandhi Rural Employment Guarantee Act seems to have radically altered the texture of rural India by offering "at least of one hundred days of guaranteed wage employment in every financial year to every household whose adult members volunteer to do unskilled manual work for matters connected therewith or incidental thereto". Besides providing a guaranteed source of income, the Act is a deterrent to the seasonal urban-rural migrations by creating jobs for the rural youth even during the lean session. This has surely reduced the burden of excessive population in Indian cities given the possibility of finding employment in rural areas. Furthermore, being confident of getting employment in areas to which they belong, the rural youths are likely to channelize their energies for creative works which will contribute to rural well-being; they will become an instrument of change and not a burden since they now will have an opportunity to showcase their ability and also capacity to work for collective betterment. Besides the obvious psychological advantages, their endeavour will also create the required infrastructure because the Act also stipulates to guide the workers to engage in works which are useful for the villages in which works are generated.

The MGNREGA is thus not merely a policy design with a clear impact on the society, it is also a powerful device that empowers India's rural youths to be self-confident of their critical role in development. The policy design that MGNREGA suggest does not seem to be 'paternalistic in character which is usually the case in a top-down system of governance; contrarily, by making the stakeholders integral to development, the Act allows them to become organic to the entire processes of development which, so far, remains peripheral to them in view of the state's hegemonic role in charting out what it considers an appropriate course of action. So, the MGNREGA, besides being an effective scheme of employment, is an important policy design seeking to ensure 'a life of dignity' of India's vast majority residing in rural areas. Hence, it has been hailed as "one of the largest public works programme in the world in terms of coverage. The MGNREGA thus plays an important role in mitigating short-term poverty and providing smooth employment and income throughout the year for rural labourers". Nonetheless, it has also been subject to severe criticisms given the growing number of instances in which rural brokers of power are reportedly siphoning off the earmarked funds for their partisan aims along with the decision-makers. This is an aberration that can be mitigated within the available legal and political means. What, however, most encouraging to note is the fact that the scheme, despite having been distorted on occasions, cannot be withdrawn because by definition and by law, a right-based entitlement cannot be subject to fiscal tyranny.

The other important policy design that also contributed to national Socio-economic development happens to be the one concerning elementary education. India's diversity is mindboggling. On every count-social, economic and political-diversity is stark to the extent being clearly visible. Socially, there are communities which do not have access to secondary education, as shown by the 2006 Sachar Commission, Muslims stand out for their significant exclusion from secondary education. Economically, the scene is not, at all, encouraging. Given the devastating poverty affecting a large section of India's demography, parents do not send their children for secondary education because they prefer to send them to the fields or to some kind of menial employment to supplement the family income. Being unaware of the consequences of lack of education in view of the circumstances in which they are placed, they hardly raise their voice if education is denied. It is true that the government and various civil society organizations have become proactive in nurturing the mission of educating each and every child which is also being complemented by the rural communities though the result does not seem to be

satisfactory so far. This is a most challenging task that the stakeholders will have to undertake most seriously in future to realize the mission.

Although the proportion of school-going children may not be impressive, the process has, nonetheless, begun to translate the policy of 'no child should be left behind' into reality. Historically, the scheme for universal elementary education (UEE) has always attracted attention from both the government and non-government agencies. Several programmes-Operation Black Board, Shiksha Karmi Project, District Primary Education Programme, Mahila Samakhya seeking to expand elementary education among the girl children, Lok Jumbish Programme, meant to spread elementary education especially among those belonging to the marginalized sections were launched to fulfil the mission. These schemes were further strengthened with the acceptance of the 86th Amendment to the Constitution of India in 2001 which set in motion the Sarva Siksha Abhiyan (education for all). The Amendment inserted Article 21A in the Constitution to provide free and compulsory education to all children in the age group of six to fourteen years as a Fundamental Right in such a manner as the State may, by law, determine. This was a stepping stone towards incorporating the Right to Education in 2010 which made education (both elementary and secondary) free and compulsory by inserting that no child shall be liable to pay any kind of fee or charges which may prevent him/her from pursuing and completing education. The effort of the State is no longer directed merely for quantitative expansion of institutions and enrolment, but also for providing quality education by introducing administrative and management reforms, curriculum renewal and teaching methodologies to create conditions for learners to remain in school for eight years and not dropping out.

While elementary education continues to remain most critical in the policy arena, the major stakeholders, both governmental and non-governmental, have shown concern for secondary education as well. How is this challenge addressed? The recognition that India is lagging behind in secondary education is a first step in this regard which is followed by multiple policy decisions in favour of expanding secondary education and also revising the curriculum to prepare those in secondary schools to face the challenges of the contemporary era. One of the major initiatives happens to be Rashtriya Madhyamik Shiksha Abhiyan (state-driven drive to expand secondary education) which was launched in 2009 with an objective to enhance access to secondary education and improve its quality. Besides imparting quality education, the scheme also aims for social equity by creating facilities for the deprived sections of Indian society, Scheduled Castes and Scheduled Tribes, and the minorities. The aim is to create an inclusive system of education by removing gender, socio-economic and also disability barriers. The other important initiative is about the vocationalization of secondary and higher secondary education which focuses primarily on developing specific skills; the principal objectives being enhancement of employability of the youth through demand-driven competency-based, modular vocational courses, and also to maintain their competitiveness through provisions of multi-entry and multi-exit learning opportunities and vertical mobility/interchangeability in qualifications. Another Important policy decision is the establishment of one model school in each of the 6,000 blocks (consisting of several villages, they are constituent units of a district). The scheme envisions providing quality education to rural youth through the setting up of 6,000 model schools as benchmark of excellence. Since it is also job-intensive in India and abroad, the Government of India has paid adequate attention to develop IT skills among those attending secondary schools. The scheme currently covers both government and government-aided secondary and higher second schools and funds have already been allocated to procure computers and other supporting devices. While this scheme is meant to develop a specific skill, the formation of National Institute of Open schooling, formerly National Open School is a revolutionary step towards expanding secondary education in India.

With the growing expansion of elementary and secondary education through deliberate policy designs, the aim is to create a nation of well-informed citizens capable of realizing democracy as a socio-economic and political ideal. The lack of education is a deterrent and inhibits the growth of

intellectual acumen to raise questions. In an environment where education receives scanty or no attention, superstitions and superstitious beliefs grow rather freely. Hence it was not surprising that B.R. Ambedkar strongly argued for education for the Dalits as perhaps the only effective means to gain social and political rights in a competitive democratic milieu. That education is an empowering device is thus being reinforced. A nation's health is contingent on the level of education that it imparts to its citizens; not only will universal education help create a pool of competent citizens, it will also contribute to the rise and consolidation of those pertinent instincts which are critical to the formation and strengthening of an egalitarian society, imbued with democratic values. In the context of the increasing importance of knowledge society, instead of being an abstract quality, is an instrument for social well-being of the collectivity, and education serves as an aid that can never be replaced. For the inclusive society to grow and flourish, the role of education as a leveller cannot be denied. As is evident in India, the state-driven policy designs are directed towards universalizing education keeping in mind its critical role in building an inclusive society. Despite certain roadblocks in view of the prevalence of hegemonic socio-economic vested interests, these policy devices are nonetheless significant milestones in creating and also nurturing a propitious environment in which education is being valued as an essential attribute for a healthy nation.

No discussion on how public policy contributes to development is complete without delving into the 2005 Right to Information Act which was an upshot of the relentless campaign, launched by the Mazdoor Kisan Shakti Sangathan (MKSS). The effort has been to transform the demand for a right to livelihood, wages and employment into a demand to know from the government agency/panchayat, how much money was allocated and where and how it was spent. It was aptly articulated in the slogan Hamara paisa, hamara hisab. Through people's awakening, the institution of Jan Sanwad or public hearing turned out to be an effective forum where the people could speak and be heard. The public hearings on development expenditure at the panchayat level have led to crystallization of issues and given a tangible quality to the abstract notion of transparency and the right to information. From the very modest beginning in the villages in Rajasthan, the success of MKSS has been a source of inspiration to activists in India and throughout the world. It led to "the genesis of a broader discourse on the right to information in India". After dithering over this issue for years, the Central government finally introduced the Freedom of Information Bill, 2000 in Parliament on 25 July. This bill finally became the Freedom of Information Act, 2002 that has now been replaced by the Right to Information Act, 2005 (RTI Act) that seeks

to provide setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority, the constitution of Central Information Commission and State Information Commission and for matters connected therewith or incidental thereto.

The Right to Information is derived from part III of the Constitution of India guaranteeing the freedom of expression under Article 19. This Act is the codification of a right that empowers citizens to requisition information within a specific time frame of thirty days. This is an important pillar of democracy in ensuring 'transparency' and 'accountability'. In its preamble, the Act thus declares that "democracy requires informed citizens and transparency of information which are vital to its functioning and also to contain corruption and to hold governments and instrumentalities accountable to the governed".

The 2005 RTI Act is one of those empowering policy designs which led to transparency in public administration. Citizens have been given a right to ask questions within the limits, set out by the Act. The purpose of the Act is thus to create an engaged citizenry which is the staple for democratic governance. A bridge between citizens and political authority, it has become an effective instrument to ascertain administrative accountability which was elusive in the past given the rigid bureaucratic

structure that flourished in the wake of colonialism. It can thus be argued that in the development of citizen-centric governance, the role of the RTI remains most critical and indispensable. In the changed scenario, governance is no longer merely bureaucracy-driven, but draws on a partnership between government and citizens. One of the important consequences of such a conceptualization is the formal recognition of the role of citizens in governance which, so far, remains a captive of hierarchical and also domain-conscious bureaucracy. The 2005 RTI Act can thus be said to have ushered in an era of critical engagement involving citizens and those in public service while articulating policy preferences for the government. Rather than just providing information, the RTI Act is therefore "an effective watchdog ensuring all those coming in purview of the Act to work in accordance with rules and regulations, without any irregularities." Implicit here are two important ideas which are of critical significance in reconceptualizing democracy both as an Institutionalized form of governance and as a discourse highlighting how important citizens are in its articulation. On the one hand, the RTI Act is an effective Instrument recognizing citizens' right to demand and obtain information without hassles; this makes citizens aware, on the other hand, of their role not merely as recipients, but also instigators of change.

Despite being selective the above discussion is a testimony to the claim that public policies do bring about noticeable changes in governance. But, the impact of public policies on nation building is dialectically linked with the prevalent socio-economic and political context. As is often argued rather persuasively, policy preferences do not seem to change so often in a deliberative democracy presumably because they need to take into account the views of multiple stakeholders who are generally status-quoist. This is however possible in a context of dramatic socio-economic changes. There are plenty of examples to substantiate the contention. For instance, the approval of the 73rd Amendment Act in 1992 was the culmination of a series of campaigns championing the critical role of those at the grassroots in governance. It was also supported by those holding institutional authority. So, the radical Act seeking to translate decentralization of governance was the result of a confluence of factors involving the citizens and their democratically elected rulers. This was reinforced further when the RTI Act was adopted in 2005. Barring the sustained campaign led by the Mazdoor Kisan Shakti Sangathan, the Act would never have become a reality, replacing the age-old Official Secrets Act of 1923. Examples can be multiplied. What is being underlined here is the fact that public policy brings about changes in the policy processes in accordance with impetus from outside.

There is a final point: public policy and nation building are dialectically interconnected which means that the processes of nation building also influence public policy and vice versa. This argument also presupposes the critical role of politics which, by defining a specific kind of power relationship, acts as a guiding force in shaping exclusive policy preferences by being contextual. Implicit here is the idea that public policy is political in character which can never be conceptualized in derivative wisdom since it is historically determined and contextually relevant. The capacity of specific policy design is also contingent on the socio-economic circumstances in which it is organically rooted and articulated.

2.4 Summary:

Overall, public policy plays a pivotal role in shaping the socio-economic landscape by setting priorities, allocating resources efficiently, addressing societal challenges, and promoting sustainable development objectives. By designing evidence-based policies that consider the diverse needs of stakeholders and align with national development goals, policymakers can create an enabling environment for inclusive growth, social progress, and prosperity for all members of society.

2.5 Check Your Progress

1. How Public Policy influences the socio-economic development?

2. How Government policies regarding elementary and secondary education have affected the socio-economic development in India?
3. Describe the socio-economic impact of MGNREGA.

2.6 Glossary

- **Liberalization:** refers to the relief of state restrictions within the areas of social, political and economic policies and to encourage greater participation by private entities.
- **Globalization :** Interdependence of the world's economies, cultures and populations brought about by cross-border trade in goods and services, technologies, and flow of investment, people, and information.
- **Sustainable development :** development that meets the needs of the present without compromising the ability of future generations to meet their own needs.
- **Metamorphosis :** A change of the form or nature of a thing or person into a completely different one.
- **Paternalistic :** making decisions for other people rather than letting them take responsibility for their own lives.
- **Hegemonic :** Dominant in a political or social context
- **Siphoning off :** to gradually steal money or goods, usually from a business or government
- **Stakeholders :** a stakeholder is any individual, group, or party that has an interest in an organisation and the outcomes of its actions.
- **Status quo :** The existing order of things; present customs, practices, and power relations.

2.7 Answers to check your Progress Exercise

1. See Section 2.2
2. See Section 2.3
3. Section 2.3

2.8 Suggested Readings

- Ghai, Dharam. Social Development and Public Policy, Palgrave Macmillan.
- Chakrabarty, Bidyut and chand, Prakash (2016). Public Policy : Concept, Theory and Practice. New Delhi : Sage Publications.
- Smith, Brian C. and Smith, Brian (2007). Good Government and Development. Palgrave: Mc Millan.

2.9 Terminal Questions

1. Discuss the role of Public Policy in Socio-Economic Development.
2. How Some Significant Policy Initiatives have contributed in the socio-economic development of India.

Lesson-3

Policy-Making Process

Structure

- 3.0 Introduction
- 3.1 Learning Objectives
- 3.2 The Policy Environment
- 3.3 Public Policy Process
- 3.4 Public Policy Formulation
 - 3.4.1 Stages in the Policy Formulation
 - 3.4.2 Different Actors in Policy Formulation
 - 3.4.2.1 Official Policy Makers
 - 3.4.2.2 Unofficial Participants
 - 3.4.3 Challenges in Policy formulation
- 3.5 Public Policy Implementation
 - 3.5.1 Policy Implementation Process
 - 3.5.2 Who Implements Policy
 - 3.5.2.1 Role of Bureaucracy
 - 3.5.2.2 Role of Legislative bodies
 - 3.5.2.3 Role of Judiciary
 - 3.5.3 Hurdles in Policy Implementation
- 3.6 Policy Evaluation
 - 3.6.1 Types of Evaluation
 - 3.6.2 Methods of Evaluation
 - 3.6.3 Evaluating Agencies
 - 3.6.4 Barriers in Policy Evaluation
- 3.7 Public Policy Process in India
- 3.8 Summary
- 3.9 Check Your Progress
- 3.10 Glossary
- 3.11 Answers to check Your Progress Exercise
- 3.12 Suggested Readings

3.13 Terminal Questions

3.0 Introduction

The term, 'policy process' suggests that there is some sort of a system that translates policy ideas into actual policies that are implemented and have positive effects. The study of how policies are made generally considers a series of activities or processes that occur within the political system. The implication of this process model is that policy-making occurs in identifiable stages and that each stage can be examined separately. However, policy-making is seldom as neat as the process model. Nonetheless, it is often useful for analytical purposes to break policy-making into component units in order to understand better how policies are made." This chapter deals with the functional dimensions of public policy, namely formulation, implementation and evaluation process.

The aim of this chapter is to examine the intricacies of the policy-making process. As we know, there is an environment within which the policy-making process occurs. The chapter begins with this policy-making environment and the ways in which the environment can change or enhance or retard the possibility of policy change. The purpose is to know what factors usually influence the policy behaviour. Public policy has a sequential pattern of actions known as process system. We have classified the policy-making process in three broad categories: policy formulation, policy implementation and policy evaluation. The process of policy formulation attempts to respond to the demands pressed by the people. This section tries to explore the events, actors and political institutions that take part in the policy-making process. Here, the purpose is to see who participates in the policy-making process and in what ways, as well as what factors usually influence policy behaviour. Implementation, which follows policy formulation, is the task of putting formulated policies in to practice. It represents the conscious conversion of policy plans into reality. The final stage of the policy process is evaluation, which assesses the effectiveness of a public policy in terms of its perceived intentions and results. The final section of this chapter deals with the policy making process in India. It examines the stages of public policy process, actors involved and the limitations in policymaking in a democratic country, like India. Overall, the discussion that follows in this chapter shall be useful in understanding the theoretical as well as practical aspects of the policy-making process.

3.1 Learning Objectives:

After going through this lesson, the learners will be able to:

- know about the policy environment
- understand the public policy-making process
- be familiar with policy-formulation, policy-implementation and policy-evaluation processes
- understand the public policy process in India

3.2. The Policy Environment

Policy-making cannot be understood adequately in isolation from the environment in which it takes place. The policy process relates to its environment as much as a plant or animal does, and it is both influenced by and influences its environment. Demands for policy actions are generated in the environment and are transmitted to the political system; at the same time, the environment places limits and constraints upon what can be done by policy-makers. James E. Anderson identifies two environmental factors, namely political culture and socio- economic variables and their influence on policy-makers. Political culture means widely held values, beliefs and attitudes concerning governmental policies and actions.

Differences in public policy and policy-making in various countries can be explained, at least partly, in terms of political cultural variations. Sociologist Robin W. Williams has identified a number of 'major-value orientations' in American society. These include individual freedom, equality, progress, efficiency and practicality. Values, such as democracy and individualism clearly have significance for policy-making. Political culture helps in political behaviour. Political cultural differences help ensure that public policy is more likely to favour economic competition in the United States because individual opportunity is a widely held value there, while it is more likely to tolerate industrial cartels in China because economic competition has not been highly valued there.

Socio-economic conditions also influence political activities to a great extent. Public policies can be usefully viewed as arising out of conflicts between different groups of people-private and official-processing differing interest and desires. One of the prime sources of conflict, especially in modern societies, is economic activity. Conflicts may develop between the interests of different groups. Groups that are underprivileged or dissatisfied with their current relationships with other groups in the economy may seek governmental assistance to improve their situation. Thus, it has been labour groups that have sought minimum wage legislation after being dissatisfied with the wages resulting from private bargaining with employers.

A society's level of economic development will impose limits on what government can do in providing public goods and services to the community. The scarcities of economic resources will, of course, be more limiting in many of the underdeveloped countries of the world than in an affluent society, such as the United States. Social conflicts and change also provoke demands for government action. In the 1990s, there was a growing demand in India for reservation from the backward classes. That put pressure on the government to evolve a policy of reservation for the upliftment of these classes. Those with conflicting interests and values opposed such demands, with the consequence that public officials found themselves hard-pressed to desire acceptable policy solutions.

It can be fairly drawn from this discussion that we must consider social, economic and political factors to understand as to how policy decisions are made and why some decisions are made rather than others. By knowing these factors, successful actors in policy-making can understand and accommodate the enduring features of the policy-making environment and the ways in which the environment can change to enhance or retard the possibility of policy change.

3.3 Public Policy Process

Policy connotes a positive side of action. It emphasizes an initiative to solve a problem and it may take the form of programmes, projects and budget allocations. Scholars have identified various interfaces to map the stages of the policy process, thereby helping to structure its analysis. In this framework, public policy is a sequential pattern of action. The advantage of this framework is that it helps to capture the flow of action in the policy process. Thomas R. Dye presents the following interfaces of the public policy process:

1. **Problem Identification:** Identifying societal problems, publicizing the problems, expressing demands for government action.
2. **Agenda Setting:** Deciding issues and problems and their alternatives to be addressed by the government.
3. **Policy Formulation:** Developing policy proposals to resolve issues and ameliorate problems.
4. **Policy Legitimation:** Selecting a proposal, developing political support for it, and enacting it into law.

5. **Policy Implementation:** To carry a policy into effect.
6. **Policy Evaluation:** Reporting outputs of government programmes, evaluating impacts of policies on target groups and proposing changes and reforms.

This framework has a number of advantages. In actuality, policy-making often does chronologically follow the sequence of activities listed above. It helps to capture the flow of action in the policy process. However, in order to simplify our discussion, we will classify policy-making process in three broad categories. These are:

1. Policy formulation,
2. Policy implementation and
3. Policy evaluation.

3.4. Public Policy Formulation

Public policy formulation is a dynamic process. It attempts to respond to the demands pressed by the people. A number of events, actors and political institutions take part in this process. That means prior to the exercise of formal authority by a legislative body-executive or court- several phases or types of activities by public and private individuals shape the emergence and development of policy decisions. James E. Anderson describes four stages in the policy formulation.

3.4.1 Stages in the Policy Formulation

1. Identifying public problems,
2. Putting public problems on policy agenda,
3. Formulating policy proposals to deal with the problems and
4. Making policy decisions.

Public policies spring from issues that trouble a segment or segments of society to the point of taking actions. Commonly speaking, everyone has problems in the course of daily life. However, the difficulties that sow the seeds of public policy decisions fall into a unique category. The individuals or groups who suffer rely on government action to change their unfavourable condition into an acceptable situation. A public problem requiring government response is more pervasive than a personal difficulty, and the concern of large number of individuals with the same problem may transform that question into a public policy issue.

1. Identification of public problems is the starting point for public policy questions. Larry Gerston identifies four triggering factors which play a vital role in identifying and clarifying emerging issues for public policy, namely scope, intensity, time and resources. The first step of a public policy question centres on the scope of the issue, which refers to the number of individuals who are connected with the topic. It tells us much about the universality of a problem; it is a quantitative variable. If a large percentage of the potentially affected population is influenced by a dilemma or matter of concern, then the problem has widespread scope. More often than not, people in decision-making positions are very sensitive to scope. Without this critical mass, the issue remains a private 'problem' for a few concerned individuals. The second triggering component centres on intensity or the extent to which people feel psychologically affected by the issue. Sometimes, an issue may attract strong reactions from people. In a world where all kinds of problems arise every day, intensity helps to separate public policy issues from non- issues.

A third element, duration, centres on the length of time that an issue has bothered people. The longer an issue attracts the interest of an affected population, the more likely the sizable numbers of that group will demand change from policy-makers. If an issue becomes a long-standing part of the public agenda, policy-makers feel growing pressure to deal with it. Wise policy-makers pay attention to matters that stay on the public agenda for long periods of time. The fourth triggering mechanism is resource, which centres on what and how much is at stake with the emergence of a potential public policy issue. For example, as it may be expensive to build a public transportation system, citizens and policy-makers may sometimes conclude that the benefits will outweigh the costs, on other occasions, they may decide that the costs exceed the benefits.

2. The second stage in the policy formulation process is setting a policy agenda. Of the thousands of demands made upon government, only a small portion will receive serious attention from public policy-makers. Those demands that policy-makers either do choose or feel compelled to act upon constitute the policy agenda. Some matters are seen as public problems requiring action. Political leadership may be an important factor in agenda setting. Political leaders, whether motivated by considerations of political advantage, concern for the public interest or both may seize upon particular problems, publicize them and propose solutions. Protest activity, including violence, is another means by which problems may be brought to the attention of policy-makers and put on the policy agenda. Recently, the Government of Rajasthan (India) had to respond positively to the demands of the 'Gujjar' community due to their long protest. They were given 5% reservation in the state services.

The media also has a long-standing reputation for placing issues on the public agenda. News reports raise the awareness of both policy-makers and their constituents. By transforming a once private question into a public issue, media agents expand the size of the audience and thus alter the dynamics of the policy-making process.

3. When a problem becomes a part of the public agenda, the next stage of its journey is the formulation of policy proposals. Policy formation involves the development of pertinent and accepted proposed courses of actions for dealing with public problems. The government is the major source of initiative in the development of policy proposals. Many policy proposals are developed by the public bureaucracy. Special study groups or advisory commissions are also created by the government to examine particular policy areas and develop policy proposals.

Legislature plays an important role in policy formation. In the course of legislative hearings and investigations through contacts with various administrative officials and representatives of interest groups and on the basis of their own interests and activity, legislators receive suggestions for action on problems and formulate proposed courses of actions. Finally, interest groups often play a major role in policy formulation, sometimes going to the legislature with specific proposals for legislation. Or, they may work with legislative and executive officials for the enactment of one officially proposed policy, perhaps with some modifications to suit their interest. Competing proposals for dealing with a given problem may come from these sources. Finally, what is likely to result is the adoption of some compromise course of action based on these proposals. The Involvement of both public officials and private interest groups and adoption of compromised proposals are the basic characteristics of policy formulation in most of the political systems.

4. The final stage in the policy-making process is policy formulation. Policy formulation is, in practice, typically blended with the policy-decision stage of the policy process. Formulation is directed towards winning approval of a preferred policy alternative. A policy decision involves action by some official person or body to approve, modify or reject a preferred policy alternative. In positive fashion, it takes such forms as the enactment of legislation or the issuance of an executive order. Although private individuals and organizations also participate in making policy decisions, the formal authority rests with public officials-legislators, executive, administrators and judges. In democracies, the task of making policy decisions is most closely identified with the legislature, which is designed to represent the interests of the populace. Policy decisions made by the legislature are usually accepted as legitimate, as being made in the proper way and hence binding on all concerned. The policy formulation procedure is completed only after the appropriate authority has adopted the policy.

3.4.2 Different Actors in Policy Formulation

Some official and unofficial participants play an important role in the policy formation process. Here, the purpose is to give some notion of who participates in the policy-making process and in what ways, as well as of what factors usually influence policy behaviour.

3.4.2.1 Official Policy-makers

Official policy-makers are those who possess legal authority to engage in the formation of public policy. They are involved in public policy because their responsibilities are sanctioned by laws or the constitution and they, therefore, have the power to make and enforce policies. These include legislators, executives, administrators and judges. Each performs policy-making tasks at least somewhat different from the others.

Legislatures are concerned with the central political tasks of policy formation and law making in a political system. In the course of approving, the legislature performs other important functions like deliberating, scrutinizing, criticizing and publicizing government policies and their consequences for the public on the floor of the house. Usually, it lays down the broad objectives which the administration is to pursue, and in more important cases, also the machinery and the procedure through which they are to be pursued. From the public policy perspective, the legislative branch is an important centre of policy making. It is the institution, we most often study when trying to assess what issues are gaining and losing prominence and which alternative policies are being weighed. In India, for example, parliament, state legislative assemblies and local bodies provide an ideal political platform for raising the issues, which are of importance to the people. While parliament is the highest law-making body in the country, the legislatures are empowered to make laws for the states and the local bodies have the authority to make laws for the areas that fall under their jurisdiction.

Modern governments everywhere depend vitally upon executive leadership in both policy formulation and execution. In the parliamentary form of government, all policies must have the approval of the cabinet and the ministers of the government introduce the bill in the house. In the developing countries, the executive probably has even more influence in policy-making than in developed countries. It is due to the lack of strong bureaucratic base and little influence of the pressure groups which facilitate greater concentration of power in governmental hands. In the Indian political system, the office holders who are immediate policy-makers are the members of the cabinet. The cabinet is a relatively small body consisting only of the cabinet ministers and the prime minister. In practical sense, it is the cabinet which shapes the public policies in India.

Administrators are also involved in the policy-formulation process in more than one way. In complex industrial societies, the technicality and complexity of many policy matters, the need for

continuing control and the lack of time and information among others have led to the delegation of much discretionary authority to administrative agencies formally, recognized as 'the rule making power'. Public officials today are associated with policy formulation in three important ways. First, they supply facts, data and analysis (regarding the workability of a policy) to the ministers or to the legislature and impart content to a policy. Second, they are constantly in touch with the public so that they have a better understanding of their problems and the solution required in the form of policies. Third, on account of lack of time and knowledge, the legislature passes 'skeletal' acts and leaves the 'body' to be filled by the administration. It is here that administrators have the maximum scope for 'policy-making'.

Judiciary also plays an important role in the public policies. In countries where the courts have the power of judicial review, they have played an important role in policy formation. They have the power to determine the constitutionality of actions of the legislature and the executive branches and to declare them null and void if such action are found to be in conflict with the constitutional provisions. They play an important role in giving direction to social, economic and political policies of national importance. In a democratic system, judiciary plays an important role in the formulation of socio-economic policies. In India, judiciary has been an instrument of socio-economic change. It has been instrumental in delivering a number of judgements on important issues, like land reforms, child labour, environmental pollution, women empowerment and so on.

3.4.2.2 Unofficial Participants

Besides the official policy-makers, many other unofficial players may participate in the policy-making process, like interest groups, political parties and individual citizens, and they may considerably influence policy formation without possessing the legal authority to take binding policy decisions. Unofficial actors play their role without any explicit legal authority to participate. However, it does not mean that they are less important than the official ones. Indeed, these actors are involved because they have the right to be, because they have important interests to protect and promote and because, in many ways, our system of government simply would not work well without them. Thus, unofficial actors are involved in the policy process not because they are sanctioned by law, but because they are an effective way for many people to collectively express their desires with regard to policies.

Political Parties

In modern societies, political parties generally perform the function of 'interest aggregation', that is they seek to convert the particular demands of interest groups into general policy alternatives. Every political party has its own programmes or policies. These programmes, policies or values are presented to the people in the form of manifestos (before the elections) in order to gain their support. The professional purpose of the manifesto is that it promises the people that in case the party comes to power, it will implement the policies outlined therein. Since the government is formed by the leaders of the political party that wins the majority of seats in the legislature, party cadres get involved in the formulation of policies to which they are committed.

Pressure Groups

Pressure groups are organizations with formal structures whose members share common interests. They strive to influence the policies of the government without attempting to occupy political offices. The main function of these groups is to express demands and present alternatives for policy action. They constantly try to protect the interests of their members, by pressurizing either the government or the bureaucracy to take decisions, which are likely to be in consonance with the interest of their members. They employ various methods, such as publicity campaigns, lobbying, personal meetings with the officials or legislators and, writing letters or memoranda for this purpose.

Individual Citizens

In the present age, it is not possible for a government to impose policies on citizens perennially, if such policies do not reflect their will. Public policies have to be consistent with the interests of the citizens. A democratic government cannot adopt policies to which a large body of citizens is opposed. Thus, the citizens exercise indirect influence on policy-making. The exercise of the right to vote enables the citizens to make a choice of public policies. Elections are opportunities for the citizens to select between the alternative policies thrown up by the political parties.

Thus, in the policy-formulation process, a number of official and unofficial actors play an important role. As an official actor, executive, especially the cabinet, plays a critical role in the policy-making function of the government. Bureaucracy is crucial in supplying data and necessary information to the government. Legislative bodies enact the policies into laws. The judiciary keeps a check on the executive and determines the legality of the laws passed by the legislative body. Political parties, media, pressure groups and enlightened citizens contribute in the policy-making process as unofficial actors.

3.4.3 Challenges in Policy Formulation

Policy formulation is a key stage of policy-making process and one in which policy-makers may find their greatest opportunity to affect decision-making. However, policy-makers also face a number of challenges in policy formulation. These can be categorized as political, technical and institutional challenges. As far as political challenges are concerned, policy-makers do not always find a political environment conducive to systematic policy formulation. Often government officials at the top do not know exactly what they want and will only form ideas in a general way. Even when political masters know which problems they want to address and express their views transparently, the public may not be supportive of the possible solutions. For example, people dislike traffic congestion in urban areas, but they dislike many solutions, like the expansion of public transport, because it is inconvenient, pricing of road use (such as additional charges for licensing, fuel, peak hour road use or parking), because it is both expensive and inconvenient. To complicate the situation, local residents want to continue to use personal cars, while wanting controls against non-resident traffic. This potential public opposition to possible measures to ease traffic congestion is distinct from the opposition of business departments of the government itself. The government agency in-charge of business development, for example, may actually want more cars coming in order to enhance patronage of local business by well-heeled suburban consumers. In contrast, an environmental agency concerned about the pollution caused by vehicular traffic would be likely to advocate just the opposite. All these contradictory demands and expectations make the task of policy formulation a challenging task.

Sometimes, technical aspects of issues become barriers in policy formulation. The problem starts with understanding the cause of the problem. In the absence of clarity about the source of the problem, policy-makers cannot identify the objectives to pursue, where to look for alternatives or what criteria to use to shift or sort policy options. For example, the problem of global warming cannot be solved in the near future because there is no known solution to carbon and other greenhouse gas emissions that can be deployed without causing large-scale economic and social disruptions in the short term. Such technical issues may become challenging to the policy-makers.

Policy formulation is also disrupted by institutional challenges. Citizens' rights as per the provisions of the constitution form a significant constraint that can limit the options available to policy-makers. The existence of two or more levels of government in a federal nation, like India, imposes such constraints, because many national policies require intergovernmental agreements, which sometimes becomes impossible due to conflicting interests of two states. The bureaucratic rules and procedures

also pose challenges to policy formulation. While procedures are important for ensuring uniformity and accountability, they also become a barrier in smooth and innovative policy-making.

In order to improve public policy formulation, policy-makers need to adopt some strategies, like proper understanding of the source of the problem, clarity of policy objectives, anticipating changes and building political support, formulating policies with implementation in mind, exploring innovative policy solutions, promoting research and engaging trained and experienced policy analysts. By employing these strategies policy-makers can remove the barriers in policy-making and improve the policy-formulation process

3.5 Public Policy Implementation

Until 1970s, policy analysts gave little attention to policy implementation aspect. It was considered as an automatic extension of the policy-making process. By the mid-1970s, it was found that many policies had not performed well. As it became apparent that policy-making in many areas, such as population, health, education and agriculture had not achieved its desired goals, researches in public administration and public analysis began to focus on policy implementation process.

Simply speaking, implementation is the task of putting formulated policies into practice. It represents the conscious conversion of policy plans into reality. It is the 'follow-through' component of the public policy-making process. It is also a process of translating policy commitments into practice. Policy implementation reveals the strengths and weaknesses of the decision-making process. While some disagreement exists over the elements that compose implementation, certain assumptions for implementation to occur seem to have wide-spread acceptance:

1. There must be an entity with sufficient resources assigned to carry out the implementation task.
2. The implementing agency must be able to translate goods into an operational framework.
3. The entity assigned the implementing task must deliver on its assignment and be accountable for its actions,

3.5.1. Policy Implementation Process

Implementation process involves the continuation of the political process which had actually authored the policy. This is the reason why governments which have formulated a particular policy find it easier to implement it rather than the governments which inherit the task of implementation from the previous governments. Implementation process has the following characteristics:

1. Implementation translates the policies into collective action. It brings beneficiaries and passive people together so that the implementation could be effectively channelized.
2. Implementation deals with the problem of control and accountability in administration.
3. Implementation largely depends upon street-level discretion. Luther Gullick has found that the actual discretion in administration is used at the very bottom of the hierarchy where public servants touch the public.
4. Policy implementation has no clear-cut end point which marks the end of the implementation process. The implementation of a section in a policy is the starting point of the other episode or problem area. It is an ongoing process which never ends till the policy is withdrawn or funds end.

5. Implementation involves intergovernmental bargaining. Since every policy involves the cooperative efforts of several agencies, their mutual understanding and cooperation in the policy execution, coordination among themselves and allocation of work and funds together play a decisive role in getting the policy implemented.

It is evident from the features just discussed that the successful achievement of a policy's goals depends on its proper implementation. It requires the establishment of an appropriate set of activities that will bring about the result intended by the choice made in the policy decision. Policy implementation is also seen as a form of network governance since it demands smooth coordination among a wide range of actors.

3.5.2 Who Implements Policy?

Bureaucracy is the most significant player in implementing a public policy. Bureaucracy is mainly a policy-implementing organization. Many other actors like legislature, courts, pressure groups and community organizations help in the process.

3.5.2.1 Role of Bureaucracy

Policy implementation is the primary task of bureaucracy. The bureaucrats on the basis of their skills, experience and abilities are in a better position to implement public policy in the most effective manner. In the modern political system, public policy is implemented primarily by a complex system of administrative agencies. These agencies perform most of the day-to-day work of government and thus affect citizens directly in their actions. Administrative agencies often operate under broad and ambiguous statutory mandates that leave them with much discretion to decide what should or should not be done. Lack of time, interest, information and expertise on the part of politicians may also contribute to the delegation of authority to these agencies. Policy implementation is not an easy task. Without the cooperation of top administrators, little can be achieved.

In policy implementation, administrators, especially senior executives, have an important role to play. First, they must clearly understand the nature and significance of policies which the political masters have set. They are responsible for advising in the formulation of policies designed to achieve goals and also mobilizing, organizing and managing the resources necessary to carry through these policies. Second, they should assist policy-makers to avoid ambiguities. They should advise them on the importance of adopting policies which can be implemented. Third, they should be able to translate the general policies and their objectives into operational targets. This function should also include the analysis of probable cost and benefit of each objective for achieving the operational targets. As far as possible, they should adopt a rational approach and use management techniques to implement policies. Finally, they should be able to pay special attention to the question of coordination of policies and policy instruments. They should analyze the policy in question in relation to other policies to see if any inconsistencies exist and examine whether it complements or supplements other policies to produce better results.

Bureaucratic organizations have been subjected to a number of criticisms. It is said to be afflicted with excesses of red tapism, unresponsiveness, hierarchies and rigid rule framework. Despite these maladies, it holds importance. To a large extent, bureaucratic agencies are the responses to the directions of public policies.

3.5.2.2 Role of Legislative Bodies

While administrative machinery is the primary implementer of public policy, the legislative bodies are also involved in policy implementation. Though the role of the legislative bodies is not very crucial, they may affect the administrative organizations in several ways. It subjects administrative action to examination and criticism. It can lay down limits to administrative discretion and delegation. It

authorizes taxation and expenditure and holds the executive to account for its financial decisions. It may specify limits in the legislation over the use of budgetary funds. In India, the parliament, the Public Accounts Committee, the Committee on Public Undertakings, the Estimates Committee and other standing committees of parliament often attempt to influence the actions of administrative agencies that fall within their purview. Parliamentary approval is required for many top-level administrative appointments, and this may be used to influence the Implementation process. Thus, legislative bodies affect implementation in a variety of ways. They play an indirect role in the policy implementation process.

3.5.2.3 Role of Judiciary

Judiciary also plays an important role in policy implementation. Some laws are enforced primarily through judicial action. The courts affect administration through their interpretation of statutes and administrative rules and regulations and through their review of administrative decisions in cases brought before them. Courts can facilitate, hinder or largely nullify the implementation of particular policies through their decisions. Public policies are formulated with a specific purpose intended to serve the society. However, some policies may prove contrary to the provisions of the constitution, thereby violating the fundamental rights of the citizens. Under such situations, it becomes necessary for the judiciary to intervene on behalf of the victims and redress their grievances. In this way, judiciary sets the things right and participates in the policy implementation process.

Political parties also affect the policy implementation process. They try to influence both the executive and the bureaucracy to implement policies which serve their purpose. Sometimes, they prevent the Implementation of a policy which goes contrary to their ideology.

The civil society groups and non-governmental organizations (NGOs) also play a catalytic role in policy implementation. NGOs play an important role in spreading awareness among the people. After the 73rd Amendment Act, the panchayats have acted as an integrating device for grass-root agencies, though NGOs cannot substitute the role of the government agencies in implementing public policies. However, it can be said that they create awareness among the people to such an extent that policy implementation becomes easy for governmental institutions and agencies.

3.5.3 Hurdles in Policy Implementation

Policy implementation is not an easy task. Policy-makers often fail to prepare the ground systematically for implementation, resulting in high-profile policy failure. The poor design of policies implies that policies may fail even if implemented as intended. Another, hurdle involves the lack of adequate bureaucratic and political support for implementation. Support for policies can often stop at the rhetorical level, at the agency level or at the level of government that initiated them. Lower levels of government and grass-root actors, on whom the actual implementation success hinges, may discover that they have little understanding of, or stake in, the policies they are asked to execute.

A range of capacity-related difficulties may have negative repercussions on implementation. Operational capacity is the bedrock of implementation. The high degree of interdependence among stakeholders involved in the modern policy-making process increases the complexity and vulnerability of the implementation challenge for policy-makers. The following factors make this exercise more difficult:

1. Poor policy design,
2. Absence of adequate financial resources,
3. Minimal bureaucratic cooperation in providing data to substantiate the findings,
4. Lack of political support and political interference,

5. Conflicting presentation of data by government agencies and pressure groups and rationalization of their own findings,
6. Lack of public involvement in policy implementation programmes,
7. Lack of administrative will and motivation,
8. Poor coordination and cooperation,
9. Politicization of policies to please the strong groups in the electorate and
10. Centralization of power and hierarchical bureaucratic structure.

For policy-makers, policy implementation is one of the most difficult aspects of the public policy process, and policy failure is one of the most frustrating parts of their jobs, because all policy-makers want their ideas to work. The success of any government and administration depends largely upon successful implementation of policies. Policy does not implement itself. It has to be translated into action. It requires strong determination, will and action. Policies must be proposed, structured, funded and directed so that the implementing bureaucracy has a clear framework for application. For policies to succeed, clear lines of transmission and jurisdiction must be drawn. Thus, policy-makers have to be precise, while bureaucratic discretionary authority must be constrained. In addition, implementation requires willing cooperation by relevant actors and institutions

3.6 Policy Evaluation

The final stage of the policy process is evaluation. Simply defined, policy evaluation assesses the effectiveness of a public policy in terms of its perceived intentions and results. It is the best opportunity for those interested in knowing whether a commitment has been called out in line with its design. The main objective of policy evaluation is to reduce the problem in the light of policy delivery and is generally used for one or more of the three purposes of assessing: policy efficiency, policy effectiveness and policy impact. Besides these purposes, it provides reliable information about policy performance. The aim of evaluation here is to measure the impact of policies on society. It reveals the extent to which particular goals have been achieved. It helps us to understand the degree to which policy issues have been resolved.

3.6.1 Types of Evaluation

There are many types of policy evaluation, depending on the nature of the policy actors involved in initiating or implementing it, the amount of information available for analysis and what is intended to be done with the findings. Joseph S. Wholey identifies the following three types of policy evaluation activities:

Type I : Programme Impact Evaluation

It is an assessment of overall programme impact and effectiveness. The emphasis is on determining the extent to which programmes are successful in achieving basic objectives and on the comparative evaluation of national programmes.

Type II : Programme Strategy Evaluation

This is an assessment of the relative effectiveness of the programme strategies and variables. The emphasis is on determining which programme strategies are most productive.

Type III: Project Monitoring

This is based on assessment of individual projects through site visits and other activities with emphasis managerial and operational efficiency.

Systems evaluation studies the effects a policy has on the public problem to which it is directed. It permits at least some tentative responses to the question, Is this policy accomplishing anything? It gives the policy-makers and the general public some notion of the actual impact of policy and provides policy discussions with some grounding in reality. While some evaluation techniques are more likely to produce more credible estimates of policy outcomes than others, in practice, it is difficult to adopt the best evaluation technique due to time and resource constraints. The policy evaluator should instead choose the best possible technique by taking into consideration the importance of the policy, the practicality of evaluation techniques and the probability of producing useful and credible results.

3.6.2 Methods of Evaluation

In the past, evaluation had mostly been in terms of economic analysis of policies. Therefore, most tools of evaluation studies have been taken from economics. They have been aimed at setting of economic targets of productivity analysis, efficiency evaluation and the cost benefit studies. The three most commonly used tools of evaluation are as follows:

1. Cost-benefit Analysis

This is the most commonly used approach in evaluation studies. It employs the balancing of the costs and benefits of the policies in a manner such that profit and losses could be assessed in purely economic terms. Basically, this method requires systematic enumeration of all benefits and all costs, whether readily quantifiable or difficult to measure; which will accrue if a particular project is adapted. With all this information at hand, the analyst should be able to subtract the total cost of each alternative from the total sum of its benefits and identify the net gain in each case. This was the most reliable, simple and clear-cut system of analysis, but it was incapable of evaluating policies of the intangibles, like the impact of the free meal policy for children upon their performance, the loss of environment due to mining or the impact of oil refinery on the coastal marine and human life. The cost-benefit analysis is incapable of assessing all these complex variables in public policy.

2. Planning-Programming-Budgeting System (PPBS)

Planning-Programming-Budgeting System (PPBS) has been widely adopted by government agencies in recent years. The aim of PPBS is to specify the output of a government programme and then to minimize the cost of achieving this output and to learn whether benefits exceed the cost. The first step in PPBS is to define programme objectives. The next, and perhaps critical step, is to develop measures of the level accomplishment under each programme, the 'output'. Then, the cost of the programme can be calculated per unit of output. Presumably, this enables the decision-makers to view the real cost-benefit ratio of a programme, that is, how much it costs to teach one pupil per year or to keep one child in a day-care centre, and so on.

3. The Experimental Method

In this method, policies are evaluated in an 'ideal' laboratory-like situation, in which some units in a population are randomly selected. In evaluating the performance of such policies and programmes, samples of different groups (who have received and who have not received some services under the policy measures being evaluated) are selected for comparative analysis. Relevant variables of the groups are then studied before and after and even during the programme period in order to find out the difference of impact. Subsequently, statistical methods are used for testing the data for significance levels.

3.6.3 Evaluating Agencies

Another significant area of study in the field of policy evaluation is the role of various agencies involved in it. Within the government, a few agencies of official policy evaluation are the legislatures

and their committees, the audit office, commissions of enquiry and the departmental evaluation reports. These are discussed as follows.

1. Legislative Bodies

The legislative body exercises policy evaluation through the technique of questions and debates, various motions, like call attention, no-confidence, committee hearing, investigation and through the budgetary process. Since the legislature is a large body and overburdened with the routine matter, it is their smaller committees, which take up detailed investigative and evaluative work. In India, for example, we have a number of such committees, namely public accounts committees, Committee on the Welfare of SC/ST and so on.

2. Audit Process

In India, the auditor's office has broad statutory authority to audit the operation and finance of the activities of government agencies, evaluate their programmes and report their findings to the parliament. Evaluation may be taken up by the office of the Controller and Auditor General of India (CAG) on its own initiative, on the basis of directives in legislation, at the request of financial committees or sometimes at the request of individual members of parliament. The office of the Comptroller and Auditor General of India which is regarded as an arm of the parliament has broad statutory authority to ensure the accountability of the executive to the parliament. It assists the legislature in the executive exercise of its financial control.

3. Administrative Agencies

All government departments prepare their internal evaluation reports, which provide an opportunity to appraise the parliament and public of the working of the programmes and projects undertaken by the department. Similarly, every department while sending its own demand for grants to the Finance Ministry evaluates its annual plans, programmes and performance. The organization and methods division in ministries also indirectly performs the task of policy evaluation.

4. Commissions and Independent Agencies

From time to time, appointment of certain commissions, like the planning commission, the administrative reform commission and various ad-hoc commissions by the government play an important role in public policy evaluation by presenting their detailed research reports on the consequences, and impacts of particular government policies. Evaluation activity is also carried on outside the government. The university research scholars, private research institutes, pressure groups and public interest organizations evaluate policies that have an impact on public officials to some extent. They also provide the general public with information, publicize policy action or inaction, advocate enactment or withdrawal of policies and often effectively voice the demands of the weaker sections of the public.

3.6.4 Barriers in Policy Evaluation

No doubt, evaluation is an important component of the policy-making process which must be objective, systematic and empirical. But a number of barriers stand in the way of those who try to evaluate policies. The first problem is regarding uncertainty over policy goals. When the goals of policy are unclear or diffused, policy evaluation becomes a difficult task. In such a case, officials may define goals differently and act accordingly. Second, there is the difficulty of measuring the extent to which these goals have been achieved. Evaluators themselves may not be impartial individuals to take an objective view of a policy issue. The same condition can be interpreted differently by different evaluators. Third, a shortage of accurate and relevant data and statistics may hinder the work of a policy evaluator. Official resistance is another barrier in policy evaluation, because agencies and

programme officials see the possible political consequences of evaluation. If the results do not come out in their favour, they may discourage or disparage evaluation studies, refuse access to data or keep incomplete records. Finally, it is a general observation that organizations tend to resist change, while evaluation implies change. Organizational inertia may thus be an obstacle to evaluation, along with more forms of resistance.

Thus, public policy evaluation is a very complex process. Many participants are involved and many factors influence the outcome in this process. Nevertheless, evaluation has taken its place as a vital element of the public policy process; it is a potentially powerful mechanism that compares promise with performance and a linkage between the present and the future. Thus, although evaluation may seem to be an almost gratuitous 'back door' of the policy making cycle, it also serves as the window for policy-making decisions yet to come.

3.7 Public Policy Process in India Public

Policy-making is a vital function of the government in a democratic country, like India. The process of policy-making begins with the ideas and opinions people have about the actions they want the government to undertake. In other words, these are the demands or proposals made by civil society organizations or interest groups upon the political system for action on some perceived problem. People with demands, either supported or opposed by interest groups, seek to achieve some commitments from government to put their ideas into action. In the Indian parliamentary system, the activities of the government are carried out by the council of ministers headed by the prime minister. In the council of ministers, cabinet occupies an important place, as it is the body, which makes important decisions pertaining to government policies. The cabinet formulates all the policies and sends them to the parliament for approval. The parliament consisting of the Lok Sabha and Rajya Sabha discusses the policy before approving it. Many discussions and debates take place in both the houses of parliament. However, the support of majority members paves the way for approval of the policy. Once it is cleared by both the houses, it is sent to the President for his assent. The President is free, either to give his assent or withhold it. On occasions, he can send the bill back to the parliament with his comments and recommendations. After incorporating the changes proposed by the President, the bill is sent to the President for assent and he is bound to give assent. The recommendations made by the President can be ignored by the parliament if the government has a strong majority in both the houses. After going through this process a bill is converted into a policy.

Another stage in the public policy process is policy implementation. The real fruits of a policy can be enjoyed when the policy is implemented effectively. In India, various institutions like the legislature, executive, judiciary, civil service and NGOs participate directly or indirectly in the process of policy implementation. The legislature plays an important role in the policy implementation process by expressing its opinion during the question hour session. Members of the parliament can ask the government any question of importance. There are several committees, such as the Public Accounts Committee, Estimate Committee and Select Committees, that enable the members to scrutinize the government's decision. Members of the parliament can express their views on budgetary discussion every year.

The judiciary also plays an important role in the policy implementation process. Any policy formulated by the government leading to incongruence with the Constitution is declared null and void by the Supreme Court of India. The introduction of Public Interest Litigation (PIL) also enables the Supreme Court to direct the government to alter faulty policy and check the implementation of wrong policy. The role of the executive in the policy implementation process is very important. With the cooperation of the civil service, the executive is primarily responsible for implementation of the policies. Civil servants can materialize the policy in the right direction with their skill, knowledge and experience.

Public policy is meant for the welfare of the citizens. Civil servants, therefore, maintain healthy cooperation with citizens in implementing public policy.

After being successfully implemented, a policy is evaluated in order to assess its effectiveness in terms of its perceived intentions and results. In India, the official policy evaluation agencies are: the legislatures and their committees, the Comptroller and Auditor General of India, Commissions of enquiry and the departmental evaluation reports. Evaluation activity is also carried on outside the government. University research scholars, private research institutes, pressure groups and public interest organizations make evaluation of policies that have impact on public officials to some extent. They also provide the general public with information, publicize policy action or inaction, advocate enactment or withdrawal of policies, and often effectively voice the demands of the weaker sections of the public. Through the policy evaluation process the policy-makers get feedback for better policy formulation.

3.8. Summary:

To sum up, public policy process focuses on how policies are made. It identifies a variety of activities that occur within the political system, including identification of problems and agenda setting, formulating policy proposals, legitimating policies, implementing policies and evaluating their effectiveness. Public policy-making is a very complex and dynamic process. It is a continuous process and requires a continuous output of resources and motivation. Political executive, legislature, bureaucracy, judiciary, international agencies, voluntary groups and pressure groups are the major organs that participate in public policy-making and influence the policy process to a great extent.

Implementation of policy is the most important and fundamental function of bureaucracy. As the storehouse of knowledge and experience, senior administrators are capable to give instructions and suggestions to the lower staff as to how to implement policies. They are able to argue about new methods of dealing with policy implementation problems. In any complex situation, policy-making and policy execution are interconnected phenomena and influence each other. Often policies have to be modified and revised in the course of their execution after taking into account the experience gained. The modern state is heavily dependent upon bureaucracy, both for policy formulation as well as policy execution.

The final and the most important stage in the public policy process is evaluation. The main objective of policy evaluation is to reduce the problem in the face of policy delivery and is generally used for one or more of the three purposes of assessing: policy efficiency, policy effectiveness and policy impact. Besides these purposes, it provides reliable information about policy performance.

In India, policy-making is a vital function of the government aimed at the welfare of the people. The executive, legislative body and judiciary are important players in the policy-making process. A public policy moves through formulation, implementation and evaluation processes. However, it is to be noted that policies in India have their own socio-economic and political contexts, which is reflected in the nature and character of the policies. It is distinct from the Western nations, as caste, religion and other social-economic factors play an important role in the policy-making process. These distinctive features of public policy in India confirm that it is conceptually misleading to aim for a universal model of public policy.

3.9 Check Your Progress

1. "The Policy Process relates to its environment". Comment
2. Discuss the various stages in Policy-Formulation?
3. What are the main challenges in Policy-Formulation?

4. What role bureaucracy plays in Policy Implementation?
5. What are the main hurdles in Policy Implementation?
6. Describe the main barriers in Policy-Evaluation.

3.10 Glossary

- Political Culture : Political culture refers to the shared set of beliefs that a group of people have about their political system. This includes the values, opinions, and understanding of the citizens of the political process.
- Judicial Review : Power of Judiciary of a country to examine the actions of the legislature, executive and administrative arms of the government and to determine whether such actions are consistent with the constitution.
- Lobbying : activity that aims to influence legislators etc in the formulation of policy.
- Red-tapism : is the practice of requiring excessive paperwork and tedious procedures before official action can be considered or completed. It also refers to official rules and processes that seem unnecessary and delay results.
- Call-Attention Motion : A member of the legislature, with the speaker's approval, move a motion to bring the attention of a Minister to any topic of urgent public interest.
- No-Confidence Motion - A no-confidence motion is a parliamentary process that allows the opposition to challenge the government's majority and ability to govern. If the motion is passed, the government must resign.

3.11 Answers to check your Progress Exercise

1. See Section 3.2
2. See Sub-section 3.4.1
3. See Sub-section 3.4.3
4. See Sub-section 3.5.2.1
5. See Sub-section 3.5.3
6. See Sub-section 3.6.3

3.12 Suggested Readings

- Chakrabarty, Bidyut and chand, Prakash (2016). Public Policy : Concept, Theory and Practice. New Delhi : Sage Publication.
- Gerston, Larry N (1974). Public Policy Making : Process and Principles. ed. M.E. Sharpe. New York: Armonk.
- Sapru, R.K. (2014). Public Policy : Formulation, Implementation and Evaluation. New Delhi : Sterling.
- De, Prabir Kumar (2011). Public Policy and System. New Delhi : Pearson.
- Ripley, Randall B. and Franklin Grace A. (1986). Policy Implementation and the Bureaucracy. Chicago, IL : Dersey Press.

- Anderson, J.E. (2006) Public Policy Making : An Introduction. Boston : Houghton.
- Birkland, Thomas (2001). An Introduction to the Policy Process. London : M.E. Sharpe.

3.13 Terminal Questions

1. Define Public Policy. Discuss the Policy-Making Process in brief.
2. Discuss the various factors/Actors that influence the Formulation of public policies.
3. Critically examine the formulation and implementation of public policy in India.
4. Write a short note on Policy Evaluation

Lesson-4

Approaches to the Study of Public Policy

Structure

- 4.0 Introduction
- 4.1 Learning Objectives
- 4.2 Rational-Choice Approach
- 4.3 Incremental Model
- 4.4 Public Choice Theory
- 4.5 Summary
- 4.6 Check Your Progress
- 4.7 Glossary
- 4.8 Answers to Check Your Progress Exercise
- 4.9 Suggested Readings
- 4.10 Terminal Questions

4.0 Introduction

Scholars of public administration and policy scientists have developed various public policy making theories, approaches, methodology and models over the years in an attempt to explicate the process and to teach students and practitioners how to make public policy. Some scholars study the policy process generally and some other study it to develop a knowledge base that can be applied across domains. There are several approaches to the study of public policy, each offering unique perspectives and methodologies for analyzing how policies are formulated, implemented, and evaluated. In this lesson, we will focus mainly on three approaches to the study of public policy namely Rational-choice Approach, Incremental Model and Public choice Theory.

4.1 Learning Objectives

The main objective of this lesson is to make the learners familiar with the main approaches to the study of public policy.

4.2 Rational Choice Approach

This approach emphasizes that policy-making is a choice among policy alternatives on rational grounds. Herbert Simon, Yehezkel Dror and Thomas R. Dye are the main protagonists of this model. Robert Haveman observes that a rational policy is one that is correctly designed to maximize 'net value achievement'. Maximization of net value achievement is thus the central point of a rational policy. As an intellectual endeavour, rationalism tries to know all the preferences existing in a society, assign each value a relative weight, discover all policy alternatives available, know all consequences of each alternative, calculate how the selection of any policy will affect the remaining alternatives in terms of opportunity costs, and ultimately select that policy alternative which is the most efficient in terms of the costs and benefits of social values.

Thomas R. Dye says that a rational policy is one that achieves 'maximum social gain', that is, governments should choose policies resulting in gains to society that exceeds costs by the greatest

amount, and governments should refrain from policies if costs are not exceeded by gains. This point has two implications. First, no policy should be adopted if its costs exceed its benefits. Second, among policy alternatives, decision-makers should choose the policy that produces the greatest benefit over cost. In other words, a policy is rational when the differences between the values it achieves and the values it sacrifices is positive and greater than any other policy alternative. However, that does not mean that this model ignores the social values. Rather, it accommodates all social, political and economic values sacrificed or achieved by a public policy, not just those that can be measured in monetary terms.

The rational model is described by Lindblom as the one which is used by a rational man who is faced with a given problem. A rational man clarifies his goals, values or objectives and organizes them. He then considers the alternative policies to achieve his goals, makes a careful study of the consequences of each alternative policy and compares the consequences with his goals. So, a rational man should choose the policy with consequences that most closely match his goals. Dror prescribes certain requirements to policy-makers in selecting a rational policy. They must:

1. Know all the society's value preferences and their relative weights,
2. Know all the policy alternatives available,
3. Know all the consequences of each policy alternative,
4. Calculate the ratio of benefits to costs for each policy alternative and
5. Select the most efficient policy alternative.

In a rational decision-making process, instead of making an 'ideal' decision, according to Simon, policy-makers break the complexity of problems into small and understandable parts, choose the one option that is best and satisfactory, and avoid unnecessary uncertainty. Rational policy-making is a difficult exercise. Simon, in this context, observes, "It is impossible for the behaviour of a single, isolated individual to reach any high degree of rationality". Rational decision-making model has to face a number of barriers. It is said that due to these barriers, it rarely takes place at all in the government. Thomas Dye identifies some of the following obstacles to rational policy-making:

1. The motivation for policy-makers to try to maximize net goal achievement is lacking. They merely try to satisfy certain demands for progress and do not strive forward until they find one best way.
2. Policy-makers are not motivated to make decisions on the basis of societal goals; but try instead to maximize their own rewards, such as power, status and money.
3. Time factor is also very crucial in the rational model of policy-making. In an emergency situation, action is sought immediately and the time is too short to make any careful analysis. In routine policy-making also, the sheer number of potential issues limits the time available to analyze any one issue carefully.
4. Uncertainty about the consequences of various policy alternatives compels policy-makers to stick as closely as possible to previous policies to reduce the likelihood of disturbing, unanticipated consequences.
5. The predictive capacities of physical, biological, or social and behavioural sciences are not advanced enough to enable policy-makers to understand the full range of consequences of each policy alternative.
6. Another important obstacle to rational policy-making is the environment of the bureaucracies.

Thus the applicability of a rational policy-making model is limited by the uncertainty of its consequences, time taking process, focus on individualistic goals and the bureaucratic work culture. Despite these limitations, the model remains significant for analytical purposes as it helps to identify barriers to rationality. It even helps in posing questions such as, why is policy-making not a more rational process.

4.3 Incremental Model

Incrementalism views public policy as a continuation of the previous government activities with only incremental modification. Charles E. Lindblom first presented the incremental model in the course of a critique of the traditional rational model of decision-making. According to Lindblom, decision-makers do not annually review the whole range of existing and proposed policies because of the constraints of time, intelligence and cost it involves. Policy-makers generally accept the legitimacy of established programme and tacitly agree to continue previous policies. Policy-makers accept the legitimacy of previous policies because of the uncertainty about the consequences of completely new or different policies. There are also heavy investments in the existing programmes which preclude any radical change. Incrementalism is also politically expedient because it is easier to reach an agreement when the matters in dispute among various groups are only modifications of the existing programmes rather than policy issues of greater magnitude or an 'all or nothing character'.

Thus, incrementalism is helpful in reducing conflicts, maintaining stability and preserving the political system itself.

Charles Lindblom coined the term 'disjointed incrementalism' as a description of the policy-making process. 'Disjointed' refers to disconnect between the assessment of conditions and the development of responses to them. Incrementalism, in this connection, means that policy-makers consider and implement very few and very small policy changes very slowly. Lindblom initially called disjointed incrementalism 'muddling through' a frankly more descriptive and less pompous moniker.

Incremental model believes that people are essentially pragmatic, seeking not always the single way to deal with a problem but, working modestly on 'something that will work'. In most cases, modification of the existing programmes will satisfy particular demands, and the major policy shifts required to maximize values are overlooked. Finally, in the absence of any agreed upon societal goals or values, it is easier for the government to continue with the existing programmes rather than engage in overall policy planning towards specific societal goals. Incrementalism, in short, yields limited, practicable and acceptable decisions.

Incremental approach is also not free from criticism. It is regarded as conservative in nature as it prefers to continue the existing policies and has no vision for change. Policy-makers generally accept the legitimacy of the established programmes and tacitly agree to continue with the previous policies. So, there is little space for change and innovation in this model. They do this because they do not have the time, information or money to explore all the alternatives to the existing policies. Thus, completely rational policy may turn out to be inefficient if the time and cost of developing a rational policy are excessive. The incrementalist approach to policy-making is also blamed as indecisive.

There is also an uncertainty about the implications of a new or different policy. Due to such uncertainty policy-makers prefer to continue the previous policies irrespective of their effectiveness.

Despite a number of weaknesses, the incremental model has much educational value because it emphasizes the limits of human knowledge and so helps policy reformers and policy scientists avoid the cardinal sins of hubris and intellectual arrogance. It is especially significant for the policy-makers in developing countries as it draws their attention to the dangers of radically new policies and thus to the need to guard against uncertainty and risks as much as possible while introducing necessary

innovations. The incremental model is valid for large areas of social action in which stability and predictability are the most important values, such as in judicial decision-making, where it provides an intellectual understanding for the doctrine of precedents. It is also a valuable contribution to policy science, both because it explains a widespread mode of thinking and acting and so opens it up to conscious examination and critique, and because it stimulates efforts to construct normative models of policy-making. However, Yehezkel Dror observes that incremental model cannot be accepted as a universal or even widely applicable normative model for policy-making, despite its attractive formulation and despite its compatibility with some of our deep-rooted biases.

4.4 Public Choice Theory

Public choice theory is the application of economic analyses to public policy-making. Public choice theory is an attempt to understand non-economic activity using the language and analytical tools of economics. According to this, "the basic unit of social analysis is the individual and purposive action by the individual is essence of social behaviour". Individuals are rational and, therefore, pursue their self-interest. It has also been argued that civil servants in most developing countries capture rent by way of scarcity premium that is attached to licences and quotas. For W.A. Niskanen, one of the proponents of this model, "the beginning of wisdom is the recognition that bureaucrats are people who are, at least, not entirely motivated by the general welfare or the interest of the state". It is assumed that all political actors seek to maximize their personal benefits in politics as well as in the marketplace. It believes that individuals come together in politics for their own mutual benefit, just as they can come together in the marketplace and enhance their own well-being, in the same way as by trading in the marketplace. In a simple way, people pursue their self-interest in both politics and the marketplace, but even with selfish motives, they can mutually benefit through collective decision-making.

There are two major components of public choice theory. One of its basic axioms is that political actors, like economic actors, act rationally in pursuing their own self-interest. Thus, economist James Buchanan, a leading proponent of public choice theory, contends that politicians are guided by their self-interest rather than an altruistic commitment to such goals as statesmanship or the national interest. Buchanan states that this is a very common thing because governments are made of individuals, and individuals operate from self-interest when they are engaged in a system of exchange, whether this is in the market economy or in politics. Individuals who are engaged in decision-making exchanges or transactions, such as voting, also have preferences that vary from person to person. Being rational, individuals are able to comprehend and rank their preferences from most to least desired. In making decisions (whether economic or political), they are guided by these preferences and will seek to maximize the benefits they gain. In short, people are self-interested utility maximizers, not the uninformed, confused, or irrational choice makers often depicted in analyses of political behaviour. A second basic axiom of rational choice theory involves methodological individualism. The individual decision-maker is the primary unit of analysis and theory. The individual's preferences or values are assumed to be more important than other values-collective, organizational or social. Conversely, rational choice theorists argue that the actions of organizations and groups can be satisfactorily explained in terms of the behaviour of a model individual. This principle can be applied to all people in a society.

Public choice theory argues for governmental intervention to protect public interest. Thomas Dye gives two arguments to support this. First, he says that public goods must be provided by the government because they cannot be provided by the market as their costs exceed their value to any single buyer. National defense is a good example of it, as protection from foreign invasion is too expensive for a single person to buy, and once it is provided, no one can be excluded from its benefits. So, people must act collectively through government to provide for the common defence. Second, externalities are another justification for government intervention. An externality occurs when an activity

of one individual or firm imposes uncompensated costs on others. The good example of this is air and water pollution. The discharge of air and water pollutants by a firm imposes costs on others. In such cases, government may regulate such activities either by imposing penalties on such activities to compensate for their costs to society. In both these cases, governmental intervention and regulation is a must to protect public interest.

Thus, public choice theory helps to explain why political parties and candidates generally fail to offer clear policy alternatives in election campaigns. Political parties and the candidates who are contesting in the elections are only interested in winning elections and not in adhering to moral values and their commitments. They formulate a policy in such a way that it helps them to win elections. It is not that they win elections to formulate policies. They only bother about maximizing the vote bank in the elections. Such leaders are bothered about the next elections and not the next generation. So, we can say that public choice theory contributes to our understanding of interest groups and their effects on public policy.

The public choice school has been successful in pointing out that there are alternatives available for the delivery of services to the citizens. The role of the market as a competing paradigm has challenged the hegemonic position of the state. Also, the power of bureaucracy has been similarly slashed by opening-up of possibilities of non-bureaucratic citizen-friendly organizational options. It is however a state versus market debate, as is often made out to be. The real issue is how to make the state more democratic and citizen-friendly and not to relegate it to the background altogether and install the 'new god' of market in its place. The assumptions of public choice school are not above board, nor are the arguments supportive of market always justified. Again, the situations differ from one country to another and their prescription to check governmental overgrowth may not be of universal relevance. For instance, the state-led development activities may not be entirely discarded in view of the prevalent socio-economic conditions in some parts of the globe which allow politicians to become hegemonic. So, this is clearly circumstantial which is likely to change as social forces challenging shackles-free politicians gain momentum. Public choice theory may not have universal application. Nonetheless, it has raised pertinent questions which are relevant to conceptualize individual/collective choice in a context where state seems to have considerably lost its predominant role to market in a neoliberal globalizing world.

4.5 Summary

This lesson delves into three above mentioned main approaches to get a better understanding of the public policy process. Each model provides a separate focus on political life, and each can help us to understand different things about public policy. Thus, it is not possible to say which is the 'best' or 'most satisfactory'. It would be better to use them as organizing concepts that seem most useful for the satisfactory analysis and explanation of a particular public policy or political action. Each of the approaches can contribute to our understanding of public policy.

4.6 Check Your Progress

1. What is Rational-Choice Approach to the study of public policy?
2. Describe the incremental Model to the study of public policy.
3. Discuss the main tenets of public choice theory.

4.7 Glossary

- **Theory** : a supposition or a system of ideas and principles intended to explain something, especially based on general principles independent of the thing to be explained.

- **Approach** : a way of dealing with a situation or problem
- **Model** : a physical or an informative representation of an object, person or system.
- **Rational** : based on or in accordance with reason or logic
- **Incrementalism** : a term also used as a synonym for gradualism. Incrementalism is a method of working by adding to a project using many small gradual changes instead of a few fast large jumps.
- **Pompous moniker** : having or exhibiting self-importance.
- **Pragmatic** : dealing with things sensibly and realistically in a way that is based on practical rather than theoretical considerations.
- **Altruistic** : having or showing an unselfish concern for the welfare of others.
- **Neoliberal** : favouring policies that promote free market capitalism, deregulations, and reduction in government spending.

4.8 Answers to check your Progress Exercise

1. See section 4.2
2. See section 4.3
3. See section 4.4

4.9 Suggested Readings

- Birland, Thomas A. (2011). An Introduction to the policy process : Theories, concepts and Models of Public Policy making. New Delhi : PHI Learning
- Dye Thomas R. (2004) Understanding public policy, New Jersey : Prentice Hall.
- Chakrabarty, Bidyut and Chand Prakash (eds.) (2016) Public Policy : concept, Theory and Practice. New Delhi : Sage Publication.
- Henry, Nicholas (2012) Public Administration and Public Affairs. New Delhi : PHI Learning.
- Lindblom, Charles E. (1968). The Policy Making Process. Englewood Cliffs, NJ: Prentice Hall.
- Gunn, L. and Hogwood, B. (1982). Models of Public Policies. Glasgow : University of Strathclyde.

4.10 Terminal Questions

1. Discuss the various approaches to the study of public policy.
2. Critically analyse the Rational Choice Approach to the study of Public Policy.

Lesson - 5

Conditions for Making a Public Policy

Structure

- 5.0 Introduction
- 5.1 Learning Objectives
- 5.2 Internal Conditions for Making a Public Policy
- 5.3 External Conditions for Making a Public Policy
- 5.4 Summary
- 5.5 Check Your Progress
- 5.6 Glossary
- 5.7 Answers to Check Your Progress Exercise
- 5.8 Suggested Readings
- 5.9 Terminal Questions

5.0 Introduction

Making Public Policy involves a complex and dynamic process that is influenced by various conditions and factors. Some key conditions for making public policy are discussed in this chapter.

5.1 Learning Objectives

After reading this lesson, students will be able to comprehend different internal and external conditions for making a public policy.

5.2 Internal Conditions for Making a Public Policy:

When making public policy, government officials and policymakers must consider a variety of internal conditions within the government and its administrative structure. Internal conditions play a crucial role in the policy-making process within organizations, governments, and other institutions. These internal conditions encompass various factors that influence how policies are formulated, implemented, and evaluated. Some key internal conditions of policy making include:

1. **Organizational Structure:** The structure of an organization can significantly impact the policy-making process. The division of responsibilities, communication channels, decision-making hierarchies, and coordination mechanisms within the organization can either facilitate or hinder the development and implementation of policies.

2. **Leadership and Decision-Making:** The leadership style and decision-making processes within an organization or government agency can shape how policies are developed and implemented. Strong leadership, effective communication, and clear decision-making frameworks can help streamline the policy-making process.

3. **Organizational Culture:** The values, norms, beliefs, and attitudes that characterize an organization's culture can influence policy making. A culture that values innovation, collaboration,

transparency, and accountability is more likely to support effective policy development and implementation.

4. **Resources:** The availability of financial, human, technological, and informational resources is essential for successful policy making. Adequate resources enable organizations to conduct research, gather data, engage stakeholders, and implement policy initiatives effectively.

5. **Expertise and Skills:** The expertise and skills of individuals involved in the policy-making process are critical internal conditions. Having knowledgeable staff with diverse backgrounds, experience, and expertise can enhance the quality of policy analysis, design, and implementation.

6. **Policy goals and objectives :** Clear policy goals and objectives provide a roadmap for policy development and guide decision-making throughout the policy cycle. Policy makers must define specific, measurable, achievable, relevant, and time bound (SMART) objectives to ensure policy success.

7. **Stakeholder Engagement:** Engaging stakeholders, including policymakers, experts, interest groups, the public, and affected communities, is vital for effective policy making. Involving stakeholders in the decision-making process can improve the legitimacy of policies and increase their chances of successful implementation.

8. **Political Dynamics:** Internal political dynamics within an organization or government agency can influence policy making. Power struggles, competing interests, bureaucratic inertia, and partisan considerations can all shape how policies are formulated and implemented.

9. **Evaluation and Feedback Mechanisms:** Establishing mechanisms for monitoring, evaluating, and providing feedback on policies is essential for continuous improvement. Internal evaluation processes help assess the effectiveness, efficiency, and impact of policies and inform future decision making.

By considering these internal conditions of policy making, organizations and governments can create an environment conducive to developing sound policies that address societal needs, achieve organizational goals, and promote positive outcomes for stakeholders.

5.3 External Conditions for Making a Public Policy:

External conditions also play a significant role in shaping the policy-making process. These external factors, which exist outside of the organization or government agency, can influence the development, implementation, and impact of policies. Some key external conditions of policy making include:

1. **Political Environment:** The political landscape, including government structures, political ideologies, party dynamics, and public opinion, can have a profound impact on policy making. Changes in political leadership, shifts in public sentiment, and partisan considerations can shape the priorities and decisions of policymakers.

2. **Economic Conditions:** Economic factors such as economic growth, inflation, unemployment, income inequality, and fiscal constraints can influence policy making. Policymakers must consider the economic implications of their decisions and craft policies that promote economic stability, growth, and prosperity.

3. **Social and Cultural Factors:** Social trends, cultural norms, demographic changes, and societal values can impact policy making. Issues related to diversity, equity, inclusion, social justice, and human rights often shape the policy agenda and inform decision making.

4. **Technological Developments:** Advances in technology, including digital innovation, automation, artificial intelligence, and data analytics, can create new opportunities and challenges for policy making. Policymakers must adapt to technological changes and leverage technology to enhance policy effectiveness and efficiency.

5. **Globalization and International Relations:** Global trends, international agreements, trade policies, geopolitical dynamics, and transnational challenges like climate change, pandemics, and migration can influence domestic policy making. Policymakers must consider global interdependencies and collaborate with international partners to address shared challenges.

6. **Legal and Regulatory Frameworks:** Legal constraints, regulatory requirements, court rulings, and constitutional considerations can shape policy making. Policymakers must adhere to legal standards, respect individual rights, and comply with existing regulations when formulating and implementing policies.

7. **Media and Public Opinion:** The media landscape, public discourse, advocacy campaigns, and public opinion can influence policy making. Media coverage, public pressure, social media activism, and public protests can raise awareness about issues, shape policy debates, and hold policymakers accountable.

8. **External Stakeholders:** Engaging with external stakeholders such as businesses, non-governmental organizations (NGOs), advocacy groups, industry associations, and international organizations is crucial for effective policy making. Collaboration with external partners can enhance policy legitimacy, foster innovation, and ensure stakeholder buy-in.

9. **Interest Groups :** Interest groups include business, trade associations, professional organizations, labour unions, environment advocacy organisations, civil society, media, lobbies, etc. They try to influence the government in decision-making and policies by lobbying, collective bargaining and negotiations. These different interest groups advocate for public policies that serve the desires of their members and further the mission of their organizations.

10. **Donor Agencies :** Donor agencies provide conditional grants to meet their self interest through aid. The aid receiving country must agree to obey certain terms and conditions of the donor agencies. Therefore, the agencies bargain with the government authorities to shape policies according to the favour of donor agencies. While formulating policies, sometimes government obey the terms and conditions of donor agencies to put impression and pleading the agencies.

By considering these external conditions of policy making, organizations and governments can navigate complex external environments, anticipate emerging trends, respond to external pressures, and develop policies that are responsive to the needs and interests of diverse stakeholders.

5.4 Summary

By Considering these internal and external conditions for making public policy, policy-makers can navigate the complexities of the policy-making process, address challenges effectively, and achieve sustainable policy outcomes that benefit society as a whole.

5.5 Check Your Progress

1. How organizational structure and culture affect the policy-making?
2. Describe the impact of 'media', 'public opinion' and 'interest-groups' in making a public policy.
3. "Political environment and socio-cultural and economic factors are important conditions for making a public policy." comment.

5.6 Glossary

- **Inflation** : The rate of increase in prices over a given period of time.
- **Demographic Change** : Change that is about how human populations change over time. For example, we may look at differences in population size or population structure by sex ratios, age, ethnicity make-up, etc.
- **Equity** : The quality of being fair or impartial.
- **Digital Innovation** : Digital innovation is a process of utilization of digital technologies and strategies by an organization to create new or improved products, services, processes and business models by the means of translating business processes into a digital format.
- **Automation** : Automation is use of technology to perform tasks with reduced human assistance.
- **Artificial Intelligence** : Artificial intelligence is a technology that enables computers and machines to stimulate human intelligence and problem-solving capabilities. Artificial intelligence makes it possible for machines to learn from experience, adjust to new inputs and perform human-like tasks.
- **Geo-Political Dynamics** : Geo-political is a framework that we can use to understand the complex world around us. It involves thinking and acting geographically. Geo-politics explains how countries, businesses, terrorist groups, etc. try to reach their political goals by controlling geographical features/entities like places, regions, territories, scales, and networks that make up the world.

5.7 Answers to check your Progress Exercise

1. See section 5.2 (1, 3)
2. See section 5.3 (7, 9)
3. See section 5.3 (1, 2, 3)

5.8 Suggested Readings

- Kingdon, John W. Agendas, Alternatives, and Public Policies.
- Deborah, Stone, Policy Paradox : The Art of Political Decision Making.
- Weimer, David L. and Vining, Aidan R. Policy Analysis : Concepts and Practice.

5.9 Terminal Questions

1. Discuss the internal and external conditions for making a public policy.
2. Describe the main factors affecting policy-making process.

Lesson - 6

Gender Issues and Public Policy

Structure

- 6.0 Introduction
- 6.1 Learning Objectives
- 6.2 Gender Issues and Public Policy
- 6.3 Gender as a component of Public-Policy making in India.
- 6.4 The Indian State and Provisions for Gender Equality
- 6.5 Challenges in formulating Gender-Sensitive Policies
- 6.6 Summary
- 6.7 Check Your Progress
- 6.8 Glossary
- 6.9 Answers to Check Your Progress Exercise
- 6.10 Suggested Readings
- 6.11 Terminal Questions

6.0 Introduction

In India, gender equity has been stressed upon as an objective of government policy, after the need to do so was highlighted by the Committee on the Status of Women in India. The right to gender equality has been enshrined in the Constitution of India. It is within this framework that policy makers are obliged to consider the gendered implications of public policy. In spite of such efforts, gender inequity is still visible in every sphere. Women continue to be treated as second-class citizens, within the realm of the home, their places of work, their communities, the economy and so forth. The progressive developments within political life have not yet secured the maximum participation of women. At the level of public policy formulation, many strategic and practical gender needs are yet to be addressed. However, there seems to be a ray of hope with the recognition of the importance of gender concerns in recent years in the arena of policy making. The following discussion will help you to understand about gender issues and public policy.

6.1 Learning Objectives

After reading this lesson, students will be able to explain:

- the key ways in which public policy can address gender issues.
- Gender as a component of public policy in India.
- the challenges in formulating Gender-sensitive policies.
- the various provisions made for gender equality in India.

6.2 Gender Issues and Public Policy

Gender issues are a critical aspect of public policy as they relate to addressing gender inequalities, promoting gender equality, and empowering women and marginalized genders. Public policies can play a significant role in advancing gender equality by addressing various challenges and barriers faced by women and other marginalized groups. Here are some key ways in which public policy can address gender issues:

1. **Gender Mainstreaming:** Public policies can incorporate a gender perspective into all stages of policy development, implementation, monitoring, and evaluation. Gender mainstreaming ensures that the needs, priorities, and experiences of women and men are considered in all policy decisions to promote gender equality and social inclusion.
2. **Legislation and Legal Reforms:** Public policies can enact laws and regulations that protect the rights of women and marginalized genders, such as laws against gender-based violence, discrimination, harassment, and unequal pay. Legal reforms can help to create a more equitable legal framework that upholds gender equality principles.
3. **Education and Skills Development:** Public policies can support initiatives that promote equal access to education, skills training, and professional development opportunities for women and girls. By investing in education and training programs, policies can empower women to pursue their full potential, enter male-dominated fields, and advance their careers.
4. **Healthcare and Reproductive Rights:** Public policies can ensure access to quality healthcare services, reproductive health care, family planning resources, and maternal health services for women and marginalized genders. Policies that prioritize women's health needs can improve overall well-being and reduce health disparities.
5. **Economic Empowerment:** Public policies can promote economic empowerment for women through initiatives such as equal pay policies, access to credit and financial services, entrepreneurship support, and labor market participation programs. By addressing economic barriers, policies can enhance women's economic independence and financial security.
6. **Political Participation:** Public policies can support women's political participation and representation in decision-making processes by including quotas for women in political leadership positions, electoral reforms, and by supporting some other women's political empowerment initiatives. Increasing women's political representation can ensure that their voices are heard in policymaking processes.
7. **Social Protection:** Public policies can establish social protection programs that target vulnerable populations, including women, children, elderly individuals, and persons with disabilities. Social protection measures such as cash transfers, food assistance, healthcare subsidies, and childcare support can help alleviate poverty and improve social well-being.
8. **Gender-Based Violence Prevention:** Public policies can implement strategies to prevent and respond to gender-based violence, including awareness campaigns, support services for survivors, legal aid services, etc. Policies that address gender-based violence are essential for creating safe environments for women and marginalized genders.

Overall, public policies play a crucial role in advancing gender equality, promoting women's rights, and addressing gender issues in society. By integrating a gender perspective into policy development and implementation processes, policymakers can create more inclusive, equitable, and sustainable societies that benefit all members of the population.

6.3 Gender as a Critical Component of public Policy Making in India

Gender constitutes an important dimension of public policy-making in contemporary India. In view of the hegemonic influence of patriarchy, the task of making public policy sensitive to gender issues does not seem to as easy as it is usually made out to be. Nonetheless, given sustained organized campaigns for gender-sensitive policies, the government was forced, on occasions, to adopt appropriate policy alternatives seeking to address gender issues. This is also an outcome of visible changes in the prevalent mindset. Gender issues are no longer an anathema in the public domain; they are being talked about freely. One of the major changes was articulated in the approval of the 73rd Amendment Act in 1992 which stipulated 33% reservation for women in Panchayats. This is a revolutionary change because this decision has not only made women integral to rural governance, but has also recognized gender as an important component of contemporary policy preferences. With stringent policies in place, women are now protected from domestic and other forms of violence that they are susceptible to. There is a flip side also; due to ignorance of what is available for them, women in India also suffer since they do not have access to the protective shield that the laws offer. Nonetheless, it can be argued that gender remains an important ingredient of policies in contemporary India.

As regards women empowerment and gender rights, it is true that these issues have gained massive importance in contemporary political discourse though the founding fathers devoted a great deal of attention even while evolving consensus on the gender issues in the Constituent Assembly and also framing laws on these in independent India. B.R. Ambedkar proposed the Hindu Code Bill seeking to protect some basic women rights, viz, the right to divorce, outlawing polygamy, granting of inheritance rights and recognition of inter-caste marriage, among others. The Bill was knocked down in the lower house of parliament, despite Nehru's vehement support presumably because it threatened 'the patriarchal social framework'.

Two contemporary issues, namely uniform civil code and reservation of seats for women in national parliament and state legislatures, have redefined the contour of feminist politics in India. Defending the spirit of uniform civil code, Ambedkar argued strongly that the subjects of the Indian state shall have the right to claim full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by other subjects regardless of any usage or custom based on religion and be subject to like punishment, pains and penalties and to none other.

The Constituent Assembly was clearly divided on the issue of personal laws. On the one hand, there was a powerful lobby to protect religious freedom, especially minority interests, and on the other hand, to have a uniform civil code for all, based on the basic idea of liberal citizenship. Unable to arrive at a consensus, personal laws of minorities-the whole gamut of family, property, marriage, divorce and adoption rights- were left within the domain of their respective religious strictures. Debates on these issues have also brought out the deep divisions within the women's movement following schism along lines of caste, class and community. Whatever the political aims of those pushing these two issues, there is no doubt that both these efforts articulated women's rights as citizens of a modern secular state by challenging particularistic and traditional values of family, religion, culture and community.

The controversy over the uniform civil code began with the 1985 Supreme Court judgement granting financial support to Shah Bano (who once divorced, demanded alimony from her husband) under a provision in secular criminal law. This verdict provoked the Muslims, who characterized this intervention by the Supreme Court as having fiddled with their personal law. The violation of personal

law became a rallying point for Muslim political identity. To defuse the crisis, the Rajiv Gandhi-led Congress government hurriedly approved the Muslim Women (protection of rights in divorce) Act in 1986 more or less along the lines endorsed by the Muslim leaders ignoring other dissenting voices. The resolution of the controversy through a legal intervention amicably settled the uncertainty. But the issue of gender equality was hardly addressed. One of the powerful arguments for not taking the controversy to its logical conclusion was informed by the concern for communal amity. The code is a political question and needs to be settled politically. Laws could be an aid, perhaps powerful, once the decision is negotiated at the political level. Otherwise, a mere intervention of the court is too weak to bypass the hegemonic patriarchal social framework.

Similar to the uniform civil code debate, the arguments over the reservation of seats for women in the legislature focus on issues of political equality of women. The introduction of the 81st Amendment Bill in 1996 by the United Front government brought back the gender issue to the centre stage of Indian politics. Women need to be empowered and reservation through a legal enactment is perhaps the most effective device to bypass the patriarchy. Besides, settling the issue of gender parity at the political level, women intervention in the formal world of Institutionalized politics is equally critical in translating the empowerment slogan into a reality. Reservation is justified on grounds of democracy, political equality and representation. Interestingly, these are the values which also inform the arguments challenging the reservations scheme in its present form. For instance, the demand for OBC sub-reservation is the result of the fear of appropriation of the quota by the upper caste women. So, one has to take into account both caste and community before making it a rule. The introduction of cleavages along caste and community suggests that women are clearly not a homogeneous collectivity. They are socially fractured, and hence, it would be conceptually misleading and empirically wrong to conceive of a situation where women at various social strata articulate a single voice because of their uniformity in gender terms.

As evident, in the construction of the policies in contemporary India, gender is a significant component. The debates over the uniform civil code and reservation of seats for women clearly indicate the difficulty of conceptualizing feminism in India in a straitjacketed manner. The drive towards uniform civil code continues to remain a vacuous slogan unless it is debated at the grassroots; otherwise, the legal intervention from the top will always run the risk of being dubbed as engineered by motivated forces. Similarly, the reservation bill cannot ensure political equality for all; it merely seeks to expand the number of women in the political decision-making. Nonetheless, these debates are symptomatic of a new politics underlining the critical importance of gender in conceptualizing the political. In other words, the feminist dialogue is as significant as the rise of the OBCs and Dalits in redefining 'democracy', 'equality' and 'representation' in contemporary India. Women, therefore, no longer remain 'just a voice', but a critical voice challenging the conventional outlook on social, economic and political issues while providing creative inputs to conceptualizing public policies afresh. It is, therefore, not strange to find that women are coming out of the veil to assert their independent voice in all walks of life. As studies have shown, with the enactment of the 73rd Amendment Act in 1992, women have become far more enthusiastic than their male counterparts in rural governance; not only do they attend meetings of Gram Sabhas most enthusiastically, but they also seriously take part in the deliberations to decide what is best for their village. It is true that the reservation policy may not have uniform impact throughout the country; nonetheless, it has jolted the age-old patriarchal prejudices conceptualizing women as servile. Their role as part and parcel of rural governance has, improved public service delivery presumably because of their constant monitoring; despite being dubbed as proxy voices of their fathers, husbands or sons, as is alleged, their participation in the processes of political decision-making usually contributes to: (a) an orderly discussion, (b) increase in individuals' willingness to participate in activities for rural well-being and (c) building of a perception of women being equal partners in rural governance. Inconceivable in the past, this is a change that has radically altered the

prevalent power structure in rural India. Besides empowering women, the 1992 Amendment Act reveals how a specific policy design brings about dramatic transformation not only in one's perception but also in the context in which it evolves.

6.4 The Indian State and Provisions for Gender Equality

Constitutionally, the state recognizes the equality of women in its Fundamental Rights and acknowledges in its Directive Principles that women are a vulnerable group that requires special rights. Article 14 of the Fundamental Rights provides for the 'equality before the law or the equal protection of the laws for men and women. Article 15 prohibits, inter alia, discrimination against any citizen on the grounds of sex. Article 15(3) empowers the State to make special provisions in favour of women. In the Directive Principles, Article 39 directs the state to direct its policy towards ensuring that (a) men and women equally have the right to an adequate means of livelihood and (b) there is equal pay for equal work for men and women. Article 42 of the Directive Principles requires that the State make provisions for ensuring just and humane conditions of work and for maternity relief. Translating those ideals of equality and protection into the practice of political and social rights, however, has been an arduous struggle.

The Indian state has recognized women's differential status in society and acted to challenge their social and political exclusion. Specific legislative and institutional mechanisms set up by the government seek to ensure the advancement of gender equality in India. The Department of Women and Child Development was created as a core ministerial portfolio with a Minister of Cabinet rank reporting directly to Parliament. The Department was upgraded to a full-fledged Ministry in 2006. The Government's Five Year Plans have an organic perspective of women's roles in economic development. The Ninth Plan (1997-2002), for example, emphasized upon women's empowerment and rights. In 1990, the National Commission for Women Act was adopted and the National Commission for Women was set up to advise government on policy matters relating to women. State-level Women's Commissions have been established as well. In 2001, the National Policy for the Empowerment of Women was adopted to eliminate all forms of discrimination against women and to empower women socially and economically. The policy directs Central and State Ministries to set time-bound action plans to address women's empowerment.

In addition, the Panchayati Raj Bill has special provisions for encouraging women's participation in the political process. The Panchayati Raj Bill is an example of 'political creativity' of the Indian Government. Initial evaluations show that women elected to local government bring a unique style of government and focus on issues that tend to be overlooked by their male counterparts. Similar legislation was pursued for national and State Legislative bodies (The Women's Reservation Bill) and was passed by the parliament on September 21, 2023 but it will be implemented after 2029.

In the case of community-based laws, the rights of Christian women were strengthened in the Supreme Court Mary Roy case in the early 1980s, which conferred equal rights to property for both male and female offspring in the Christian community. In employment-related issues, in 1999, the state set out stringent regulations regarding sexual harassment in the workplace. The state also established a proposal to ensure maternity benefits for women labourers who are daily wage earners in the informal sector of the economy.

The feminist scholars are divided in their opinion regarding the role of the modern Indian state in the lives of millions of women. Some point out that the state responds in ambivalent ways to the vulnerable conditions in which women live in Indian society, while other scholars present a unidimensional characterization of the Indian state. Rai, for instance, feels that the Indian state plays no significant role in women's lives. Unlike in many western contexts where the state provides social services of which women are prime recipients, the state in India provides little or no such access for its women. Despite its claims to being interested in social justice, the Indian state's engagement with

welfare activities, particularly for women, are restricted by inadequate resources. With respect to what it offers to women, India is a 'weak' state. Rai points out that when the state does intervene, in women's lives, it is usually in oppressive and brutal ways. On the other hand it is contended that India's liberal democratic polity has played an ambivalent role in women's lives. Political and civil liberties have allowed for the development of an articulate and visible feminist movement, while state action and inaction in individual cases has been less than reflective of an interest in women's well-being. Likewise, long-term structural changes have benefited certain sections of women while pauperizing others.

Thus, feminist evaluations of the functioning of the Indian state have highlighted its contradictory nature and its tendency to operate in ambiguous ways.

6.5 Challenges in Formulating Gender-Sensitive Policies

Some of the critical challenges in formulating gender-sensitive policies include:

Lack of gender-sensitization among policy makers: Lack of gender sensitization among policy makers acts as a major constraint in formulating gender-sensitive policy. Hence there is a need to sensitize policy makers on gender issues. Thus, formal training should be given to policy makers so that they are equipped with practical tools.

Lack of adequate expertise and skills: Sometimes the people engaged in policy formulation may not have the adequate expertise and required skills, especially when it comes to gender concerns in policy formulation. This would negatively impact their ability to plan for the needs and concerns of women. As a consequence this could act as a major constraint in formulating gender-sensitive policies.

Emphasis on short-term benefits: Another constraint is that while formulating policies, emphasis is placed on the short-term goals. As seen earlier, the injustice done to women over a considerable period of time cannot be corrected by policies which intend to serve for a short period of time. Policy formulation, therefore, should consider the benefits for women in the long run to counter discriminatory practices.

Lack of political and popular support: At times, there is lack of popular support for a policy that intends to favour women. For example, uniform civil code bill.

Non-Involvement of Enlightened Groups : A policy can be formulated in an effective way only if the people involved in the process are competent enough and have a thorough knowledge about the needs and requirements of women. In other words, involvement of enlightened groups is essential. Another major constraint is that policy makers who are responsible for formulating public policy to meet gender equity goals are not technically skilled in the methodological skills entailed in gender planning.

Inadequacy of Financial Resources : Policy formulation has to be adequately backed by sufficient financial resources. Effective and meaningful implementation can be constrained if adequate financial provisions are not available.

6.6 Summary

Thus, gender-sensitive policy formulation is about designing or framing a set of policy alternatives to address the problems and concerns of women. In the process of policy formulation, plans for dealing with a problem is made in the context of gender and the objectives, goals and priorities of women are framed and the ways and means of achieving the policy for the advantage of women is also formulated. Public policies play a crucial role in advancing gender equality, promoting women's rights, and addressing gender issues in society.

6.7 Check Your Progress

1. How Public Policy can address gender issues?
2. Name the public policies which have significantly addressed the gender issues in India.
3. Which constitutional provisions recognise gender equality in India?
4. What are the main challenges in formulating Gender-Sensitive Policies?

6.8 Glossary

- **Women Empowerment** : Women Empowerment refers to women's sense of self-worth; their right to have and determine choices; their right to have access to opportunities and resources; their right to have power to control their own lives, both within and outside the home; and their ability to influence the direction of social change to create a more just social and economic order, nationally and internationally.
- **Patriarchy** : a system of society or government in which men hold the power and woman are largely excluded from it.
- **Uniform Civil Code** : It is a proposal in India to formulate and implement personal laws of citizens which apply on all citizens equally regardless of their religion. Currently, personal laws of various communities are governed by their religious scriptures.
- **Polygamy** : Polygamy is the practice or custom of having more than one wife or husband at the same time.
- **Gender Sensitive** : Policies and programmes that take into account the particularities pertaining to the lives of both women and men, while aiming to eliminate inequalities and promote gender equality, including an equal distribution of resources.

6.9 Answers to check your Progress Exercise

1. See Section 6.2
2. See Section 6.3
3. See Section 6.4
4. See Section 6.5

6.10 Suggested Readings

- Bacchi, Carol Lee (1999). Women, Policy, and Politics : The Construction of Policy Problems. Sage Publication.
- Peterson, V. Spike, and Runyan, Anne Sission (eds.) (2009). Global Gender Issues in the New Millennium, Westview Press.
- Lambardo, Emanuela, Petra Meier, and Mieke. Verloo, (eds.) (2012). The Discursive Politics of Gender Equality : Stretching, Bending, and Policy-Making. Routledge.
- Chakrabarty, Bidyut and Chand, Prakash, (2016). **Public Policy : Concept, Theory and Practice**. New Delhi : Sage Publications.

6.11 Terminal Questions

1. Explain the key ways in which public policy can address gender issues.
2. Analyse gender as a component of Public Policy in India.
3. Discuss the main challenges in formulating Gender-Sensitive policies.

Lesson - 7

Governance

Structure

- 7.1 Introduction
- 7.2 Learning Objectives
- 7.3 Concept of Governance
- 7.4 Interpretation of International Organisations Regarding Governance
- 7.5 Contextual Uses of Governance
 - 7.5.1 Governance as the Minimal State
 - 7.5.2 Governance as Corporate Governance
 - 7.5.3 Governance as New Public Management (NPM)
 - 7.5.4 Governance as 'Good Governance'
 - 7.5.5 Governance as a Socio-Cybernetic System
 - 7.5.6 Governance as Self-organising Networks
- 7.6 Forms of Governance
 - 7.6.1 Political
 - 7.6.2 Economic
 - 7.6.3 Social
- 7.7 Good Governance
 - 7.7.1 Characteristics of Good Governance
- 7.8 Summary
- 7.9 Check Your Progress
- 7.10 Glossary
- 7.11 Answers to Check Your Progress Exercise
- 7.12 Suggested Readings
- 7.13 Terminal Questions

7.1 Introduction

In contemporary social science discourses, governance has acquired ubiquity. Governance does not simply mean 'rule' or 'administration'; it has a specific meaning in the context of globalisation. Broadly speaking, governance is the manner in which power is exercised. This is different from public administration which, apart from the structure and processes of administration, also underlines the importance of its 'purpose'. Governance is about the 'capacity' of the public authority and its accountability. Capacity includes the state's 'hardware', its financial resources and administrative

infrastructure, and its effectiveness in executing policy decisions. Accountability is the 'software' of the state wherein the political system is linked with its performance. Governance is thus another mode of conceptualising public administration in a changed global scenario. Before critically evaluating the phenomenon, the following three points seem most appropriate in putting the discussion in perspective: first, governance as a concept and also as a paradigm is the practitioner's contribution to public administration in the sense that it has been conceptualised by the World Bank in the context of sub-Saharan Africa at a particular historical juncture. Failure to repay World Bank loans, among other things, led to its formulation; second, the World Bank definition of governance is very limited and is associated with administrative and managerial arrangements that seek to instill 'efficiency' in public administration; and third, governance is political as well in the sense that it includes an insistence on 'competitive democracies' of the Western variety. In a way, governance is therefore a well-defined administrative set-up that draws its sustenance from 'participatory democracy'. Its historical roots cannot be ignored, for governance was articulated when the state-led development paradigm of the former Soviet Union collapsed.

7.2 Learning Objectives

After going through this lesson, the students will be able to:

- Comprehend the concept of Governance, its definitions and interpretations.
- Examine its contextual uses and various forms.
- Analyse the concept of good governance and its main Characteristics.

7.3 Concept of Governance

The concept of governance has been in use at least since the fourteenth century. It was used in France during that period that implied 'seat of government'. It started with a range of meanings, from the act or manner of governing its office or power, which made it synonymous with government, to being virtuous or wise in one's general behaviour.

Governance, in simple terms, means "the process of decision-making and the process by which decisions are implemented (or not implemented)". The Concise Oxford Dictionary defines it as an "act or manner of governing" and "the office or function of governing". Governance has also become a term used to describe a particular set of changes. It signifies a set of elusive but potentially deeply significant shifts in the way in which government seeks to govern (Pierre and Peters).

Governance refers to a process of exercise of authority to govern people or regulate public affairs. In the simplest terms, governance relates to the effective management of the affairs of a country at all levels, guaranteeing its territorial integrity, and securing the safety and overall welfare of people.

It was Harland Cleveland who first used the word 'governance' as an alternative to public administration. He was of the opinion that what people want is 'less government and more governance'. He identified governance with a cluster of concepts. According to him, "the organisations that get things done will no longer be hierarchical pyramids with most of the real control at the top. They will be systems - interlaced webs of tension in which control is loose, power diffused and centers of decision plural. "Decision-making" will become an increasingly intricate process of multilateral brokerage both inside and outside the organisation, which thinks it has the responsibility for making, or at least announcing the decision. Because organisations will be horizontal, the way they are governed is likely to be more collegial, consensual and consultative. The bigger the problems to be tackled, the more real power is diffused and the larger the number of persons who can exercise it- if they work at all".

In conceptualisation, divergent views either represent governance as a narrowly defined phenomenon in the form of activities of only the executive branch of the State i.e. the government or as

one where the State comprising the legislature, executive and the judiciary are the parts that constitute the whole without the positive, synergistic relation with the private sector and civil society. Governance introduces the private sector, the civil society including the local government system as participants in the process of governing through changes in their subsidiary roles and direct involvement in areas hitherto kept exclusively in the public domain.

Governance signifies a change in the meaning of government, referring to a new process of governing; or a changed condition of ordered rule; or the new method by which society is governed. According to Rhodes 'governance signifies a change in the meaning of government, referring to a new process of governing, or a changed condition of ordered rule; or the new method by which society is governed. Governance denotes the development of ways of coordinating economic activity that transcend the limitations of both hierarchy and markets. It highlights the role of the State in steering action within complex social systems.

Since conceptualisation is the basis of theoretical formulation and influences policy making in a significant way, it is important to define governance in its broader sense and to identify the institutions and the loci of power that exercise legitimate authority. Thus, governance can be interpreted as the undertaking of activities, management of resources, organisation of citizens, communities, local government bodies, business organisations and the branches of the State (legislature, executive and judiciary) through social, political, administrative and economic arrangements that meet the daily needs of the people and ensures sustainable development. According to this view, "institutionalisation of rule of law including coercive measures required to enforce laws and rules for protection of lives and property and development activities of the government for promotion of common welfare are the foundation as well as the super structure of governance while spontaneous activities of people acting out of their free will reinforce both when they are allowed to flourish". Through the conventional constituents of State namely, parliament, judiciary and executive, government may encompass this diverse area of governance at some particular point of time, changes often take place subsequently, that make a combination of these constituents of the State and other actors, collaborative partners in governance with clear cut and sometimes overlapping jurisdictions.

Earlier the term governance was used which broadly implied government, which is not appropriate in present times. Governance means more than maintaining law and order. In other words, we can say that it is a participative system in which those who are called upon to govern on behalf of the people are motivated with a will to giving their best, serving and doing good to the people, solving their problems and making their lives more livable, satisfying and enjoyable.

7.4 INTERPRETATIONS OF INTERNATIONAL ORGANISATIONS

In the late eighties and early nineties, the concept of governance has received added importance in the hands of multilateral and bilateral aid-giving agencies that used it as a pre-condition for providing aid. In this context, in 1989, the World Bank gave the lead followed by OECD, UNDP, and the UNESCO.

World Bank

It was the first international organisation to use the term and defined it in following words:

"..... the manner in which power is exercised in the management of a country's economic and social resources for government. Governance, in general, has three distinct aspects (a) the form of a political regime (parliamentary or presidential, military or civilian, and authoritarian or democratic); (b) the processes by which authority is exercised in the management of a country's economic and social resources, and (c) the capacity of governments to design, formulate, and implement policies, and, in

general, to discharge governmental functions. The terms usually describe conditions in a country as a whole".

OECD

The concept of governance denotes "the use of political authority and exercise of control in a society in relation to the management of its resources for social and economic development". The Organisation for Economic Cooperation and Development (OECD) lays down the key components of governance as follows:

- a) Legitimacy of government
- b) Accountability of political and official elements of government
- c) Competence of governments to make policy and deliver services, and
- d) Respect for human rights and the rule of law.

UNDP

The United Nations Development Programme (1997) has viewed governance as "the exercise of economic, political and administrative authority to manage a nation's affairs at all levels. It is the complex mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights and obligations, and mediate their differences". UNDP has laid down following characteristics of good governance viz., participation, rule of law, transparency, responsiveness, consensus, orientation, equity, effectiveness and efficiency, accountability and strategic vision.

UNESCO

UNESCO (1997) defines governance as "a process whereby citizens' needs and interests are articulated for the positive social and economic development of the entire society and in the light of a perceived common good. Governance means more than government: it refers to a political process that encompasses the whole society and contributes to the making of citizens, active contributors to the social contract that binds them together. Their sense of political efficacy is one of the indicators of democratic governance".

7.5 GOVERNANCE: CONTEXTUAL USES

In the preceding sections we have acquainted you with the concept of governance and its several interpretations. The concept of Governance is used in several contexts. Rhodes has highlighted the following:

7.5.1 Governance as the Minimal State

In this sense, Governance redefines the extent and form of public intervention and the use of markets and quasi-markets to deliver 'public' services. The extent of any change is a matter of dispute. Indisputably, as regards U.K, the size of government was reduced by privatisation and cuts in the size of the civil service. However, public expenditure remained roughly constant as a proportion of Gross Domestic Product (GDP); public employment fell only slightly in local government and the National Health Service; and regulation replaced ownership as the preferred form of public intervention.

7.5.2. Governance as Corporate Governance

In this use, Governance refers to "the system by which organisations are directed and controlled". Thus the governance role is not concerned with running the business of the company, per se, but with giving overall directions to the enterprise, with overseeing and controlling the executive

actions of management and with satisfying legitimate expectations for accountability and regulation by the interests beyond the corporate boundaries... All companies need governing as well as managing.

In this use, governance has a narrow meaning. The concerns of corporate governance are echoed when discussing accountability in the new public management and good governance. In this use, private sector management practice has an important influence on the public sector.

7.5.3 Governance as New Public Management (NPM)

In its third use, Governance is related to the new public management. New public management, initially, had two meanings. In its first meaning it means managerialism, i.e., introducing private sector management methods to the public sector. In its second sense, it refers to new institutional economics, i.e., introducing incentive structures (such as market competition) into public service provision. Managerialism was the dominant strand in Britain before 1988 and after that new institutional economics became more prominent.

NPM and entrepreneurial government share a concern with competition, markets, customers and outcomes. Governance calls for more steering, providing impetus to other forces, rather than rowing. The emphasis has thus been placed on 'enabling' rather than 'providing'.

7.5.4. Governance as 'Good Governance'

This use of governance became popular after the World Bank popularised the phrase "good governance. For the World Bank, governance is 'the exercise of political power to manage a nation's affairs'. The bank came to realise that good governance is central to creating and sustaining an environment, which fosters strong and equitable development, and it is an essential complement to sound economic policies.

The good governance agenda advocates freedom of information, a strong legal system and efficient administration to help the underprivileged section's claim to equality; but these have been most successful when backed up by strong political mobilisation through social movements or political parties with a clear cut mission, Good governance means bringing about goodness in all the three sectors: government, civil society and corporate world including transnational corporations. Good governance is a tryst with trust, a commitment of the people for the people, a social contract for the greatest good, the collective conscience of the community (Mishra).

7.5.5. Governance as a Socio-cybernetic System

Governance, according to Kooiman, is the pattern or structure that emerges in a socio-political system as a 'common result of outcome of the interacting intervention efforts of all involved actors. This pattern cannot be reduced to one actor or group of actors in particular.

In other words, policy outcomes are not the product of actions by central government. The government may pass a law but subsequently it interacts with local government, health authorities, the voluntary sector, the private sector and, in turn, they interact with one another.

The socio-cybernetic approach views governance as the result of interactive social-political forms of governing. The approach highlights the limits to governing by a central actor and claims there is no longer a single sovereign authority. Rather, there is a multiplicity of actors specific to each policy area; interdependence among these social-political-administrative actors; shared goals; blurred boundaries between public, private and voluntary sectors, and multiplying and new forms of action, intervention and control.

7.5.6 Governance as Self-organising Networks

This use sees governance as a broader term than government with services provided by a combination of government, the private sector and the voluntary agencies. For example, the British Government creates agencies, bypasses local government, uses special-purpose bodies to deliver services, and encourages public-private partnerships, so, 'networks' become increasingly prominent among British governing structures.

In other words, a network is autonomous and self-governing. Autonomous systems have a much larger degree of freedom of self-governance.

For instance, the Bhagidari (Partnership) Project initiated in 2000 by the Delhi government is an example of networking amongst several stakeholders. It is a partnership between government and its various agencies including Municipal Corporation, Police, Water Supply Board, Electricity Board, and the Resident Welfare Associations. Their representatives, at periodic intervals meet and discuss problems being faced by citizens and attempt to determine ways of resolving them.

From the above discussion, it becomes clear that governance has too many meanings to be useful. As such, it becomes difficult to provide a single definition of governance. According to Rhodes, it incorporates most notably the minimal state, a socio-cybernetic system and self-organising networks. On the basis of above uses, he summarises the **characteristics** of governance as:

- a) Interdependence between organisations. Governance is broader than government, covering non-state actors; changing the boundaries of the State meant the boundaries between public, private and voluntary sectors became shifting and opaque.
- b) Continuing interactions between network members, caused by the need to exchange resources and negotiate shared purposes.
- c) Game-like interactions, rooted in trust and regulated by rules of the game negotiated and agreed by network participants.
- d) A significant degree of autonomy from the State. Networks are not accountable to the State, they are self-organising. Although the State does not occupy a sovereign position, it can indirectly and imperfectly steer networks.

7.6 FORMS OF GOVERNANCE

In the preceding sections, we have examined the different interpretations and conceptual uses of governance. Similarly, there are various forms of governance, more important among which are political, economic and social.

7.6.1 Political

Due to the global political and economic shifts, the nation states' capacity to govern has been limited. There is a general feeling that there is a 'hollowing out' of the State. This has resulted in shifting of the power outwards to international financial markets, to global companies to be able to move capital and other resources from one site of investment to another, and to supra-national entities such as the World Bank or European Union. Power has also percolated downwards to the sub-national level of regions and cities. As a result of these changes, a series of reforms have taken place resulting in reduction in the size of the machinery of government and its fragmentation.

New strategies based on informal influence, enabling and regulation have grown in importance. However, this does not necessarily mean a decline in the role of the State. Forms of control through

hierarchical, institutional channels continue alongside new forms of governance. Besides, the changing role of the State can be understood as an adaptation to its environment rather than a diminution of its power.

7.6.2 Economic

The neo-liberal political/economic regime of the 1980s and 1990s partly dismantled the conception of the State as a direct service provider. The introduction of market mechanisms has led to a more fragmented and dispersed pattern of service delivery and regulation that required new forms of coordination. As a result of privatisation, contracting out, quasi-markets, the removal of functions from local authorities, the separation between the policy and delivery functions in the civil service with the setting up of executive agencies, governments had to develop new forms of control. These types of control included framework documents, contracts, targets, performance indicators, service standards, contracts and customer charters. While governments could still set the parameters of action (through funding regimes) and had the monopoly on certain forms of power (such as legislation), they increased their dependence on a range of bodies across the private, public and voluntary sectors.

Even at the local level similar changes took place. Network based patterns of interaction had become increasingly important, leading to the conclusion that local government had been transformed into a system of local governance involving a plurality of organisations across the public, private and voluntary sectors.

Economic governance requires removal of market distortions, setting appropriate service standards, ensuring fair competition amongst the players and a level playing field, protecting the interests of all concerned key stakeholders.

7.6.3 Social

Another form of analysis of governance is responding to complexity, diversity and dynamic changes in society. The purpose of governance in our societies can be described as coping with the problems but also the opportunities of complex, diverse and fragmented societies. Complexity, dynamics and diversity has led to a shrinking external autonomy of the nation state combined with the shrinking internal dominance vis-à-vis social subsystems..... Governing in modern society is predominantly a process of coordination and influencing social, political and administrative interactions, meaning that new forms of interactive government are necessary. Governing in an interactive perspective is directed at the balancing of social interests and creating the possibilities and limits of social actors and systems to organise themselves.

In the present scenario, the government is not acting alone. Rather it is increasingly engaging in co-regulation, co-steering, co-production, cooperative management, public/private partnerships and other forms of governing that cross the boundaries between government and society and between public and private sectors. The tasks of steering, managing, controlling or guiding are carried out through a wide a range of agencies in the public, private and voluntary sectors, acting in conjunction or combination with each other. It is no longer the domain of the government. Governance in this context stands for developing, strengthening and sustaining collaborative and participative processes, bringing about networking and coordination and building human capacities.

7.7 Quality of Governance/Good Governance

Today the quality of governance is attracting more and more attention among the countries. The number of democratic regimes continues to rise and good governance has become an important criterion for a country's credibility and respect at the international level. The use of the term "good governance" was initially articulated in a 1989 World Bank publication. Therein, the concept of good

governance was identified as a structural necessity for market reform. In 1992, the Bank published a Report entitled, *Governance and Development*, which explored the concept further and its application to the Bank's activities. In 1997, the Bank redefined the concept and underlined the need for an effective State apparatus in association with "good governance" as a necessary precondition for development. Other international financial institutions, such as the International Monetary Fund (IMF) and the Organisation of Economic Cooperation and Development (OECD), have also contributed to the World Bank's policy dialogue.

Since 'good' is a subjective term, it is important to be specific in its use. There are many competing views on what the term 'good governance' should mean, but most donors argue that it should include some (if not all) of these; increased public accountability and transparency; respect for and strengthening of the rule of law and anti-corruption measures; democratisation, decentralisation and local government reform; increased civil society participation; and respect for human rights and the environment.

Good governance has certain qualities to it. It promotes equity, participation, pluralism, transparency, accountability and the rule of law. And it is efficient, effective, responsive and sustainable over the long run. Governance must be rooted in these principles for greater human development through poverty eradication, environmental protection and regeneration, gender equality and sustainable livelihoods.

When we speak of the quality of a country's governance, however, we mean the degree to which its institutions and processes are transparent, accountable to the people, allowing them to participate in decisions that affect their lives. The quality pertains to structure, systems and processes of governance.

The promotion of good governance has led to the proliferation of aggregate indicators that rank or assess countries for the quality of their governance. The most comprehensive set of aggregate indicators is the World Bank's Worldwide Governance Indicators (WGI) database now covering 215 countries and territories, and measuring three dimensions of governance defined as "the exercise of authority through formal and informal traditions and institutions for the common good". The three dimensions are:

1. the process of selecting, monitoring, and replacing governments
2. the capacity to formulate and implement sound policies and deliver public services
3. the respect of citizens and the state for the institutions that govern economic and social interactions among them.

7.7.1 Characteristics of Good Governance:

Governance is also articulated by the UNDP in terms of the following major eight characteristics.

It is participatory, consensus-oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. It ensures that corruption is minimised, that views of minorities are taken into account and that the voices of the most vulnerable in society are heard in decision-making. It is also responsive to the present and future needs of society.

Participation

Participation by both men and women is the key cornerstone of good governance. Participation can be either direct or through legitimate intermediate institutions or representatives. It is important to point out that representative democracy does not necessarily mean that the concerns of the most

vulnerable in society will be taken into consideration in decision making. Participation needs to be informed and organised. This means freedom of association and expression on the one hand and an organised civil society on the other hand.

Rule of Law

Good governance requires fair legal frameworks that are enforced impartially. It also requires full protection of human rights, particularly those of the minorities. Impartial enforcement of laws requires an independent judiciary and an impartial and incorruptible police force.

Transparency

Transparency means that decisions taken and their enforcement are done in a manner that follows rules and regulations. It means that information is freely available and directly accessible to those who will be affected by such decisions and their enforcement. It also means that enough information is provided and that it is provided in easily understandable forms and mediums.

Responsiveness

Good governance requires that institutions and processes try to serve all stakeholders within a reasonable timeframe. By being responsive, governmental institutions gain legitimacy in the public realm which automatically ensures their wider acceptance and effectiveness in governance. Apart from well-designed structural devices, the responsiveness of public institutions can only be meaningfully ascertained if there is serious civil society engagement in public affairs.

Consensus Oriented

There are several actors and as many view points in a given society. Good governance requires mediation of the different interests in society to reach a broad consensus in society on what is in the best interest of the whole community and how this can be achieved. It also requires a broad and long-term perspective on what is needed for sustainable human development and how to achieve the goals of such development. This can only result from an understanding of the historical, cultural and social contexts of a given society or community.

Equity and Inclusiveness

A society's well being depends on ensuring that all its members feel that they have a stake in it and do not feel excluded from the mainstream of society. This requires that all groups, but particularly the most vulnerable, have opportunities to improve or maintain their well being.

Effectiveness and Efficiency

Good governance means that processes and institutions produce results that meet the needs of society while making the best use of resources at their disposal. The concept of efficiency in the context of good governance also covers the sustainable use of natural resources and the protection of the environment.

Accountability

Accountability is a key requirement of good governance. Not only governmental institutions but also the private sector and civil society organisations must be accountable to the public and to their institutional stakeholders. Who is accountable to whom varies, depending on whether decisions or actions taken are internal or external to an organisation or institution. In general, an organisation or an institution is accountable to those who will be affected by its decisions or actions. Accountability cannot be enforced without transparency and the rule of law.

It is clear that, there is no standard recipe for good governance except respect for the rule of law-it is the duty of civil society to ensure that the rule of law is maintained and protected; special care for the disadvantaged and weak; tolerance and broad-mindedness to embrace unity and diversity--the values of multiculturalism; respect for institutions that uphold the spirit of democracy, primarily procedural democracy.

7.8 Summary

Governance basically focuses on the process of governing, involving interactions between various formal and informal institutions as well as influencing the policies and decisions that concern public lives. The success of governance depends on the reinvention of the government, re-invigoration of non-government sectors, with a social motive. There is a need to have political will, normative concerns and organisational flexibility. Besides, it is imperative to pay attention to the mechanisms and modalities followed by governments to determine public policies and equally important, to critically examine whether the policies are being efficiently and honestly implemented by the government agencies and organisations responsible for performing the assigned tasks. It also needs to be seen whether, and to what extent, the governments have established meaningful linkages with various elements of civil society, which can support the concern for good governance.

Governance needs to be transformed to make it the key instrument towards effective implementation of public policies. This requires a multi-pronged strategy to strengthen the capacities of all the actors involved in the governance process. Governance as sustainable human development needs to be given a wider connotation, so as to bring within its fold, not just good government, but also other formal and informal institutions, public-private interface, legal and regulatory reforms, decentralisation of economic functions; and empowerment of communities. The State, the private sector and the NGOs, especially the community-based organisations should cooperate and coordinate with each other to make good governance possible.

Governance now not only occupies centre stage in the development discourse but is also considered as the crucial element to be incorporated in a development strategy. It signifies a change in the meaning of government, referring to a new process of governing; or a changed condition or ordered rule; or the new method by which society is governed. It incorporates the minimal state, a socio-cybernetic system, self-organising networks, corporate governance and good governance. It basically focuses on the process of governing, involving interactions between various formal and informal institutions as well as influencing the policies and decisions that concern public lives.

7.9 Check Your Progress:

1. Define Governance.
2. Explain Governance as 'Good Governance' and 'New Public Management'.
3. Briefly discuss the various forms of Governance

7.10 Glossary:

- **Ubiquity** : the fact of appearing everywhere or of being very common; omnipresent.
- **Paradigm** : is a standard, perspective, or set of ideas; a typical example or pattern of something or model.
- **Synergistic** : the combined power of a group of things when they are working together that is greater than the total power achieved by each working separately i.e. various parts working together produce an enhanced results.

- **World Bank** : an international Financial institution that provides loans and grants to the governments of low and middle income countries.
- **OECD** : The organisation for Economic co-operation and Development (OECD) is an international organisation with 38 member countries founded in 1961 to stimulate economic progress and world trade. It is committed to democracy and market economy.
- **UNDP** : The United Nations Development Programme is a united Nations agency tasked with helping member countries (nearly 170) eliminate poverty, reduce inequality and exclusion and achieve sustainable economic growth and human development. The UNDP emphasises developing local capacity towards long-term self-sufficiency and prosperity.
- **UNESCO** : The United Nations Educational, Scientific and Cultural Organisation is a specialized agency of the United Nations (UN) with the aim of promoting world peace and security through international co-operation in education, arts, science and culture. It has 194 member states and 12 associate members, as well as partners in the non-governmental, inter-governmental and private sector.
- **Rule of Law** : is a principle of governance in which all persons, institutions and entities, public and private, including the state itself, are accountable to laws that are publically promulgated, equally enforced and independently adjudicated and which are consistent with international human rights. It means supremacy of Law, equality before law and equal protection of Law.
- **Multiculturalism** : is the idea that distinct institutions and cultural groups should be acknowledged, preserved and supported in society. Multiculturalism, thus, seeks to tackle the challenges that arise out of cultural diversity and minority marginalization.

7.11 Answers to Check Your Progress Exercise

1. See Sections 7.3 & 7.4
2. See Sub-Sections 7.5.4, 7.5.3 & Section 7.7
3. See Sub-Sections 7.6.1, 7.6.2 and 7.6.3

7.12 Suggested Readings

- Chakrabarty, Bidyut (2007). Reinventing Public Administration : The Indian Experience. New Delhi : Orient Longman.
- Kooiman, J. and M. Van Vliet, (1993) "Governance and Public Management", in K.A. Eliassen and J. Kooiman (Eds), Managing Public Organizations: Lessons from Contemporary European Experience. London : Sage,
- Leftwich, A. (1993). "Governance, Democracy and Development in the Third World". Third World Quarterly, Vol. 14.
- Mishra, Anil Dutta (2003) "Good Governance: A Conceptual Analysis", in Alka Dhameja (Ed), Contemporary Debates in Public Administration. Prentice Hall of India: New Delhi.
- Baghel, C.L. and Kumar, Yogendra (2006). Good Governance: Concept and Approaches. New Delhi : Knishka Publications.

- Pierre, J. and B.G. Peters. Governance, Politics and the State. MacMillan, Basingstoke.
- Rhodes, R.A.W. (1997). Understanding Governance Policy Networks, Governance, Reflexivity and Accountability. Buckingham: Open University Press
- UNDP(1997), Governance for Sustainable Human Development, New York.

7.13 Terminal Questions

1. What do you understand by Governance? How it is interpreted by various international organisations.
2. Discuss the different contextual uses of Governance.
3. What is Good Governance? Explain the UNDP's characterisation of Good Governance.

Lesson-8

Models of Governance

Structure

- 8.0 Introduction
- 8.1 Learning objectives
- 8.2 Models of Governance
 - 8.2.1 Hierarchical Model
 - 8.2.2 The Rational Goal Model
 - 8.2.3 The Open systems Model
 - 8.2.4 The Self-Governance Model
 - 8.2.5 Some other Models of Governance
- 8.3 Summary
- 8.4 Check Your Progress
- 8.5 Glossary
- 8.6 Answers to Check Your Progress Exercise
- 8.7 Suggested Readings
- 8.8 Terminal Questions

8.0 Introduction:

There are several models of governance that are commonly used to analyse and understand how political systems operate and make decisions. Some of the key models are discussed in this lesson.

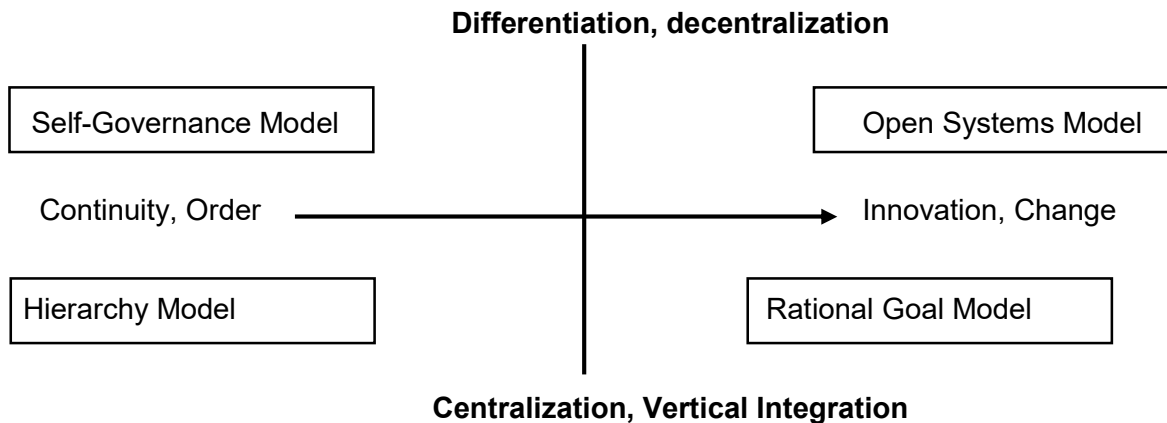
8.1 Learning Objectives:

After reading this lesson, the students will be able to understand Historical Model, the Rational Goal Model, the open systems Model and the Self-Governance Model of Governance.

8.2 MODELS OF GOVERNANCE

Like the various definitions and various uses of governance, there are various models of governance, which can be adopted by different countries. LEAS In this section, the characteristic features of the various models are discussed. Newman postulates the following important models of Governance.

Figure 1 Models of Governance



Source: Newman, *Modernizing Governance, New Labour Policy and Society*, Sage, London, 2001, p. 34.

In the above diagram, the models of governance represent two dimensions of difference viz. the vertical axis and the horizontal axis. The vertical axis represents the degree to which power is centralised or decentralised. High centralisation means that there will be structural integration of governance arrangements whereas high decentralisation means strong elements of differentiation with the governance system. The horizontal axis, on the other hand, represents the orientation towards change. Governance arrangements may be oriented towards the creation of continuity, order, stability and sustainability towards bringing about innovation in order to respond to new economic pressures of shifting public expectations. When these two axes vertical and horizontal, intersect. the following four models of governance are produced.

8.2.1 The Hierarchical Model

This model is oriented towards predictability, control and accountability. It is characterised by bureaucratic power and vertical patterns of relationships flowing up and down hierarchies. This model corresponds to the much-discredited form of governance in which the State exerts direct control over policy development and implementation through bureaucratic hierarchies. Change is very slow in this model, which is brought about by bringing about modifications in the legislation, rewriting the rules or guidelines, or producing new standards and procedures, all cascading down the vertical hierarchies of the governance system. A positive feature of this model is accountability, which tends to be high. The model is process-oriented and focused towards continuity rather than change. The other key features of this model are minimum risk, security, order and standardisation and bureaucratic in nature. Policy formulation and implementation are functionally differentiated and formalised.

8.2.2. The Rational Goal Model

The model focuses on maximum output in a shorter period. Power, in this model, is dispersed across a wide range of agencies. Change is a basic feature of this model, which is brought about by altering incentives, with rewards (or at least the absence of penalties) attached to the delivery of targets and policy goals. Despite the devolution of power and responsibility, one sees a centralised approach in this model. The goals and targets are cascaded from the government and the performance is monitored, inspected and audited very strictly. The basic characteristics of this model are a strong means-ends orientation and a pragmatic and instrumental approach. It also incorporates many of the characteristics of new public systems management. It emphasises on efficiency, economic rationalism and managerial authority. Accountability for outputs is high, but accountability for detailed expenditure and the probity of decision-making would be lower than in the hierarchy model.

8.2.3. The Open Systems Model

In this model, emphasis is on network forms of interaction and iterative processes of adaptation. In terms of governance theory, this approach corresponds most closely to the 'network' model of governance described by Rhodes, Stoker, Kooiman and others. Differentiation is promoted through the decentralisation of power, enabling experimentation and innovation. This model encompasses multiple inputs and 'reflexive' processes of development in which decisions can be adjusted in the course of new information. The system both influences and is influenced by the environment. It is fluid, fast and highly responsive. The boundary between policy and implementation becomes more fluid, allowing feedback and learning during the policy cycle. Accountability in the model is low but the sustainability is high. Change is accomplished by autopoiesis: through self-organisation and self-steering rather than as a result of external intervention.

8.2.4. The Self-Governance Model

In this model, focus is on building sustainability for fostering relationships of interdependence and reciprocity. It acknowledges the role of civil society in governance, highlighting the relationship between State and citizen rather than limiting notions of governance to the actions of the State. Governments in many countries may seek to work in 'partnership' with citizens, for example to draw them in as co-producers of health and welfare services, or as partners in the development of sustainable solutions to social problems. In order to extend their legitimacy, the government may invite the public to participate in decision-making as citizens or as the users of services. The approach encompasses models of democratic innovation, which include participative and direct democracy, and 'associational' democracy in which civil society takes on functions previously performed by the State.

8.2.5 Some other Models of Governance

Guy Peters, on the basis of governance reforms in Great Britain, New Zealand, Australia and United States, offers four models of governance. These are market government, participative government, flexible government and deregulated government. Market government focuses on monopoly, pay for performance, market incentives etc. Participative government emphasises on consultation, negotiation, involvement, consultation, and flatter organisations. Flexible government gives importance to experimentation, managing temporary personnel etc. Deregulated government encourages greater managerial freedom, entrepreneurial government, creativity, etc.

A study on governance strategies in four-countries Australia, Netherlands, New Zealand and United Kingdom has indicated four variants. These are:

- a) Procedural, that correspond to older forms of public organisations bound by laws, rules and regulatory.
- b) Managerial or corporate governance, that conforms to managerial initiatives and performance.
- c) Market type, which involves an attempt to combine public service aspects with competition, private ownership and market incentives.
- d) 'Network' governance, involving cooperation with various agencies, certain organised interestgroups, private bodies, which needs a limited but interesting form of resource-sharing areas. Networking emphasises upon multi- agency coordination, reciprocation and lateral communication. The binding characteristic of this is creation and sustenance of interdependence through 'strategic partnership' and 'joined up' governance.

Governance earlier has always been looked at in the formal sense of the exercise of power by three organs of government i.e. executive, legislature and judiciary. The informal actors' presence has been minimal or non-existent. But in the present scenario, the informal sectors are making their

presence significant and the pattern of governance that is emerging is a convergence of both the formal and informal organs - coexisting and exercising rights in clearly demarcated spheres.

8.3 Summary

From the above analysis, it becomes clear that each of the model is based on distinctive values and assumptions, definitions of 'effectiveness', constructions of the problems to be solved, and institutionalised norms and expectations. These are often in conflict and are not readily compatible. All these four models are adopted by the governments in liberal democracies. For efficient governance, if one intends to stick to any of these models, one would not get desired results. Hence it becomes necessary that the governments must adopt a mixture of these models so that it can ensure efficient and result oriented governance.

8.4 Check Your Progress

1. Discuss the Hierarchical Model of Governance.
2. What are main tenants of the Rational Goal Model?
3. What is the main focus of Self-Governance Model?
4. What the vertical axis and the horizontal axis denote in the models of Governance?

8.5 Glossary

- **Centralization** : refers to the process in which activities involving planning and decision-making within an organization are concentrated in the hands of a specific leader or location or centre
- **Decentralization** : the delegation of power from a central authority to regional and local authorities.
- **Integration** : the action or process of successfully joining or mixing with a different group of people; when separate people or things are brought together.
- **Pragmatic** : dealing with things sensibly and realistically in a way that is based on practical rather than theoretical consideration.
- **Authopoeisis** : a system capable of producing and maintaining itself by creating its own parts.

8.6 Answers to Check Your Progress Exercise

1. See Sub-Section 8.2.1
2. See Sub-Section 8.2.2
3. See Sub-Section 8.2.4
4. See Section 8.2

8.7 Suggested Readings

- Newman, Janet (2001). Modernizing Governance: New Labour, Policy and Society. London : Sage.
- Chakrabarty, B. and Bhattacharya, M. (2008) Governance Discourse : A Reader. New Delhi : Oxford University Press.

8.8 Terminal Questions

1. Discuss in brief the various models of Governance.

Lesson-9

E-Governance and Public Administration

Structure

- 9.0 Introduction
- 9.1 Learning objectives
- 9.2 Concept of E-governance
 - 9.2.1 E-governance and E-government
- 9.3 Stages of E-governance
- 9.4 Legal and Policy Framework for E-Governance in India
- 9.5 Significance of E-governance
- 9.6 Issues and Challenges of E-Governance
- 9.7 E-Governance and Public Administration
- 9.8 Role of State in E-Governance
- 9.9 Role of Civil Society in E-Governance
- 9.10 Role of Individual in E-Governance
- 9.11 Summary
- 9.12 Check Your Progress
- 9.13 Glossary
- 9.14 Answers to Check Your Progress Exercise
- 9.15 Suggested Readings
- 9.16 Terminal Questions

9.0 INTRODUCTION

Reinventing government has been a dominant theme since 1990s, wherein governments world over are attempting to improve the systems of public service delivery. Rapid strides made in the field of Information and Communication Technology (ICT) have facilitated the reinvention of governments and prepared them to serve the needs of a diverse society. In other words, the information age has redefined the fundamentals and transformed the institutions and mechanisms of service delivery forever. The vision is the articulation of a desire to transform the way government functions and the way it relates to its constituents. The concept of electronic governance, popularly called e-governance, is derived from this concern. Democracies in the world share a vision of the day when e-governance will become a way of life.

9.1 Learning objectives

After studying this lesson, the learners will be able to:

- discuss the concept and significance of e-governance;

- explain the various stages of e-governance;
- examine the various Legal and Policy Provisions for E-Governance in India
- analyse the issues and challenges in E-Governance
- describe the connections between e-governance and Public administration and
- comprehend the role of state, civil society and individual in e-governance.

9.2 CONCEPT OF E-GOVERNANCE

E-governance is the application of ICT to the processes of government functioning for good governance. In other words, e-governance is the public sector's use of ICTs with the aim to improve information and service delivery, encourage citizen participation in decision-making and make government more accountable, transparent and efficient.

The Ministry of Information and Technology states that e-governance goes far beyond mere computerisation. It implies fundamental changes in government operations; and new set of responsibilities for the legislature, executive, judiciary and citizens.

According to the Comptroller and Auditor General of United Kingdom, e-governance means providing public access to information via the internet by government departments and their agencies.

So in essence, e-governance is the application of ICT in government functioning to bring in SMART governance implying: simple, moral, accountable, responsive and transparent governance.

SMART GOVERNANCE

- **Simple**-meaning simplification of rules, regulations and processes of government through the use of ICTs and thereby providing for a user-friendly government
- **Moral**-connoting emergence of an entirely new system of ethical values in the political and administrative machinery. Technology interventions improve the efficiency of anti-corruption agencies, police, judiciary, etc.
- **Accountable**-facilitating design, development and implementation of effective Management Information System and performance measurement mechanisms and thereby ensuring accountability of public service functionaries.
- **Responsive**-streamlining the processes to speed up service delivery and make system more responsive.
- **Transparent**-bringing information hitherto confined in the government documents to the public domain and making processes and functions transparent, which in turn would bring equity and rule of law in responses of the administrative agencies.

SMART governance, thus, helps in:

- improving the internal organisational processes of governments;
- providing better information and service delivery;
- increasing government transparency in order to reduce corruption;
- reinforcing political credibility and accountability; and
- promoting democratic practices through public participation and consultation.

9.2.1. E-governance and E-government

E-governance and e-government are often used interchangeably, so distinguishing between them at this stage is imperative. According to Thomas B. Riley, government and governance are both about getting the consent and cooperation of the governed. But whereas government is the formal apparatus for this objective, governance is the outcome as experienced by those on the receiving end.... E-government can be more productive version of government in general, if it is well implemented and managed, E-governance can evolve into participatory governance, if it is well supported with appropriate principles, objectives, programmes and architectures.

E-government is, thus, the modernisation of processes and functions of government using the tools of ICT as to transform the way it serves its constituents. As per the World Bank, e-government refers to the use by government agencies of information technologies (such as wide area networks, internet and mobile computing) that have the ability to transform relations with citizens, businesses and other arms of government. It is the use of technology to enhance the access to and delivery of government services to benefit citizens, business partners and employees. E-governance, on the other hand, goes beyond the service delivery aspects and is seen as a decisional process. It is about the use of ICTs in the systems of governance that is, using ICT to involve multi- stakeholders in decision-making and in making governments open and accountable.

9.3 STAGES OF E-GOVERNANCE

Different stages of e-governance are identified on certain set of criteria. These stages are:

- **Simple information dissemination** (one-way communication)- is considered as the most basic form, as it is used for merely disseminating information;
- **Two-way communication** (request and response)- is characterised with e-mail system and information and data-transfer technologies in the form of website;
- **Service and financial transactions**-is online services and financial transactions leading to web based self-services;
- **Integration** (both vertical and horizontal)- in this stage the government would attempt inter and intra-governmental integration; and
- **Political participation**-this stage means online voting, online public forums and opinion surveys for more direct and wider interaction with the government

9.4 Legal and Policy Framework for E-Governance in India

The following provisions have laid down the legal and policy framework for ICT and e-governance in India

- **Information Technology Act 2000**

The Action Plan endorsed by the Conference of Chief Ministers in 1987 had already addressed the pertinent issues of accountable and citizen friendly administration; and transparency and right to information. In pursuance of these issues, the Information Technology Act was promulgated in 2000. The objective of the Act is "to provide legal recognition for transactions carried out by means of electronic data interchange and other means of electronic communication, commonly referred to as 'electronic methods of communication and storage of information'; to facilitate electronic filing of documents with the Government agencies, and further to amend the Indian Penal Code, the Indian Evidence Act, 1872, the Banker's Book Evidence Act, 1891 and the Reserve Bank of India Act, 1934 and for matters connected therewith or incidental thereto."

Both e-commerce and e-governance transactions are covered under the ambit of this Act, which facilitates acceptance of electronic records and digital signatures. The Act, thus, stipulates numerous provisions. It aims to provide for the legal framework so that legal sanctity is accorded to all electronic records and other activities carried out by electronic means.

- **Report of the Working Group on Convergence and E-governance 2002-07**

Report of the Working Group on Convergence and E-governance proposed the need for administration to transform itself from a passive information and service provider to a platform/ forum for the active involvement of citizens. This Report primarily concerned itself with public investments. It could not visualise the extent of private initiative that could be expected to come forth in the convergence area or in e-commerce or allied segments.

It felt the need to set up a central body for taking stock of the total IT picture in the country. This central body could be a 'Council for E-governance' or an adhoc "Commission on Re- engineering Administrative Procedures for E-governance. Another alternative it suggested was to set up a National Institute of Smart Governance.

- **Common Minimum Programme**

The importance of e-governance has been recognised in the Common Minimum Programme of the UPA Government, which inter-alia states that e-governance will be promoted on a massive scale. It made a solemn pledge to the people of the country with a government that would be corruption free, transparent and accountable; and an administration that would be responsible and responsive at all times.

- **National E-Governance Plan**

Three important elements of the National E-Governance Plan, which form the core infrastructure for effective service delivery are Data Centres, State Wide Area. Networks and Common Service Centres. The 10-point agenda of the Department of Information Technology announced for growth of ICT in the country includes expeditious implementation of a National E-Governance Plan to bring about transparency and citizen centric approach in administration.

- **Expert Committee**

An expert committee had also been constituted for the amendments in the IT Act 2000 to include the technological developments post IT Act 2000. The Expert Committee completed its deliberations and submitted its report in August 2005, The Committee, during its deliberations, analysed some of the relevant experiences and international best practices. The Committee, while formulating its recommendations kept in view the twin objectives of: (i) using IT as a tool for socio-economic development and employment generation: and (ii) further consolidation of India's position as a major global player in IT sector.

- **Right to Information Act 2005**

The Right to Information Act 2005 confers on the citizens the right to:

- i inspect works, documents and records of the government and its agencies;
- ii take notes, extracts or certified copies of documents or records;
- iii take certified samples of material; and
- iv obtain information in form of printouts, diskettes, floppies, tapes, video cassettes or in any other electronic mode.

This has ensured a transparent and accountable government to the people. It has also established a two-way dialogue between the citizens and the government. It has enabled citizens to make well-informed decisions. Further, it is an important step towards tackling corruption and has ensured better monitoring of services provided by the government.

9.5. SIGNIFICANCE OF E-GOVERNANCE

ICT applications impact upon the structures of public administration systems. Technological advancements facilitate the administrative systems by enabling:

- Administrative Development; and
- Effective Service Delivery

9.5.1. Administrative Development

Administrative reforms, often, have focused on procedural details and restructuring of systems and processes of government organisations. The basic objective of these reforms is to enhance capacities of the systems. ICTs can be used and are being used now to give further impetus to the process. They help in the following manners:

- **Automation of Administrative Processes**

A truly e-governed system would require minimal human intervention and would rather be system driven. While initially the solutions that were offered were quite primitive with poor information layout, inadequate navigation provisions, occasional disruption in services, periodic outdated content and little or no 'back office' support. However, technological advancements and increased pressure from citizenry have prompted improvements in these areas. Now administrative departments are computerised and connected through network. Software has been built and designed around government departments ensuring efficiency in operations. The departments have launched individual websites carrying information of their respective departments. This has enabled online carrying of operations and file movements. Budgeting, accounting, data flow, etc. has become easy. This has increased the efficiency of office operations and processes and has reduced unnecessary delays.

- **Paper Work Reduction**

An immediate impact of automation would be on the paperwork. Paperwork is reduced to a greater extent with communication being enabled via electronic route and storage and retrieval of information in the electronic form. All this has led to emergence of 'less paper office'. This concept is defined as an office situation where all the information (file and mail) amongst various functionaries is distributed online. The concept is where files and mails (information) are transmitted over wires to small computers at each employee's desk. Office work, such as, file movements, notings, etc. is computerised and documentation, report preparation, databases are now maintained in computers. The transfer of information and files take place online, thus reducing the physical movements and consumption and storage of huge piles of paper.

- **Quality of Services**

ICT helps governments to deliver services to the citizens with greater accountability, responsiveness and sensitivity. Quality of services improves, as now the people are able to get services efficiently and instantaneously. As volumes of transactions and information can be electronically handled and delivered over a wider area through the net and web, qualitative services become possible in least time, in least cost, in least difficulty and in greater convenience.

By ensuring online redressal of grievances the accountability of officials is ensured. They have become sensitive to the issues affecting people. Monitoring by way of video teleconferencing has

further facilitated central monitoring, reporting and face to face communication that has assured effective service delivery by the officials.

- **Elimination of Hierarchy**

ICT has reduced procedural delays caused by hierarchical processes in the organisation, Through Intranet and LAN, it has become possible to send information and data across various levels in the organisation at the same time. Computerisation and communication patterns facilitated by ICT have increased efficiency and have led to the involvement of all levels in decision-making.

- **Change in Administrative Culture**

Bureaucratic structures have been plagued by characteristics aptly described by Victor Thompson as 'bureau-pathology'. From the days of New Public Administration, efforts have been made to find ways to deal with the pathological or dysfunctional aspects of bureaucratic behaviour and to make delivery of public services effective and efficient. With e-governance, public actions coming under public glare would certainly induce norms and values of accountability, openness, integrity, fairness, equity, responsibility and justice in the administrative culture. Rather, administration would become efficient and responsive.

9.5.2. Effective Service Delivery

ICTs play an important role in effectively delivering services to the people. ICTs ensure:

- **Transparency** by dissemination and publication of information on the web. This provides easy access to information and subsequently makes the system publicly accountable. Also as web enables free flow of information, it can be easily accessed by all without any discrimination.
- **Economic Development**
The deployment of ICTs reduces the transaction costs, which makes services cheaper. For example, rural areas suffer on account of lack of information regarding markets, products, agriculture, health, education, weather, etc. and if all this could be accessed online would lead to better and more opportunities and thereby prosperity in these areas.
- **Social Development**
The access to information empowers the citizens. Informed citizenry can participate and voice their concerns, which can be accommodated in the programme/project formulation, implementation, monitoring and service delivery. Web enabled participation will counter the discriminatory factors affecting our societal behaviour.
- **Strategic Information System**
Changing organisational environment and increasing competitiveness have put pressures on the performance of the functionaries. Information regarding all aspects need to be made available to the management at every point to make routine as well as strategic decisions. ICTs effectively enable putting such strategic information systems in place.

9.6 Issues and challenges of E-Governance

The above discussion highlighted the important role of ICTs in governance. In order to harness the benefits of ICTs maximally, we need to develop sufficient and adequate infrastructure, provide sufficient capital and investment, enable easy and wider accessibility and generate ample and skilful

human resources. These are some of the immediate and pertinent challenges to effective implementation of ICT and e-governance. We will now discuss these issues individually.

- **Infrastructure**

The foundation of e-governance is based on the telecommunication services. To develop telecommunication, infrastructures are to be created so that the end-user is able to access the services promptly and effectively. To strengthen the infrastructure, 'The National Task Force on Information Technology and Software Development' in 1998 recommended broadband connection (also known as 'the last mile') linkage for IT Applications Service Providers (ASPs), Internet Service Providers (ISPs) and IT promotional organisations, either by fibre optics or by radio communication, with the aim to 'boost efficiency and enhance market integration' through Internet/Intranet for sustainable regional development.

- **Capital**

A high rate of investment in IT capital and a supportive environment is necessary to achieve digital economy. In view of the resource crunch with the government, there is need to generate resources from the market and private sector. Public-private partnership may be beneficial in this regard, as the private sector can participate and contribute with capital and expertise support.

- **Access**

At present, there are more than 10 million users of internet in the country. But the irony is that more than 75 percent of these users are in urban India. Internet has still to reach the rural and disadvantaged sections. However, efforts are being made to expand ICT connectivity into rural areas through involvement of Gram Panchayats. NIC has developed a comprehensive web-based software for panchayati raj and rural applications, which is being implemented in states like Andhra Pradesh. With most of the panchayats getting computerised accessibility to various services has become easy.

- **Utility of Information**

There is a need to provide information, which is useful. The content of the information should be such that it should be interesting, beneficial and appealing to the people. In this regard, Government of India and some of the state governments have prepared a vision document for e-governance keeping in mind the needs of the citizens. Though Citizens' Charters of many departments are available on the net, further publicity of such facilities is required to enable the public to access the necessary information.

- **Human Resource Development**

Despite the ascending growth rate observed in employment in IT sector, there is dearth of quality manpower. There exists a demand and supply gap in the IT manpower market. India apparently needs to have more technical institutes to impart education and training to build a pool of human resources in the field.

- **Capacity Building**

Service delivery will be effective if there is a trained manpower. Though computer training is being imparted to all the basic public functionaries, except in few cases, an effective use of ICT is yet to be seen. Moreover, there is an immediate need to launch a nationwide 'Train the Teachers Programme' (3T Programme). This should be done at all levels including schools and colleges. A combination of physical and virtual training also needs to be imparted.

- **Changing the Mindset of Government Functionaries**

To accept the change there is a need to change the mindset of service providers and receivers. The government functionaries need to be made aware that they are there to serve the clients as per the policies and programmes and that technological advancement is only a facilitator to solutions of problems faced by people and not a solution in itself. To change the mindset of the service providers there is a need to impart orientation and training programmes to them.

- **Language**

Success of e-government also depends on communication with the people in their local languages. Currently, the most widely used language is English for e-government. But given the Indian social conditions, unless we develop interfaces in vernacular languages, it would remain out of reach of many people who are not capable of accessing these services in English. In this context, it is essential that a clear strategy be formulated to provide access to local level databases maintained in regional and local languages as well as to use appropriate interfaces to aggregate such data. However, it may be mentioned here that organisations like Centre for Development of Advanced Computing (CDAC) has developed multilingual software for the purpose.

- **Standardisation in Data Encoding**

Once multiple access points maintained in various languages at various levels are established, there is a need to update them in conformity with similar standards for data encoding-an application logic for a common horizontal application and data dictionary. This is also important for finding aggregates in the national context.

- **Grievance Redressal Mechanism**

The mechanism planned for various functions need to make provision for grievance redressal as well. Interactive platforms on the internet may speed up the process and may be useful in this regard. The BMC-Praja Foundation's joint initiative of the Online Complaint Management System (OCMS) is perhaps the world's first in citizen-government partnership for solving public grievances in municipal services. Inaugurated in April 2003, the OCMS has been receiving grievances on behalf of citizens availing services of municipalities in Mumbai. It uses IT as a tool to bring in efficiency and effectiveness into the system. One can register his/ her complaint online regarding various municipal services and the Municipal Corporation will redress this complaint in the time stipulated in the Citizens' Charter adopted by the Corporation.

Central Vigilance Commission has also provided such a platform for people to register their complaints against corrupt officials. Such sporadic instances need to be made broad-based and effective, though it may be conceded that more and more public service agencies are now providing or contemplating such facilities.

- **Cyber Laws**

The government needs to enact appropriate laws, especially those, which are necessary to enable transactions over the internet. Safety concerns regarding use of credit cards or other modes of payment stops the consumers from using such facilities. Hence, security has to be ensured for generating confidence in the system.

9.7 E-Governance and Public Administration:

E-governance and public administration are closely interconnected, as e-governance refers to the use of information and communication technologies (ICT) to enhance the efficiency, transparency,

and effectiveness of government services and processes. Public administration, on the other hand, is the discipline that focuses on the implementation of government policies and programs to serve the needs of citizens and ensure the smooth functioning of public institutions.

Here are some key connections between e-governance and public administration:

1. **Efficiency and effectiveness:** E-governance tools and technologies can streamline administrative processes, reduce bureaucratic red tape, and improve the efficiency of public administration. By digitizing workflows, automating tasks, and implementing online services, government agencies can deliver services more quickly and effectively to citizens.
2. **Transparency and accountability:** E-governance promotes transparency in public administration by making government information more accessible to citizens through online portals, open data initiatives, and public dashboards. This transparency helps in building trust between government institutions and the public and holds officials accountable for their actions.
3. **Citizen engagement:** E-governance facilitates citizen engagement in public administration by providing online platforms for feedback, participation in decision-making processes, and access to government services. Citizens can interact with government agencies, provide input on policies, and collaborate with officials to co-create solutions to public issues.
4. **Data-driven decision-making:** E-governance generates vast amounts of data that can be used by public administrators to make informed decisions, monitor performance, and evaluate the impact of policies and programs. Data analytics tools enable governments to analyze trends, identify areas for improvement, and optimize service delivery.
5. **Capacity building:** E-governance requires public administrators to develop digital skills, adapt to new technologies, and embrace innovative approaches to service delivery. Training programs, capacity-building initiatives, and knowledge-sharing platforms can help public officials enhance their digital literacy and effectively implement e-governance solutions.
6. **Policy innovation:** E-governance encourages public administrators to innovate in policy design, service delivery models, and governance structures to meet the evolving needs of citizens in a digital age. By embracing technological advancements, governments can drive policy innovation and adapt to changing societal demands.

Overall, e-governance and public administration are interconnected in their efforts to modernize government operations, enhance service delivery, promote transparency and accountability, engage citizens, leverage data for decision-making, build digital capacity and drive policy innovation. Collaboration between these two fields is essential for achieving effective governance outcomes that benefit society as a whole.

9.8. Role of state in E-Governance

The state plays a central role in e-governance by setting policies, regulations, and frameworks to govern the use of digital technologies in delivering public services and engaging with citizens. Some key roles of the state in e-governance include:

1. **Policy formulation:** The state is responsible for formulating policies and strategies to guide the implementation of e-governance initiatives. This includes setting objectives, priorities, and standards for digital transformation in government services.

2. **Legal and regulatory framework:** The state establishes laws and regulations to govern the use of electronic transactions, data protection, privacy, cybersecurity and other aspects related to e-governance. These regulations help ensure the security, integrity, and confidentiality of digital interactions between government and citizens.
3. **Infrastructure development:** The state invests in building and maintaining the necessary digital infrastructure, such as broadband networks, data centers, and secure communication systems, to support e-governance initiatives and enable seamless delivery of online services to citizens.
4. **Capacity building:** The state provides training and capacity-building programs for government officials to enhance their digital skills and knowledge in using e-governance tools and platforms effectively. This helps ensure that government employees are equipped to deliver efficient and user-friendly digital services to citizens.
5. **Service delivery:** The state leverages e-governance technologies to improve the delivery of public services, streamline administrative processes, reduce bureaucracy, enhance transparency, and increase citizen participation in governance.
6. **Monitoring and evaluation:** The state monitors the implementation of e-governance initiatives, evaluates their impact on citizens and government efficiency, and makes data-driven decisions to continuously improve digital services and processes.

Overall, the state plays a crucial role in driving the digital transformation of government services through e-governance, ensuring that public administration is efficient, transparent, responsive, and citizen-centric.

9.9. Role of Civil Society in e-Governance:

Civil society also plays a crucial role in e-governance by acting as a bridge between the government and the citizens. Some of the key roles of civil society in e-governance include:

1. **Advocacy and awareness:** Civil society organizations can raise awareness among citizens about the benefits of e-governance and advocate for its implementation to improve transparency, accountability, and efficiency in government processes.
2. **Monitoring and evaluation:** Civil society can monitor the implementation of e-governance initiatives, assess their impact on citizens, and provide feedback to the government for continuous improvement.
3. **Capacity building:** Civil society organizations can help build the capacity of citizens to effectively use e-governance platforms and participate in decision-making processes.
4. **Citizen engagement:** Civil society can facilitate citizen engagement in e-governance by organizing consultations, public hearings, and other forms of participation to ensure that government policies and services are responsive to citizens' needs.
5. **Policy advocacy:** Civil society can advocate for policies that promote open data, digital inclusion, and privacy protection in e-governance initiatives.

Overall, civil society plays a critical role in ensuring that e-governance initiatives are citizen-centric, inclusive, and accountable to the public.

9.10 Role of Individual in E-Governance:

Individuals play a significant role in e-governance as active participants, beneficiaries, and stakeholders in the digital transformation of government services. Some key roles of individuals in e-governance include:

1. **Accessing online services:** Individuals are the primary users of e-governance platforms and digital services provided by the government. They can access a wide range of services online, such as applying for permits, paying taxes, accessing information, and engaging with government agencies without the need to visit physical offices.
2. **Providing feedback:** Individuals can provide feedback on e-governance platforms, services, and processes to help improve user experience, identify issues, and suggest enhancements. Their input is valuable for government agencies to enhance the quality and effectiveness of digital services.
3. **Engaging in participatory governance:** Individuals can actively participate in decision-making processes, policy formulation, and public consultations through online platforms and tools provided by the government. This promotes transparency, accountability, and citizen engagement in governance.
4. **Contributing to data-driven governance:** Individuals generate data through their interactions with e-governance platforms, which can be used by government agencies to make informed decisions, improve service delivery, and enhance policy-making processes.
5. **Safeguarding data privacy and security:** Individuals have a responsibility to protect their personal information when using e-governance platforms and digital services. They should be aware of data privacy policies, security measures, and best practices to safeguard their sensitive information from cyber threats.
6. **Advocating for digital inclusion:** Individuals can advocate for digital inclusion and accessibility in e-governance initiatives to ensure that all citizens, including those in marginalized communities or with limited digital literacy, have equal access to online services and information.

Thus, individuals play a crucial role in e-governance by actively engaging with digital services, providing feedback, participating in governance processes, contributing to data-driven decision-making, safeguarding data privacy, and advocating for digital inclusion. Their involvement is essential for the success of e-governance initiatives in promoting transparency, efficiency, and citizen-centric governance.

9.11 Summary

According to Traunmuller and Lenk, e-governance is a global phenomenon today and it is the most recent paradigm in public administration. The speed and transparency associated with e-governance has the potential to make public administration responsive and effective. As the development of e-governance gets past the phase of pilot projects, it becomes apparent that sustainable development of e-governance will depend on an adequate institutional framework that will enable public administration to manage and harmonise the emerging multitude of technical and organisational changes at all levels of government. The time has come to focus on the challenges in implementation, especially those related to cross-level applications and institutional framework, which would enable to bring in broader changes in governance.

9.12 Check Your Progress

1. What do you understand by E-Governance?
2. Distinguish between E-Governance and E-Government.
3. How E-Governance facilitate the administrative system?
4. What role civil society can play in E-Governance?
5. Describe the various stages if E-Governance

9.13 Glossary

- **E-governance** - Use of technology to enhance the access to and delivery of government services to benefit citizens, business partners and employees.
- **ICTs** - are the information and communication technologies such as radio, computers, Internet, websites and Satellites providing database, knowledge database, expert systems, Geographical Information System, Management Information System, Video and audio teleconferencing.
- **State Wide Area Network** - networks linking the state headquarters right up to the block level through national Informatics Centre Network.
- **Public Service Delivery** : the mechnnism through which public services are delivered to the public by **local, municipal, or federal governments**.
- **Dysfunctional** : not operating normally or properly.
- **LAN** : A Local Area Network (LAN) is a computer network that interconnects computers within a limited area such as a residence, school, laboratory, university campus or office building

9.14 Answers to Check Your Progress Exercise

1. See Section 9.2
2. Se Sub-Section 9.2.1
3. See Section 9.5
4. See Section 9.9
5. See Section 9.3

9.15 Suggested Readings

- Bose, Jayshree (2007). E-governance in India : Issues and cases. New Delhi : ICFAI University Press.
- Deva, Vasu (2005). E-governance in India : A Reality : Delhi : Commonwealth Publishers.
- Prabhu, C.S.R. (2004). E-Governance : Concepts and Case Studies. Delhi : Prentice Hall of India.
- Sangita, S.N. and Dash, B.C. (2008). "ICT, Governance and Service Delivery in India : A critical Review." Indian Journal of Public Administration, 74 (1), 142-150.

- Sharma, Pankaj (2004). E-Governance : The New Age Governance. New Delhi : APH Publishers.
- Singhal, A. and Everett Rogers (1990). India's Information Revolution. New York : Sage Publications.
- Singh, Shivani (2016) Governance : Issues and Challenges. New Delhi : Sage

9.16 Terminal Questions

1. Define E-Governance and analyse the role of E-Governance in administrative system.
2. Discuss the various legal and policy provisions for E-Governance in India.
3. Analyses the various issues and challenges in E-Governance.
4. Describe the role of State, Civil Society and Individual in E-Governance.

Lesson-10

Accountability and Institutional Mechanism of Control

Structure

- 10.0 Introduction
- 10.1 Learning Objectives
- 10.2 Concept of Accountability
- 10.3 Major Forms of Accountability
 - 10.3.1 Collective Responsibility
 - 10.3.2 Ministerial Responsibility
 - 10.3.3 Other tools and Mechanism
- 10.4 Financial Accountability
 - 10.4.1 Financial control within the Executive
 - 10.4.2 Audit
 - 10.4.3 Financial Committees of Parliament
- 10.5 Accountability through the Courts
- 10.6 Summary
- 10.7 Check Your Progress
- 10.8 Glossary
- 10.9 Answers to Check Your Progress Exercise
- 10.10 Suggested Readings
- 10.11 Terminal Questions

10.0 INTRODUCTION

Public accountability distinguishes Public Administration in a democracy from that in an autocratic set up. An autocrat is accountable to none; public administrative authorities are, on the other hand, accountable to the people. Accountability is a very wide and comprehensive term which came into usage in the English language from as early as 1583. It was mainly used to imply financial accountability. Though financial accountability is important and we will discuss about it later in this unit, we must not ignore other equally important components of accountability.

10.1 Learning Objectives

In this unit we will discuss about the concept of accountability. Its aim is to study the concept and examine its various components. After reading this lesson, the learners will be able to :

- explain the meaning and forms of accountability

- discuss the various provisions under financial accountability and accountability through the courts.

10.2 CONCEPT OF ACCOUNTABILITY

The Oxford English dictionary defines 'accountable' as 'liable to be called to account, responsible(to, for)'. The Webster's dictionary gives more or less the same meaning when it explains accountability as liability to be called on to render an account. Though accountability and control are used as synonyms, actually 'control' goes along side or simultaneously with an action or event whereas accountability comes in only after an act is accomplished. Only when one does a job or an act is one called upon to render an account of it.

Accountability in the positive sense means achieving results. Public servants have tremendous responsibilities to discharge. To enable them to do so, they have stability of tenure and administrative support. If they are unable to deliver the goods or achieve results, they must be held accountable.

In other words, if administrators have responsibilities, they also have accountability. Accountability and responsibility are two sides of the same coin and they go together. In the negative sense, accountability implies holding public officials responsible for their lapses. Lapses can be of various kinds. Public servants may not do what law or custom requires them to do for reasons such as ignorance, indifference or corrupt influence; or they may be guilty of waste and damage; or a duty may be undertaken beyond what law and custom oblige or empower.

In practice, it is not easy to enforce accountability. This is so because of composite decision-making, diffused responsibility and frequent transfers. Whenever serious administrative lapses take place, enquiries are conducted to punish the guilty ones. But it is difficult to pinpoint responsibility. So many are involved in decision-making that the range of accountability is too wide to hold any one person responsible for the lapse. If action is taken on the basis of oral instructions it adds to the difficulty of fixing accountability. This is not to suggest that accountability cannot be enforced. An aggrieved citizen can go to a court of law. Then there are vigilance authorities or Ombudsman through which citizens can get redressal of their grievances.

It is thus quite obvious that administrative accountability is an organisational imperative because first and foremost, it purports to evaluate an organisation's performance in terms of its goals. The goal is split up into definite tasks and responsibilities, and it is the individual administrators who are called to render an account of how they are discharging their responsibilities. Accountability is concomitant with administrative responsibility, being the obverse side of the coin, and thus construed, it is intrinsic to any organisation: concepts such as hierarchy, span of control, unity of command, supervision, etc., are all accountability-promoting and enforcing mechanisms. So is the annual budget. But all these devices have to be properly sensitised, because accountability carries meaning only when it closely and firmly relates itself to the basic tasks and objectives of an organisation. Administrative accountability, one must always remember, is achievement-oriented; this is its acid test.

10.3 Major Forms of Accountability

Accountability has two facets, somewhat separate but interrelated. These are **political accountability** and **administrative accountability**. The first one is basically political, and in a parliamentary system of government like ours the executive is kept under the obligation of giving an account of its performance to Parliament, and the latter has many devices and instrumentalities to this end. The second facet is primarily administrative wherein the executive, in its turn, holds the administrators in departments and other public agencies accountable for how they carry out their responsibilities. These two are complimentary and together they constitute the foundation of a responsible government.

It is the executive's accountability to Parliament which gives to such a system of political arrangements the nomenclature of parliamentary government. Why should the executive be accountable to Parliament? The supreme executive authority in India is vested in the President of India, and the most important acts of state are performed in his name. But the President of India has been put under a firm constitutional obligation to act in accordance with the 'aid and advice' given by the Council of Ministers with the Prime Minister at its head. As the President is bound by the advice given by the Council of Ministers, the latter alone may be called to account.

The executive's accountability to Parliament is total and unabridged; and to assert such a relationship the latter has many ways and many occasions. The executive is obliged to remove people's grievances. Indeed, the redressal of people's grievances precedes the grant of 'supply', that is, taxation. Besides, before Parliament grants funds to the executive it must satisfy itself about the merit of its policies for which funds are needed. It also logically follows that Parliament wants to ensure that the money so granted is spent on purposes for which the grant was accorded.

Parliament thus, not only controls the purse but also puts the executive under its check and control for the whole gamut of its activities, and to this end it has at its beck and call numerous tools as well as opportunities, such as parliamentary questions, interpellations, adjournment motions, votes of no confidence, discussions on demands for grants, calling attention notices, half-an-hour discussions, zero-hour discussions, etc. The various conventional tools and mechanisms for the enforcement of accountability may be viewed as falling within two broad types. The first type includes devices which are concurrent and contemporaneous and thus, are of day-to-day application. Many of the parliamentary opportunities mentioned above fall in this category. This category of accountability is, strictly speaking, in the nature of control. The second type of accountability is post facto in nature, which means that it activates itself after some action has already taken place. In a way, it is a post mortem which is undertaken by way of evaluation of the work under scrutiny. Audit and the various committees of Parliament exercise control after the event has occurred, and the thrust of this category of investigation is to find out why and how a particular item of work has been done. This is more in the true nature of accountability, than control.

The first category of accountability-enforcing mechanisms is basically directed against the political executive and is thus of a political nature. Tools like adjournment motions, no confidence motions, parliamentary interpellations, etc., are, in India as elsewhere, politically motivated and aimed at the political executive. In contrast to this, the second type of accountability makes the career bureaucracy its target and is, so to say, administrative in nature. Precisely because of these reasons, it is non-partisan in character, uninfluenced by those political considerations which carry weight when, for instance, an adjournment motion is moved in the legislature.

10.3.1 Collective Responsibility

The Council of Ministers is accountable to the lower House of Parliament, and it is bound by the concept of collective or joint responsibility, which is the kingpin of the parliamentary system of government. In our parliamentary government, the party commanding a majority of votes in the Lok Sabha enjoys the prerogative of forming and running the Government. Each of its members is thus required to make sure that his policies command the agreement of his colleagues. The whole Council of Ministers has to resign if an important issue affecting any Minister gets rejected by the Lok Sabha. A Minister thus swims or sinks along with his other colleagues in the Council of Ministers. Within the Council of Ministers, of course, he persuades his colleagues to accept his proposals. If, however, he fails to obtain the agreement of his colleagues on a policy which he considers to be very important, or if he does not agree with a policy made in the Cabinet and which he cannot publicly defend he must resign.

10.3.2 Ministerial Responsibility

The concept of collective responsibility does not imply that all matters of governance are discussed and approved in the Cabinet; rules and regulations have clearly specified the types of matters which are brought before the cabinet, the remaining ones being left to the care of individual Ministers for their decision-making. The personal accountability of each Minister of Parliament extends to all matters within his competence. A Minister is accountable to Parliament (the Lok Sabha to be precise) for his own action-or lack of them- as well as for those of the civil servants serving in the Ministry under his charge. The civil servants are protected by the well-known principle of anonymity. Parliament holds the Minister responsible if something in his Ministry goes wrong, even if he did not have knowledge of it or even if he did not approve of it. The Minister's responsibility to Parliament is the essence of ministerial responsibility.

However, it does not follow that the concept of ministerial responsibility gives blanket protection to the civil servants. Vis-a-vis Parliament though, the civil servant is always protected; the former would go after the Minister's head if something in his charge goes wrong. This point needs further elaboration.

There may, in theory, arise four kinds of situations. First, if a civil servant carries out an explicit order of the Minister, the latter must protect him and take the entire responsibility when questioned in Parliament. Secondly, if a civil servant acts properly, in accordance with the policy laid down by the Minister, the latter must protect and defend him. Thirdly, if a civil servant commits a mistake or causes some delay but not on an important issue of policy and not where a claim to individual rights is seriously involved, the Minister must acknowledge the mistake and accept the responsibility, although he is not personally involved. It is only in the fourth category of actions that the erring civil servant gets blamed by his Minister and, what is more, publicly, although here too the Minister continues to be accountable to Parliament. This category includes situations where action has been taken by the civil servant of which the Minister disapproves and has no prior knowledge, and the conduct of the official is plainly reprehensible. In such situations, the Minister is not obliged to endorse what he believes to be wrong or to defend what is clearly shown to be error of his officer.

This concept, as developed in the foregoing paragraph, needs to be further clarified, particularly in the context of the emergence of the party system in general and party discipline in particular. If the concept is applied in its rigorous form, the Minister himself should appear before the parliamentary committees to give an account of the functioning of the departments under his charge. Similarly, the Minister should resign even if a minor official in some remote part of the country acts wrongly, whether deliberately or innocently. The civil servant who wants to see his Minister out may do things to excite the fury of the legislature, making it raise demands for the resignation of the Minister. One should therefore inquire whether the Minister should really be held responsible in such cases. If a Minister is to be held responsible before the legislature for all that happens under his charge, he may be excessively cautious and demand that all or most matters be compulsorily referred to him, a situation which would render the conduct of administration impossible. Also, the civil servants, knowing that matters might be discussed in the legislature, would hesitate to take any action, and develop the habit of referring all matters to the Minister. In such cases too, the administration would come to a halt.

The political fact is that even in the case of serious mismanagement, the Minister is rarely visited with extreme legislative wrath because of the majority behind him. How many Ministers resign when there is proven mismanagement of affairs under them? So long as the Minister enjoys the support of his political party in general, and of the Prime Minister in particular, he cannot be dislodged from his ministership: a political fact which demonstrates the practical limitations of the concept of ministerial accountability.

Even in its pure form, ministerial accountability has obvious limitations:

1. It is just a convention without any legal sanction behind it. It is essentially a matter of conscience, a moral principle.
2. It is limited by sheer common sense. If some railway station master has misbehaved with the public, there will be no demand for the Railway Minister's resignation. Similarly, if there is drought, the Minister of Agriculture is not asked to resign.
3. A Minister continues in his office so long as he enjoys the confidence of the Prime Minister.
4. If the Minister is an important leader of his party and commands wide support in it, he is always sought, never sacked.

10.3.3. Other Tools and Mechanisms

Reference has been made so far to the external aspect of accountability. Accountability has an internal aspect as well. All civil servants working in a Ministry are accountable to the Minister. As the Minister is responsible to the legislature for actions (including inactions) of the civil servants, the latter must obviously be held accountable to him. This may be explained as under:

1. The civil servants must know well their Minister's objectives and seek faithfully to project it in what they do.
2. They must observe, in all their official transactions with citizens, due process of law and the laws of natural justice.
3. They must remain alive to the sensitivities of the legislature and must abjure from doing things which might embarrass the Minister, particularly in his relationship with the latter.
4. They must be responsive to the larger public opinion.

Accountability is ensured and made more specific by a complex system of organisational and procedural devices. Hierarchy is itself an exercise in accountability-fixation. Therefore, without adequate control and supervision over the actions of the lower levels, accountability can hardly be enforced. Span of control, unity of command, inspection, supervision, etc., are other well-known accountability-facilitating devices. Noting is also a mechanism of accountability. To ensure financial accountability, a financial advisory system is now a part of each Ministry. Lateral agencies like the Ministry of Home Affairs, Ministry of Finance, etc., are other accountability mechanisms. Nor should one forget that an audit is a powerful tool of accountability, so powerful that the Comptroller and Auditor-General is one of the topmost constitutional functionaries of India and is independent of the executive. Provision for statutory audit exists in Indian administration.

Although, as said earlier, the Minister has complete autonomy within his sphere of authority, he must soon learn, in order to survive, how much to do himself and where to stop. He must, in other words, concentrate on major matters of policy and leave tasks of day-to-day administration to the career civil servants.

Every Minister has his own style of work. But perhaps it may be safely observed that he should generally shape and formulate policy, leaving day-to-day administration to the civil servants under him. He should, among other things, ensure accountability by selecting and scrutinising cases on a random basis and by invoking the managerial principle of rule by exception.

10.4 FINANCIAL ACCOUNTABILITY

This is a vital component of accountability. It is based on the principle that "those who spend public money should give an account of their actions to those who bear the burden of taxation." Financial accountability consists of control exercised by the legislature over those who handle public money. The legislatures exercise this control over the executive on behalf of the tax-payers.

The budget is an important tool of legislative financial control. In the parliamentary system, the demand for grants gives the House an opportunity to discuss the working of each department in great detail. It is only when members of Parliament are satisfied with the explanations given on points raised, that grants are passed. Unfortunately, if voting cannot be completed by the given deadline, then all the remaining demands are voted together in one lot by a practice called 'guillotine'. The entire procedure in Parliament relating to enactment of the budget, particularly the passage of the appropriation and finance acts, is a means of exercising financial control over the executive.

10.4.1 Financial Control within the Executive

Once the budget is passed it has to be enforced. The legislature sees this as the responsibility of the executive because the legislature makes the grants to the government as a whole, (though technically to the President). The machinery of executive control over expenditure consists of (a) Finance Ministry or its equivalent and (b) the heads of administrative departments. The control is exercised to ensure that the budgetary grant under any head does not cross the stipulated limit and that there is no improper, wasteful or extravagant expenditure.

a) **Finance Ministry:** The role of the Finance Ministry is concerned with not only preparation of the budget but its execution as well. Often estimates for proposals or schemes are made by the officers of their departments. These departmental accounts are periodically reconciled with the accounts kept by the Accountant General on the basis of fortnightly accounts received from the treasuries. But the controlling officer does not have up-to-date information and to that extent his control is imperfect. With so many centres of payment dispersed all over the country even the Comptroller & Auditor General of India has no effective control over the issue of money from the Consolidated Fund of India.

10.4.2 Audit

It is not sufficient to have executive machinery to control expenditure. In the ultimate analysis, it is the business of the Parliament to ensure financial accountability. This it does through an independent audit by the Comptroller & Auditor-General and its financial committees.

Without accounts, it is impossible to exercise financial control. Accounts enable one to know how much was received, how it was spent and for what purpose. It is only through systematic accounts, supported by vouchers and receipts that one can convince oneself that the transactions are in order. Also, accounts are a must for the purpose of audit.

Account-keeping is generally a function of the executive authorities. Auditing is done by an independent agency. In India, both the functions are combined and handled by the Comptroller & Auditor General. It means that the audit agency audits the accounts kept by itself. This is highly objectionable. However, it was a legacy of British rule, when the legislature had no control over finances and the executive was all-powerful.

An indispensable part of financial accountability is audit. An independent audit is conducted by an outside agency, namely the Comptroller & Auditor-General in India. Hence Parliament entrusts the work of examination and verification of accounts to an outside agency in order to discover and report

back to it any unsound financial practices, unauthorised, and illegal or irregular expenditures. In this way, audit fixes the accountability of officials.

Britain was the first country to have public accounts audited in order to find out if Parliament's sanctions were honestly and faithfully adhered to. In America, independent audit dates from 1921. The Comptroller General as he is called, audits government's financial transactions and has the power of disallowance.

The Comptroller & Auditor-General of India enjoys a constitutional status and is independent of Government. He is appointed by the President and can be removed in the same way as a Judge of the Supreme Court i.e. He can be removed by the President upon an address to that effect being passed by a special majority of each House of Parliament. It means a majority of the total membership of that House and by majority of not less than two thirds of members present and voting. Till 1976, he was concerned with audit and accounting of all financial transactions of the Union and State Governments. Since then, he does not compile and maintain accounts. He audits all expenditures from revenues on all India basis. His is a legality audit. He ascertains whether money disbursed was "legally available for and applicable to the service or the purpose to which they have been applied and whether the expenditure conforms to the authority which governs it." He therefore not only checks expenditure according to budget provisions, laws, rules and regulations, but also against canons of financial propriety.

The Comptroller & Auditor-General with his elaborate headquarters and field staff prepares an audit report for each of the Governments whose accounts are audited. In the case of the Centre, the report goes to the-president and in case of the state to the Governor. These heads have the reports placed before their respective legislatures who, in turn refer the reports to their Public Accounts Committee. Financial accountability is complete when these reports are examined, investigations conducted and findings reported back to the legislature concerned in the form of a Report.

10.4.3 Financial Committees of Parliament

In all Parliamentary democracies, Parliamentary Committees play a pivotal role in ensuring accountability of the executive. In Presidential form of Government like the U.S.A., Congressional Committees play this role. We will examine the role of Parliamentary Committees in ensuring the accountability of Executive as under:

- (i) **The Public Accounts Committee:** In India, the Public Accounts Committee (PAC) is annually elected on the basis of proportional representation by a single transferable vote. By convention, continuity is achieved by allowing a two year tenure of membership. It has twenty-two members, fifteen from Lok Sabha and seven from Rajya Sabha. Its British counterpart has members only from the House of Commons. The Chairman of the PAC is generally from the opposition party.

The PAC satisfies itself that:

- 1) the money shown in the accounts as being disbursed were legally and actually disbursed for the purposes or services stated,
- 2) that the expenditure conforms to the authority which governs it, and
- 3) that every reappropriation is made in accordance with provisions and under proper rules.

The PAC also examines the audit report of the Comptroller & Auditor-General. In this work, the Comptroller & Auditor-General acts as its friend, philosopher and guide. The PAC can send for records, papers and persons. To expedite matters the PAC works through committees and submits its findings and recommendations to Parliament in the form of a report. By convention, the recommendations of the Committee are accepted by the Government.

A valid criticism of the PAC is that its investigation is in the nature of a postmortem examination. Nevertheless it is desirable and useful work. The very fact that such a scrutiny will be conducted acts as a deterrent to negligence, waste or slackness of the executive.

There is a PAC in each of the states as well.

- (ii) **The Estimates Committee:** The Indian Estimates Committee is modelled on that of Britain which is now known as the Expenditure Committee. We have such an Estimates Committee at the Centre and in the states. The Central Committee has thirty Lok Sabha members elected by the House itself according to proportional representation by a single transferable vote. The Chairman is nominated by the Speaker. If the Deputy Speaker is a member of the Committee he automatically becomes Chairman. The term of office is only one year, but members are frequently re-elected.

The functions of the Estimates Committee are as follows:

- a) To report what economies, improvements in organisation, efficiency or administrative reform, consistent with the policy underlying the estimates, may be effected
- b) To suggest alternative policies in order to bring about efficiency and economy in administration.
- c) To examine if the money is well laid out within the limits of the policy implied in the estimates.
- d) To suggest the form in which the estimates shall be presented to Parliament.

Thus it would be seen that the functions of the Indian committees are wider than its British counterpart in that the latter cannot suggest alternative policies, but are not as comprehensive as those of the appropriation committees of the U.S. Congress.

The Estimates Committee has been criticised for diverting its attention from scrutiny of estimates to review of policies and structure of departmental organisations. It is feared that it is becoming more a fault-finding rather than a fact-finding mechanism. But one must not forget that the usefulness of the Committee lies precisely in its new role of suggesting alternative policies. It makes for a thorough investigation and ensures greater accountability.

- (iii) **Committee on Public Undertakings (CPU):** This Committee was set up in 1964 on the lines of the Select Committee on Nationalised Industries set up in 1955 in Britain. In India, the CPU consists of fifteen members, ten from the Lok Sabha and five from the Rajya Sabha elected for a year on the basis of proportional representation by means of the single transferable vote. Membership is for five years and one-fifth members retire by rotation each year. The CPU examines, (a) the reports and accounts of public undertakings, (b) the reports of the Comptroller & Auditor-General on public undertakings, (c) whether in the context of the autonomy and efficiency their affairs are conducted according to sound business principles and prudent commercial practices. The CPU cannot discuss matters of government policy as well as matters of day-to-day administration.

The CPU is essentially a fact-finding body and helps Parliament in ensuring accountability of public undertakings.

10.5 ACCOUNTABILITY THROUGH THE COURTS

Administration is subject to judicial control exercised by the courts best described as judicial remedies.

The more important judicial remedies are the following:

- 1) Judicial review of administrative acts and decisions i.e., the power of the court to 'hold any law or executive order unconstitutional on the ground that it is in conflict with the Constitution. There are great variations in the pattern of Judicial Review from country to country. In Britain, Parliament is supreme and judicial review does not extend to all administrative acts. In India and U.S.A. the doctrine of judicial review is in vogue.
- 2) Statutory appeal: This is possible where the law itself provides that, in a given types of administrative act or decision the aggrieved party has right of appeal to courts or a higher administrative tribunal.
- 3) Suits against the government by a private party in torts or contracts. (A tort is a wrongful action or injury for which a suit for damages lies).
- 4) Criminal suits by private parties against a public officer and civil suits against a public officer for damages or on contracts made by him.
- 5) Extraordinary remedies in the form of writs of various kinds.

Mention must also be made of administrative tribunals seen in India and other countries. There are "administrative courts" outside the ordinary court system which constitute a system of adjudication. The agencies for administrative adjudication are not only tribunals but could be the minister himself or the head of the department or a special committee or commission. Thus administrative authorities exercise quasi-judicial power in the process of resolving disputes between a private citizen and the state. The Administrative Tribunals are cost-effective expeditious, accessible, and free from technicality and knowledgeable. They have their demerits too in that they may not observe uniform procedures thereby making decisions that are arbitrary. But these tribunals have come to stay and go a long way in making officials accountable and responsible for their actions.

10.6 Summary

Accountability is at the heart of every government and is the hallmark of democracy. It implies holding officials responsible for their lapses or positively speaking, for achieving results. One can talk of kinds of accountability such as political or administrative. Financial accountability is a vital component of accountability. The legislature expects financial control to be exercised within the executive through the Finance Ministry and the heads of departments. Parliament as the watch-dog of the people takes care of financial accountability through an independent audit and its financial committees. Accountability is ensured through the judiciary as well. In the ultimate analysis, accountability demands that Public Administration is not only efficient, but above all ethical.

10.7 Check Your Progress

1. Define accountability.
2. Explain Collective Responsibility.
3. Explain Administrative Responsibility.
4. Name the agencies of financial control within the Executive in India and explain their functions.
5. Who conducts audit in India and who examines the Audit Report of the Comptroller & Auditor General ?
6. How administration is made accountable through the courts?
7. What are functions of Estimate committee?

10.8 Glossary

- **Autocratic** : a ruler who has absolute power; a person who does not take into consideration the opinion or wishes of other people.
- **Parliamentary System** : is a system of democratic government where the head of government derives his democratic legitimacy from his ability to command the support of the legislature, typically a parliament, to which he is accountable.
- **Interpellations** : It is a formal request of a parliament to the respective government. It is a procedure in some legislative bodies of asking a government official to explain an act or policy, sometimes leading, in parliamentary government, to a vote of confidence or a change of government. It is closer to a motion of censure. It is distinguished from Question Hour as it often involves a separate procedure.
- **Adjournment Motion** : The adjournment motion is introduced in the parliament to draw the attention of the House to a definite matter of urgent public importance and needs the support of 50 members to be admitted. When admitted, it leads to setting aside the normal business of the House for discussing a definite matter of urgent public importance.
- **Span of control** : The number of subordinates who report directly to a manager or leader.
- **Zero Hour** : In parliament, the zero Hour begins at 12 noon, immediately after the question Hour. It allows the members of parliament to talk about issues of public importance by informing the speaker before 10 A.M. on the same day. No advance notice is required to raise important matters during this hour.
- **Appropriation**: An authorised sum which may be expended within a fiscal period for specific purposes by a unit of govt., in a manner determined by legislature.
- **Convention**: Established by accepted usage or general agreement
- **Guillotine**: Method of preventing delay in Parliament by fixing time for voting on parts of bill.

10.9 Answers to Check Your Progress Exercise

1. See Section 10.2
2. See Section 10.3.1
3. See Sub-Section 10.3.3
4. See Sub-Section 10.4.1
5. See Sub-Section 10.4.2
6. See Sub-Section 10.5
7. See Sub-Section 10.4.3 (ii)

10.10 Suggested Readings:

- Maheshwari, S.R. (2013). Indian Administration. New Delhi : Orient Blackswan.

- Dimock, M.E. and Dimock, G.O. (1975). Public Administration. New Delhi: Oxford and IBH Publishing House.
- The Indian Journal of Public Administration. Special number on Administrative Accountability. July-Sep., 1983, vol. XXIX, No.3.
- Gross J.A. (1970). British Public Administration. London : University Tutorial Press Ltd.

10.11 Terminal Questions:

1. Define Accountability. Describe various types of Accountability.
2. How Financial accountability is ensured?
3. How Political executive is made accountable?
4. Discuss the various devices of administrative Accountability.

Lesson-11

Corruption and Anti-Corruption Bodies

Structure

- 11.0 Introduction
- 11.1 Learning objectives
- 11.2 Corruption : Nature and Definition
- 11.3 Causes of Corruption
- 11.4 Extent of Corruption
- 11.5 Forms of Corruption
- 11.6 Anti-Corruption Efforts in India
 - 11.6.1 The Legal Framework
 - 11.6.2 The Institutional Framework/Anti-Corruption Bodies
- 11.7 Ombudsman
 - 11.7.1 Meaning and Origin
 - 11.7.2 Ombudsman in India
- 11.8 Lok Pal and Lokayukta
 - 11.8.1 History
 - 11.8.2 The Lokpal and Lokayukta Act, 2013
 - 11.8.3 Lok Pal and Lokayukta : Some Features
 - 11.8.4 Jurisdiction
- 11.9 Summary
- 11.10 Check Your Progress
- 11.11 Glossary
- 11.12 Answers to Check Your Progress Exercise
- 11.13 Suggested Readings
- 11.14 Terminal Questions

11.0 Introduction

Regarded as the world's largest democracy the success of India's democratic performance stands at a crossroads with increasing restrictions on fundamental freedoms and a crackdown on those speaking against the government. Corruption remains an endemic problem that affects various areas in the public and private sectors, including institutions such as the police and judiciary, while affecting all levels of governance. The vast majority of human rights abuses in the country are enabled via a corrupt environment. The government has crippled critical law enforcement and accountability institutions at the central and the state levels by the twin devices of amending the anti-corruption laws to curb their effectiveness, functional autonomy and politicising the appointments to human rights commissions,

information commissions and anti-corruption agencies like Lokpal and Lokayuktas, Systemic corruption has resulted in the curbing of voices of dissent raised by anti-corruption campaigners, transparency and accountability advocates and human rights activists, Journalists reporting corruption are particularly at risk in an increasingly curtailed civil space.

11.1 Learning Objectives:

After going through this lesson, the learners will be able to:

- discuss the meaning and nature of corruption
- describe the main causes, forms and extent of corruption
- know about the anti-corruption efforts made in India : Legal as well as institutional
- know about some anti-corruption bodies like Lokpal and Lokayukta

11.2 Corruption

Nature and Definition : Corruption in public service is antithetical to integrity and probity. The latter concept which is one of the fundamental features of modern public administration is of recent origin. It is an outcome of the modern legal system based on "Rule of Law". In the earlier societies, both ancient and medieval, payment for getting favour or service from the Government was the rule. Thus, justice was given to the highest bidder; likewise when an individual went to a high official, he had, first, to offer him a Nazarana (offerings for getting the audience of the official) and also a Shukrana after getting a service performed by the official to the petitioner. However, as "modern concepts" of state sovereignty and citizenship became prevalent, this system with its built-in corruption began to be considered reprehensible and hence, was gradually replaced by a system of salaries to be paid by the Government to its officials and employees for the work they performed for the State; and the Government began to recover this from the citizens in the form of taxes. With this arose the concept of integrity of public servants, a concept which implied that they should not use their official position and status for obtaining any kind of financial or other advantages for themselves, their relatives or friends. The concomitant of this principle of civil service integrity is that public servants shall be recruited strictly on the basis of merit and kept in public service on a permanent basis, through an equitable system of incremental salary and promotions, only so long as they perform their duties efficiently and honestly. Those, who do not do so, violate the essential condition of their official status and are, thus, liable for perversion of corruption of public service.

But before proceeding further with the subject-matter of corruption, it would be proper to define the term accurately. In its broadest sense, corruption may be defined as "behaviour which deviates from the formal duties of a public role because of private-regarding (personal, close family, private clique) pecuniary or status gains; or violates rules against exercise of certain types of private-regarding influence".

This definition includes such behaviour as bribery i.e., use of a reward to pervert the judgment of a person in a position of trust; nepotism i.e. bestowal of patronage by reason of ascriptive relationship rather than merit; and misappropriation, i.e., illegal appropriation of public resources for private uses. In its narrow sense, the term "corruption is confined to pecuniary benefits or bribe. But in its wider sense, it covers a whole host of vices attributable to the misuse of public office or authority for private ends. When used in this sense, it would include all forms of dishonest gains in cash, kind or position by public servants. It is in this sense that the term is defined in public administration.

It has been thus defined in the Indian Penal Code, Section 161—

"Whoever being or expecting to be a public servant, accepts or obtains, or agrees to accept, or attempts to obtain from any person, for himself or for any other person, any gratification whatever, other than legal remuneration, as a motive or reward for doing or forbearing to do any official act or for showing or forbearing to show, in the exercise of his official functions, favour or disfavour to any person, or for rendering or attempting to render any service or disservice to any person, with the Central or any State Government or Parliament or the Legislature of any State or with any local authority, Corporation or Government Company referred to in Section 21, or with any public servant, as such shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both."

The Prevention of Corruption Act, 1947, goes a step further and includes within its scope the following types of misdemeanour :

"Section 5(1): A public servant is said to commit the offence of criminal misconduct—

- (a) if he habitually accepts or obtains or agrees to accept or attempts to obtain from any person for himself or for any other person, any gratification (other than legal remuneration) as a motive or reward such as is mentioned in Section 161 of the Indian Penal Code; or
- (b) if he habitually accepts or obtains or agrees to accept or attempts to obtain for himself or for any other person, any valuable thing without consideration or for a consideration which he knows to be inadequate, from any person whom he knows to have been, or to be, or to be likely to be concerned in any proceeding or business transacted or about to be transacted by him, or having any connection with the official functions of himself or of any public servant to whom he is subordinate, or from any person whom he knows to be interested in or related to the person so concerned ; or
- (c) if he dishonestly or fraudulently misappropriates or otherwise converts for his own use any property entrusted to him or under his control as a public servant or allows any other person so to do, or
- (d) if he, by corrupt or illegal means or by otherwise abusing his position as public servant, obtains for himself or for any other person any valuable thing or pecuniary advantage; or
- (e) if he or any person on his behalf is in possession or has, at any time during the period of his office, been in possession, for which the public servant cannot satisfactorily account, of pecuniary resources or property disproportionate to his known sources of income,

(2) any public servant who commits criminal misconduct shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to seven years and shall also be liable to fine:

Provided that the court may, for any special reasons recorded in writing, impose a sentence of imprisonment of less than one year."

The Representation of the People Act, 1950, includes within its definition political mal-practices also. Thus Section 123 of the afore-said Act declares the following as corrupt practices:

- "(i) Bribery
- (ii) Undue influence.
- (iii) Appeals to vote or refrain from voting on the grounds of religion, race, caste, community or language or the use of, or appeal to religious or national symbols.

- (iv) Promotion or attempt to promote enmity between classes
- (v) Publication of false statements as to personal character or conduct or candidature of candidates.
- (vi) Hiring or procuring of vehicles for the conveyance of electors to or from polling stations.
- (vii) Incurring or authorising of expenditure in contravention of Section 77 of the R.P. Act.
- (viii) Obtaining or procuring the assistance of persons in Government service."

11.3 Causes of Corruption. Corruption is endemic to the Government. This is so because a large number of individuals have to handle vast sums of money and quantity of material which does not specifically belong to any definite person, but belongs to the public in general. However, the problem is more acute in the developing societies than in the developed societies. There it is not only more widespread but it also causes more harm to the Government and the Society.

There may be as many causes of corruption in particular cases as the countries themselves; but there are certain causes common to all the developing countries which will be studied here:

1. Historical Causes. In the newly emancipated countries of Asia and Africa, the root of corruption in public service are legacies of their colonial past. The erstwhile rulers who belonged to Western Europe so built up the system of administration as to reserve all the superior and important positions in administration for their own nationals who were paid very lavishly but the lowest positions, where the civil servants had to come in day-to-day contact with the people, were reserved for the natives and they were designedly paid very low salaries. The result was that these natives, occupying these low- paid positions in the Civil Service, had to extract money and provisions for their subsistence from the people they went to serve. This was presented as a contrast between the morality of the rulers and that of the ruled. The longer period of scarcities during the World War II spread this virus of bribery and corruption among all ranks of the civil service. The disease became more poignant and widespread when, after attaining their independence, the National Governments of these countries undertook programmes of economic development. With scarce money and resources, the Governments of these countries attempted to telescope the development of centuries into decades. For this, they had to put control over goods and services and had to ration their supplies to the consumers and producers. In the wake of these regulations came the system of permits, licences, and quotas which opened up possibilities of black-marketing. The black money thus earned by unscrupulous persons had its repercussion over the behaviour and morals of the the civil servants too. Thus what was before independence an evil of petty bribery now became a large-scale racket of wholesale corruption.

2. Environmental. The second important cause of corruption in public service is the environment of the fast urbanizing and industrializing civilization where material possessions, position and economic power determined the status and prestige of a person in the society. This factor is as applicable to a developed society as to a developing one, but in a developing society, the environment is more susceptible to corruption. These countries were living through acute scarcities and the resources of the Government do not allow it to pay living wages to its employees. Outside the Government the system of permits, licences and quotas induces black marketing and, therefore, there is tremendous amount of black money flowing in undesirable channels. In the words of C. Rajagopalachari, "the system of permits, licences, allocation of transport routes, quotas and similar attempts to administer the economy of a big and busy nation from the Secretariat instead of leaving such things to the consumer and competition in the market, is at the root of corruption..... The contact between the official and party bosses on the one side, and the very clever, far too clever, businessman on the other, with a tremendous lot of money expected in the business, produces the national malady

we call corruption..... Unless we minimize official intervention and ministerial power, making or marring the fortunes of businessmen and industrialists, unless we reduce controls upto the level called for by international trade and exchange pressures and bravely decide to knock out the rest and try out the consequences, we are bound to suffer this newly-introduced and widespread malady of corruption at the, ministerial and secretariat levels."

3. Economic Causes. Corruption in public service also arises due to rapid economic growth. When lot of money is collected through various means from within and outside the country and it is rapidly poured into an economy which for centuries has been stagnant, its wheels begin to crumble under the weight of this pressure and the easiest and best way to grease such a crumbling machinery is through bribery and through pulls and pushes. Inflation and foreign aid on a large scale are particularly responsible for increasing corruption. In a country where the bulk of the public servants and the mass of people have to lead a life of frugality and privations, paying high salaries to a few persons at the top creates its own social and economic problems which takes away the confidence of the common man in the sense of justice and fair play of the Government. This becomes an important cause of breakdown of all public standards of morality. Increasing development of the financial resources of the businessmen and the industrialists is also a factor tending towards corruption in public service. Corruption in public service can exist' only when there is someone willing to corrupt and when such a large percentage of the newly emerging class of monied people begin to arise, then there is no dearth of the corrupters.

4. Procedural Causes. The weakness of anti-corruption law and procedures with which the legal systems of the developing societies suffer is another cause of corruption in public service. The Railway Corruption Enquiry Committee had pointed out the defects in rules and regulations which leave loopholes for corruption. The Santhanam Committee also made similar observations and it also said that the procedures in Government offices are so cumbersome and dilatory, and there is such a maze of rules and regulations and the administrative machinery is sprawling like an octopus, causing delay in inefficiency that these provide a fertile field for hidden corruption. Red-tape and passing the buck have become the besetting sins of administration in the developing countries and these create problems for enterprising businessmen who have to spend lot of "speed money" in order to get things done. It clearly shows that corruption is largest in those departments where Government enters into the activities of the private citizens, like the Ministry of Transport and Communications, Ministry of Commerce and Industry, Central Public Works Department, etc. etc. Redtapism and technicalities of administration have created another form of corruption in public service and it is that civil servants, who towards the close of their official career, begin to show extra favour to their prospective employers and after retirement they get back the favours shown to these businessmen by becoming the liaison officers of business houses.

5. Special Causes. Due to the low standard of political and civic consciousness among the people in the developing societies, there is great public apathy, ignorance and indifference in ventilating their grievances. This is taken advantage of by the public servants. This attitude helps the anti-social elements to rationalize their illegal behaviour and also encourages the public officials to go about with nefarious activities without any fear of public reprisals. In fact, the general tendency on the part of the public in countries, like India, is to shield such officers against whom the Government has legitimate reasons to take action. We are perturbed only when a wrong is done to us individually, but we do not care a fig so long as others are being harmed by the evil deeds of the public officials.

11.4 Extent of Corruption.

It is very difficult to ascertain, accurately, the extent of corruption in public service in any country. The only way to make some sort of an estimate of corruption is to calculate the statistics of corruption cases detected and punished by the Government. But this may be more a proof of the effectiveness of the anti-corruption measures adopted by the Government rather than the index or the

extent of corruption. Even then, this is by far the best way to give an estimate, even though a rough one, of the corruption existing in public services in India.

India ranks 85 out of 180 countries with a score of 40 in Transparency International's 2021 Corruption Perceptions Index (CPI).

The 2021 TRACE Bribery Risk Matrix places India in the "medium" risk category, ranking it 82 out of 194 countries, with a risk score of 44 (TRACE International 2021a; TRACE International 2021b).

Transparency International's Global Corruption Barometer (GCB) Asia 2020 reports that:

- 89 per cent of respondents believe that government corruption is a big problem.
- India has the "highest overall bribery rate" as well as the "highest rate of citizens using personal connections" in the region, standing at 39 per cent and 46 per cent, respectively.
- 50 per cent of the respondents that had paid a bribe stated that they were asked to pay a bribe to access a particular service.
- 36 per cent of those using personal connections believed that they would be unable to access services without using such connections.
- the percentage of respondents who either experienced sextortion themselves or knew someone who had stood at 11 per cent.
- 18 per cent of respondents had been offered bribes in exchange for votes.
- 56 per cent of respondents thought that ordinary citizens could make a difference in the fight against corruption.

11.5 Forms of corruption

There are various forms of corruption, including but not limited to petty corruption, nepotism, patronage networks and grand corruption operating in India.

It ought to be noted that certain forms of corruption are intrinsically linked to discriminative practices in the country. For example, nepotism is known to extend beyond kinship networks to :

(i) Petty corruption

As mentioned in the previous section, India has the highest bribery rate and the highest rate of citizens using personal connections in Asia. A complicated and slow bureaucracy, excessive red tape and ambiguous regulatory mechanisms enable a culture where citizens use "networks of familiarity and petty corruption" to access basic services. Bribes are paid to both obtain and expedite services, such as police protection, school admission, water supply and government assistance. However, what ought to be noted is that the digitisation of several public services has given rise to newer forms of fraud and corruption. In the context of India where banking literacy is low, there are several cases reported wherein a nexus of corrupt businesses/banking correspondents on the pretext of providing access to banking services rob beneficiaries entitled to wages, pensions, direct benefit transfers (DBT) and scholarships.

Bribery and corruption are also widespread in business activities, Offering cash, entertainment, personal gifts and misstating financial performance is acceptable for business survival.

A study on jugaad, which is a "regular way of doing business in India", shows that corruption, especially petty corruption, is entrenched in the cultural fabric. Jugaad refers to "goal-oriented improvisation, especially the use of informal social networks to advance one's interests". While being

understood as being possibly corrupt, jugaad is also regarded as essential for "getting by" and even as a "virtuous practice" involving innovation.

A range of measures could be applied to address petty corruption in the country. These include but are not limited to streamlining of administrative processes at the central and state levels, employing preventative measures to counter nepotism and bribery, and setting up user-friendly online platforms to offer quick and efficient service delivery with appropriate safeguards.

(ii) Political corruption

Political corruption severely undermines the rule of law in India. Officeholders engaging in corrupt activities often make use of "political, legal or procedural loopholes" to avoid prosecution. There are several ways in which political corruption manifests in India, ranging from voter suppression, opacity in political party financing and cases of embezzlement and fraud involving influential political actors, among others.

Political finance has been a major source of pervasive corruption in India, particularly as the costs of elections in the country have "soared past the multi-billion-dollar mark".

New political party financing rules now allow corporations, including those firms owned by foreign entities, to fund elections anonymously. One instrument in this regard, electoral bonds, was argued by the incumbent powers to bring transparency into the usually murky realm of political finance. The government-owned State Bank of India sells electoral bonds to anyone in denominations ranging from Rs. 1,000 to Rs. 10 million. Once these bonds are received by a political party, they can exchange them for cash. These bonds do not list the donor's details and are exempt from taxation.

The bonds, coupled with other rules removing caps on corporate donation and allowing newly formed companies to donate to political parties creates a scenario wherein shell companies can be set up explicitly for the purpose of funding elections. It is important to note that these amendments did not meet much resistance as parties, even in opposition, were suspected of benefiting from the lax rules. Such changes in political financing rules have "only further legitimised anonymity, opacity and obfuscation" in the sector.

Vote buying in Indian elections is such a common phenomenon that it has become a key feature of election culture. It is a practice that cuts across political parties operating at the national and regional levels. Candidates are known to distribute handouts - primarily cash and gifts in kind before elections as voters have come to expect them.

(iii) Crony capitalism

"Big-ticket corruption" scams continue to emerge. For example, the €7.87 billion Indo-French Rafale deal for fighter aircrafts signed in 2016 bypassed mandatory procedures and was deemed to be inflated. A French portal, Mediapart, alleges that aircraft manufacturer Dassault Aviation had paid bribes amounting to €1 million to an intermediary to secure the deal.

The Punjab National Bank (PNB) scam also showcases how fraudulent guarantees worth US\$1.8 billion were obtained over seven years to secure loans from lenders outside India through collusion between Nirav Modi, his uncle Mehul Choksi, and other relatives and a few PNB employees.

While these cases that have emerged over the last few years are indicative of large-scale corruption, major transactions involving these scams occurred during the time of the previous United Progressive Alliance (UPA) regime headed by the Indian National Congress Party. Representatives of the current government claim that not a "single instance of corruption" has taken place since the BJP lead National Democratic Alliance came to power. Nevertheless, what ought to be noted is the country is witnessing new forms of corruption challenges that highlight risks, such as crony capitalism.

Due to funding compulsions of Indian politics, crony capitalism will remain only the mechanisms that favour certain firms over others are changing. For instance, an investigation by Reporters Collective found the "government auctioned 19 [coal] mines in the middle of the pandemic" at low prices under a new bidding method that allows "private and foreign companies in any sector to dig mines and sell coal". The sale value of two coal mines in Chhattisgarh in 2020, for example, was a quarter less for the first mine, and nearly 60 per cent less for the second mine than the price that the government had previously rejected for being too low in 2015. Furthermore, recent measures such as the National Monetisation Pipeline (NMP), which involves handing over essential public services to the private sector, carries large risks for short- changing public sector partners and poor service delivery.

The manner of privatisation of key infrastructure components such as ports, airports and public sector enterprises also signals the strengthening of crony capitalism. In 2018, the Adani group, with no prior history of operating airports, won the bid for all six airports that were approved for privatisation by the government. It been alleged that during the takeover of three of these airports, aeronautical and non-aeronautical assets of the Airports Authority of India (AAI) worth Rs. 1,300 crore (approximately US\$17.5 million) were sold to the Adani group at less than half the price - Rs. 500 crore.

11.6 Anti-Corruption Efforts in India

11.6.1 Legal framework

(a) International conventions and initiatives

The United Nations Convention against Corruption (UNCAC) and the United Nations Convention against Transnational Organised Crime (UNTOC) were ratified by India in 2011. India is a member of the G20 Working Group against Corruption.

(b) Domestic legal framework

India has several laws dealing with corruption, the most prominent ones at the federal level are as follows (please note that Indian states could have instituted their own rules, which is not covered in this section):

Indian Penal Code (IPC), 1860: deals with the unlawful purchase of property and criminal breach of trust in public servants.

The Benami Transactions (Prohibition) Act, 1988: prohibits any Benami transaction - the purchase of property in the name of another person or under a false name.

The Prevention of Money Laundering Act, 2002: delineates the definition of money laundering, which takes place when a "person is a party to any process connected with the proceeds of crime and projects such proceeds as untainted property". The law also calls for the maintenance and verification of all customer records by banks, financial institutions and intermediaries and its provision of this information to relevant authorities.

Companies Act, 2013: outlines rules for companies operating in the country and has elements to counter private sector corruption.

Whistle Blowers Protection Act, 2014: drafted in 2011, the law was renamed The Whistleblowers Protection Act, 2014 and was passed by both houses of parliament, but it has not been notified in the official gazette as yet. The act is limited to public servants and public sector undertakings. Anonymous complaints are not allowed, and penalties can be levied for providing false information.

Lokpal and Lokayuktas (Amendment) Act, 2016: the original ombudsman law passed in 2013 was to "provide for the establishment of a body of Lokpal for the Union and Lokayukta for States to inquire into allegations of corruption against certain public functionaries". Amendments to the act

have diluted the law. For example, while public servants are required to declare their assets, the form and manner of doing so will be prescribed by the central government.

The Prevention of Corruption (Amendment) Act, 2018: criminalises "attempted corruption, active and passive bribery, extortion, abuse of office and money laundering". However, the law does not cover facilitation payments.

Right to Information (Amendment) Act, 2019: originally passed in 2005, the law was hailed as an effective anti-corruption tool wielded by citizens and activists alike. It is widely used by "the poorest and the most marginalised who have understood the tremendous potential of the law to empower them to access their basic rights and entitlements like rations, pensions and healthcare".

11.6.2 Institutional framework

There are several bodies in place for implementing anti-corruption policies and raising awareness on corruption issues. At the federal level, key institutions include Lokpal, Central Vigilance commission (CVC), Enforcement Directorate (ED), Election Commission of India (ECI), Comptroller and Auditor General of India (CAG), Judiciary, and the Chief Information Commission (CIC). At the state level, Lokayukta and local anti-corruption bureau have been set-up.

The main institutions dealing with corruption are as follows:

Lokpal (Ombudsman)

The Lokpal and Lokayuktas Act, meant to tackle corruption of senior government officials through the creation of independent ombudsman institutions at the union (Lokpal) and state (Lokayukta) levels, was originally passed after a struggle in 2014.

The Lokpal operating at the central level is set up to operate via two branches

- administrative branch: headed by an officer of the rank of secretary to government of India, and takes care of areas such as investigation, prosecution, scrutiny, budget, finance and accounts and media coordination, among others
- judicial branch: which is to be headed by a judicial officer of "appropriate level" and is discharged with assisting the Lokpal with their judicial functions

When it comes to the independence of the institution, it has been "subverted" through amendments and lack of implementation. For example, key provisions regarding the compulsory public disclosure of assets and liabilities of public servants were diluted through amendments (the timeline criteria for disclosure were removed, and the central government was granted powers to set the manner and form of disclosure)

The chairperson and members of the Lokpal were not appointed for over five years after the law was passed. Finally, appointments were made by a selection committee predominated by the government and its representatives, "raising serious doubts about the independence of the Lokpal even before it became operational".

The rules for lodging a complaint were issued in 2020, wherein those bringing complaints of corruption against a public official have to provide proof of identity and a sworn affidavit. Moreover, to avoid misuse, the Lokpal, if it believes the complaint is false, can penalise the whistleblower with "imprisonment extending up to one year and a fine which may exceed a maximum of Rs. 1 lakh. Three years after it was launched, the Lokpal continues to be a non-starter with dwindling complaints and vacancies in key positions. Many observe the corruption watchdog as being toothless.

At the state level, the quality and effectiveness of Lokayuktas differ. For example, out of 28 states and three union territories, nine (Assam, Bihar, Chhattisgarh, Delhi, Goa, Jharkhand, Kerala, Madhya Pradesh and Uttar Pradesh) have not amended their laws to bring them in line with the Lokpal and Lokayukta Act of 2013. Moreover, 10 states do not have a Lokayukta website, and only three (Odisha, Maharashtra and Mizoram) make provisions for online complaints (The Economic Times 2020).

Central Vigilance Commission (CVC)

The CVC is the "apex vigilance institution" for monitoring corruption cases against the central government. It also advises various central government authorities in planning, executing, reviewing and reforming their vigilant work. The institution's website provides detailed guidelines for filing complaints and has an online form to submit and track complaints.

The commission comprises a central vigilance commissioner who acts as chairperson and not more than two vigilance commissioners (members). The CVC directs the Central Bureau of Investigation (CBI) on matters relating to the Prevention of Corruption Act and those offences that deal with central government officials. The director of enforcement is also appointed by the PM on the recommendation of the CVC.

Central Bureau of Investigation (CBI)

The CBI is the "premier investigative agency, with a dual responsibility to investigate grievous cases and provide leadership and direction in fighting corruption to the police force across the country". It functions under the Department of Personnel, Ministry of Personnel, Pension and Public Grievances, Government of India. It collects information in three areas.

- **anti-corruption:** this includes cases of corruption and fraud pertaining to government departments, public sector undertakings and financial institutions at the central level
- **economic crimes:** these include fraud, financial fraud, import-export and foreign exchange violations, large-scale smuggling of narcotics, antiques, cultural property and smuggling of other contraband items, among others
- **special crimes:** pertaining to "cases of terrorism, bomb blasts, sensational homicides, kidnapping for ransom and crimes committed by the mafia/the underworld"

With respect to the jurisdiction of the CBI and state police, the former only investigates cases at the central government level, have interstate or international impacts or are large cases of fraud.

Enforcement Directorate (ED)

Operating under the Department of Revenue, Ministry of Finance, Government of India, the ED is a specialised financial investigation agency implementing the following laws:

- **Foreign Exchange Management Act, 1999 (FEMA):** it conducts investigations into "suspected contraventions of the foreign exchange laws and regulations" and imposes penalties on offenders
- **Prevention of Money Laundering Act, 2002 (PMLA):** the ED is tasked with examining suspected cases of money laundering and tracing assets "derived out of the proceeds of crime", consequently freezing or confiscating the same traced assets, and arresting and prosecuting those engaged in money laundering.

The institution is headed by the director of enforcement. It is headquartered in Delhi and has five regional, 16 zonal and 13 sub-zonal offices.

Election Commission of India (ECI)

The ECI is an "autonomous and permanent constitutional body responsible for organising free and fair elections in the union and states of India". It has a constitutional mandate for the "direction, superintendence, and control of elections to parliament, state legislatures, the office of President of India and the office of Vice-President of India". There is one chief election commissioner and two other election commissioners. The body has several powers, including but not limited to:

- establishing electoral constituencies' territorial areas throughout the country
- registering all eligible voters, and preparing and regularly revising electoral rolls
- recognising parties and giving them the status of a national or regional party depending on their poll performance
- determining a code of conduct for parties and the candidates during elections
- setting limits of expenditure by candidates during elections and collecting details on candidates assets at the time of submission of nomination papers

Comptroller and Auditor General of India (CAG)

The office of the CAG, along with the Indian Audit and Accounts Department (IAAD) reporting to the CAG, constitute the supreme audit institution of the country. The body is tasked with auditing "all receipts and expenditure" of the central and state governments. It also audits public sector undertakings, as well as independent bodies that the Indian government finances. CAG reports are presented to national and state-level legislatures.

Judiciary

Indian judiciary operates via a single integrated system. The constitution divides the institution into superior judiciary (the supreme court and the high courts) and the subordinate judiciary (the lower courts under the control of the high courts). While the supreme court is the apex court, the high courts have jurisdiction limited to one or more states and union territories. The independence of the judiciary is provided by law; however, the institution faces challenges in the form of delays, capacity issues and corruption.

Current trends show that the judiciary is getting increasingly politicised. For example, numerous supreme court decisions in recent years have been "favourable" to the ruling parity.

- supreme court judgement on the Ayodhya civil case that allowed the "construction of a Hindu temple on the site of a historic mosque" has been accused of being "possibly driven by political motivations or compulsions"
- Anand Teltumbde was denied bail by the Special National Investigation Agency. An advocate for the rights of marginalised communities, especially Dalits, Teltumbde was a critic of the current government.
- the decision to accept the Aadhaar Act as a money bill "emboldens" the government to bypass the upper house by introducing any bill as a money bill by "citing some remote connection with the consolidated fund of India"
- another observable trend is the "evasion of decision by delaying the hearing of highly controversial matters" such as in the cases of demonisation and electoral bonds, among others

Political commentators believe that "India's democratic institutions are experiencing a serious atrophy". The CBI, ECI, CVC, ED, the Income Tax Department and the National Investigation Agency (NIA) are allegedly being "immobilised under an authoritarian regime".

Other stakeholders

Media

The Indian government "rarely, if ever, used to exercise censorship". Nevertheless, now there is widespread censorship of journalists and academics criticising the government, many of whom are then labelled as "anti-national."

Journalists reporting on corruption and against the government are particularly at risk. A news reporter for Kambu Mail, Shubham Mani Tripathi, was shot dead as an alleged retaliation for his investigation into corruption involving illegal sand mining. The attacks on journalists are "rarely punished".

11.7 Ombudsman

11.7.1 Meaning and Origin

The dictionary meaning of the term ombudsman means an official appointed to investigate individuals complaints against maladministration especially that of public authority. R. K. Dhawan in his Public Grievances and the Lokpal defines it in the following manner: "Ombudsman is an officer of Parliament who investigates complaints of citizens of unfair treatment meted out to them by government departments and suggests remedy thereof if he finds that a complaint is justified".

Hence ombudsman may reasonably be called a guardian of the public against the misdeeds done by the irresponsible or corrupt person holding administrative responsibilities. The post of ombudsman was created in Sweden in the second half of the last century. But many people say that the official of the ombudsman type existed in other European states even before the 1950s. But from the 1950s rose the popularity of ombudsman as a remedy to growing corruption and failure of public administration. There is another side of the picture. The increase in both size of administration and population made common people helpless.

The administrators frequently resorted to unfair means for the realisation of their nefarious motives. It was strongly felt that a device should be found out that will give a weapon at the hands of the general public against the misuse of official power for personal gain. In its absence democracy and welfare of the people will be meaningless. Thus in every democratic state a cell is to be created to look after the grievances of the people.

11.8 Lokpal and Lokayukta

The Lok Sabha passed the Lokpal and Lokayukta (Amendment) Bill, 2016 without discussion. The bill seeks to amend the Lokpal and Lokayukta Act, 2013 which provides Lokpal (at Centre) and Lokayukta (at States) statutory backing to enquire into allegations of corruption against certain public functionaries and for related matters.

A Lokpal is an anti-corruption authority or ombudsman who represents the public interest. The concept of an ombudsman is borrowed from Sweden. The Lokpal has jurisdiction over all Members of Parliament and central government employees in cases of corruption. The Lokpal and Lokayuktas Act was passed in 2013 with amendments in parliament, following the Jan Lokpal movement led by Anna Hazare. The Lokpal is responsible for enquiring into corruption charges at the national level while the Lokayukta performs the same function at the state level.

11.8.1 History

The term "Lokpal" was coined by Dr. L.M.Singhvi in 1963. The concept of a constitutional ombudsman was first proposed in parliament by Law Minister Ashoke Kumar Sen in the early 1960s. The first Jan Lokpal Bill was proposed by Shanti Bhushan in 1968 and passed in the 4th Lok Sabha in 1969, but did not pass through the Rajya Sabha. Subsequently, 'lokpals' were introduced in 1971, 1977, 1985, again by Ashoke Kumar Sen, while serving as Law Minister in the Rajiv Gandhi cabinet, and again in 1989, 1996, 1998, 2001, 2005 and in 2008, yet they were never passed. Forty five years after its first introduction, the Lokpal Bill is finally enacted in India on 18 December 2013.

The Lokpal Bill provides for the filing, with the ombudsman, of complaints of corruption against the prime minister, other ministers, and MPs. The Administrative Reforms Commission (ARC) recommended the enacting of the Office of a Lokpal, convinced that such an institution was justified, not only for removing the sense of injustice from the minds of citizens, but also to instill public confidence in the efficiency of the administrative machinery.

Following this, the Lokpal Bill was, for the first time, presented during the fourth Lok Sabha in 1968, and was passed there in 1969. However, while it was pending in the Rajya Sabha, the Lok Sabha was dissolved, and thus the bill was not passed.

The bill was revived several times in subsequent years, including in 2011. Each time, after the bill was introduced to the House, it was referred to a committee for improvements, to a joint committee of parliament, or to a departmental standing committee of the Home Ministry. Before the government could take a final stand on the issue, the house was dissolved again. Several conspicuous flaws were found in the 2008 draft of the Lokpal Bill. The basic idea of a lokpal is borrowed from the Office of the Ombudsman, which has the Administrative Reforms Committee of a lokpal at the Centre, and lokayukta(s) in the states.

Anna Hazare fought to get this bill passed, and it did pass on 27 December 2011, with some modifications. These were proposed as the Jan Lokpal Bill. However, Hazare and his team, as well as other political parties, claimed that the Lokpal Bill passed was weak, and would not serve its intended purpose. So the proposed bill by the ruling Congress Party was yet to be accepted in the Rajya Sabha. As of 29 December 2011, the bill has been deferred to the next parliamentary session, amid much controversy and disruption by the LJP, RJD and SP parties. The media at large, and the opposition parties, claimed the situation had been staged.

11.8.2 The Lokpal and Lokayuktas Act, 2013

The historic Lokpal and Lokayuktas Act, 2013 was passed by Indian Parliament paving the way for establishment of a Lokpal (Ombudsman) to fight corruption in public offices and ensure accountability on the part of public officials, including the Prime Minister, but with some safeguards.

Lokpal will consist of a chairperson and a maximum of eight members, of which 50% will be judicial members, 50% members of Lokpal shall be from SC/ST/OBCs, minorities and women. Selection of chairperson and members of Lokpal through a selection committee consisting of PM, Speaker of Lok Sabha, leader of opposition in Lok Sabha, Chief Justice of India or a sitting Supreme Court judge nominated by CJI. Eminent jurist to be nominated by President of India on basis of recommendations of the first four members of the selection committee "through consensus". Lokpal's jurisdiction will cover all categories of public servants. All entities (NGOs) receiving donations from foreign source in the context of the Foreign Contribution Regulation Act (FCRA) in excess of 10 lakh per year are under the jurisdiction of Lokpal. Centre will send Lokpal bill to states as a model bill. States have to set up Lokayuktas through a state law within 365 days.

- Lokpal will have power of superintendence and direction over any central investigation agency including CBI for cases referred to them by the ombudsman.
- A high-powered committee chaired by the PM will recommend selection of CBI director. The collegium will comprise PM, leader of opposition in Lok Sabha and Chief Justice of India. Prime Minister has been brought under purview of the Lokpal, so also central ministers and senior officials.
- Directorate of prosecution will be under overall control of CBI director. At present, it comes under the law ministry.
- Appointment of director of prosecution to be based on recommendation of the Central Vigilance Commission.
- Director of prosecution will also have a fixed tenure of two years like CBI chief.
- Transfer of CBI officers investigating cases referred by Lokpal with the approval of watchdog.
- Bill incorporates provisions for attachment and confiscation of property acquired by corrupt means, even while prosecution is pending.
- Bill lays down clear timelines for preliminary enquiry and investigation and trial. Provides for special courts. Public servants will, not present their view before preliminary enquiry if the case requires 'element of surprise like raids and searches.
- Bill grants powers to Lokpal to sanction prosecution against public servants.
- CBI may appoint a panel of advocates with approval of Lokpal, CBI will not have to depend on govt. advocates.

11.8.3 Lokpal and Lokayukta: Some Features

Both Lokpal and Lokayukta are characterised by the following features:

- (1) They, in fact, are the institutions of Indian administrative system. Their fundamental duty is to make the public administration of India free from corruption.
- (2) These two institutions are impartial. When they are called for performing any duty they will discharge it impartially and simultaneously independently.
- (3) The activities of the Lokpal and Lokayukta are not under any judicial review. That is the decision or judgement of the Lokpal and Lokayukta cannot be challenged in any court of law.
- (4) It is observed that they should not look forward for any financial or any other benefit.
- (5) These two institutions are not subject to executive or administrative interference.
- (6) The Lokpal and Lokayuktas are non- political persons. In other words, political personalities cannot hold the posts.
- (7) These ranks should be of highest judiciary.
- (8) They investigate the charges of corruption secretly.
- (9) If Lokpal and Lokayukta want to have any information from any department the latter is bound to furnish such information.

There is a process of appointment. The President will appoint the Lokpal. But before that he will take advice of the Prime Minister and the leader of the Opposition. In other words, after receiving suggestion from the leader of Opposition, the PM will suggest the name to the President. This process is quite judicious. The Lokpal can resign his office by addressing a letter to the President. The Lokpal is at par with the Chief Justice of India and he will have a secretariat.

11.8.4 Jurisdiction

It is the primary duty of the Lokpal to free Indian society from corruption: And through this it will ensure justice. The government has power to order any act. But if the act of the government goes against the basic interests or rights of the individual he will move to the Lokpal for investigation and finally to take action. If the act of the government shows favouritism then the concerned persons can lodge a complaint against the authority.

Hence, we find that the main area of action or jurisdiction is to free Indian society from corruption and along with it the nepotism and favouritism. But certain matters are excluded from the jurisdiction of Lokpal. For example, if a minister of Central Government has already taken any action or has recommended an action that matter will remain outside the purview of the Lokpal. If the Central Government decides that the issue should not be referred to the judiciary, in that case the Lokpal cannot take up the matter. If the union government already has taken action on an issue, that cannot be investigated by the Lokpal.

There are some acts or processes which fall under terms and conditions of a contract and if the administration takes any action in accordance with the contract the Lokpal will have no jurisdiction over that matter. Finally, the Lokpal will have no jurisdiction over matters such as appointment, removal from office, disciplinary action taken against any employee or person or superannuation etc. The jurisdiction clearly indicates that the scope of the Lokpal is limited.

11.9 Summary

Thus, corruption is an important malady in many countries including India which affects various areas of public and private life. There are Historical, Environmental, Economic, Procedural and particular causes of corruption. There are various forms of corruption like petty corruption, political corruption and crony capitalism. Many laws have been passed by the Indian Government to combat corruption and there are several bodies in place for implementing anti-corruption policies. At federal level important of these include Lokpal, Central Vigilance Commission, Enforcement Directorate, Election Commission of India, Comptroller and Auditor General of India, Chief Information Commission, Judiciary, etc. whereas at the state level, Lokayukta and Local Corruption bureau have been set-up.

11.10 Check Your Progress

1. How corruption can be defined?
2. Explain the Environmental and Economic causes of corruption
3. Discuss about political corruption in India
4. What Legal measures have been adopted to prevent corruption in India?
5. What is Ombudsman?

11.11 Glossary

- **Pecuniary** : concerning or involving money
- **Misdemeanour** : a minor wrongdoing
- **Frugality** : the quality of being economical with money or food

- **Red-tapism** : excessive regulation or rigid conformity to formal rules that is considered redundant and bureaucratic and hinders action or decision-making
- **Nepotism** : a practice among those with power or influence of favouring relatives, friends, or associates, especially by giving them jobs.
- **Opacity** : the quality of lacking transparency
- **Embezzlement** : a term commonly used for a type of financial crime, usually involving theft of money from a business or employer
- **Obfuscation** : the act of making something deliberately confusing and difficult to understand
- **Crony Capitalism** : an economic system characterised by close, mutually advantageous relationship between business leaders and government officials.
- **Siphoned Off** : to gradually steal money or goods, usually from a business or government
- **Whistle Blowers** : Whistle blowing is the activity of a person, often an employee, revealing information about activity within a private or public organisation that is deemed illegal, immoral, illicit, unsafe or fraudulent.

11.12 Answers to Check Your Progress Exercise

1. See Section 11.2
2. See Section 11.3 (2, 3)
3. See Section 11.5 (ii)
4. See Sub-Section 11.6.1 (a, b)
5. See Sub-Section 11.7.1

11.13 Suggested Readings:

- Tyagi, A.R. (1990). Public Administration: Principles and Practices. Delhi : Atma Ram & Sons.
- Nye, J.S. (1967). "Corruption and Political Development" in American Political Science Review, Vol. 51, 11 June.
- Wraith and Simpkins, Corruption in the Developing Societies
- Menon, Vineetha, (2018). Public Policy and Administration in India. New Delhi : Wisdom Press.

11.14 Terminal Questions

1. Define corruption. Discuss the various causes and forms of corruption in India.
2. Describe the anti-corruption efforts (Legal and Institutional) made in India.
3. Write a detailed note on Lokpal and Lokayukta.

LESSON - 12

Bureaucracy and Governance

Structure :

- 12.0 Introduction
- 12.1 Learning Objectives
- 12.2 Bureaucracy : Meaning
- 12.3 Max Weber and Bureaucracy
- 12.4 Types of Bureaucracy
- 12.5 Maladies of Bureaucracy
- 12.6 Importance of Bureaucracy
- 12.7 Bureaucracy and Governance
- 12.8 Changing Role of Bureaucracy
- 12.9 Summary
- 12.10 Check your progress
- 12.11 Glossary
- 12.12 Answers to check your Progress Exercise
- 12.13 Suggested Readings
- 12.14 Terminal Questions

12.0 Introduction

Bureaucracy or the civil service constitutes the permanent and professional part of the executive organ of government. It is usually described as the non-political or politically neutral, permanent, and professionally trained civil service. It runs the administration of the state according to the policies and laws of the government political executive. Upon the qualities and efficiency of bureaucracy depends the quality and efficiency of the state administration. It, however, works under the leadership and control of the political executive. In this lesson, we shall analyse the meaning, types, merits, demerits and the changing role of bureaucracy in governance.

12.1 Learning Objectives

After reading this lesson, the students will be able to :

- understand the meaning and types of bureaucracy.
- know about the maladies and importance of bureaucracy.
- analyse the various dimensions pertaining to the changing role of bureaucracy.

12.2 Bureaucracy : Meaning

Etymologically speaking, the term 'bureaucracy' may be traced to the French word bureau, meaning a writing table or desk. Bureaucracy, thus, simply means "desk government". Following the model of the definition of 'democracy', one may define bureaucracy as government nment of the bureaus, by the bureaus, and for the bureaus. Used in this sense, the word develops a nasty air about it." The trouble with this term is that some opprobrium usually sticks to it. Thus, even according to a neutral source like Encyclopaedia Britannica, the term "signifies the concentration of administrative power in bureaus or departments, and the undue interference by officials in matters outside the scope of state interference." In the words of John A. Vieg, "Through distortion and caricature, the term 'bureaucracy' has come to imply bungling, arbitrariness, wastefulness, officiousness and regimentation." However, sometimes the term is used with approbation, and a bureaucrat symbolizes a man eminent for experience, for knowledge and for responsibility. For instance, in Europe the term ordinarily denotes the body of regular government servants and is emotionally neutral in context. It only shows that the term is susceptible to more than one meaning. F.M. Marx indicates four senses in which the term is used.

1. **Bureaucracy as a particular form of organization, more specifically as general design for a conduct of public administration.** Pfiffner uses the term in this sense: "Bureaucracy is the systematic organization of tasks and individuals into a pattern which can most effectively achieve the ends of collective efforts." Gladden too uses the term to mean "a regulated administrative system organized as a series of interrelated offices." According to Max Weber (1864-1920), the famous German sociologist and the first European thinker to attempt a detailed analysis of bureaucracy, bureaucratic organization displays the following characteristics: (i) assignment of specified duties to every member to discharge the assigned duties; (ii) methodical provision for the regular performance of these duties; (iii) the building up of the organization on hierarchical principle; (iv) reliance on written documents or records; (v) formulation of rules to govern the transaction of business; and (vi) recruitment and special training of the functionaries.

2. **Bureaucracy as an ailment of organization obstructing good management.** According to Laski, the characteristics of bureaucracy are : a passion for routine in administration, the sacrifice of flexibility to rule, delay in the making of decision and a refusal to embark upon experiment. Bureaucracy is, thus, identified with a rigid, mechanical, wooden, inhuman, formal and soulless approach.

3. **Bureaucracy in the sense of 'Big Government'.** "We live in the era of the big institution. Governments, corporations, trade unions, and political parties alike are characterized by vast size and scope of operation. Size alone is, perhaps, the basic cause of bureaucracy. Where large-scale enterprise exists, there bureaucracy will be found." Big Government implies a large machine to perform its many and varied functions. It means giving more importance to executive and administrative branch of government. It is small wonder, then, if the modern 'welfare' or 'service' state has been called the 'administrative State'.

4. **Bureaucracy thought of as a blight, always for the worse, falling on liberty.** Bureaucracy is said to be the government by the civil service for its own aggrandisement. Laski has defined bureaucracy as "a system of government the control of which is so completely in the hands of officials that their power jeopardises the liberties of ordinary citizens.

Thus, in brief, bureaucracy may be used in the sense of a type of administrative organization, or government by civil servants for their own aggrandisement, or just plain professional civil service. In the last sense, bureaucracy is indispensable to modern government, and functions both under the public and private managements. To Willoughby, bureaucracy is just one of the three main types of personnel

systems, viz, the Bureaucratic (as in Prussia), the Aristocratic (as in pre-1914 Britain), and the Democratic (as in the U.S.A.). The Prussian Civil Service constituted a distinct career like those of the army and the navy, had secure tenure; had adequate provisions for training, had a rigid discipline; and formed a separate and privileged class in society. The 19th century British Civil Service was aristocratic in the sense that there were sharp distinctions between different grades of personnel, and it was not easy to rise from the lower to the higher grade. Each grade corresponded to a different age group and educational qualifications. By and large, this compartmentalization of civil service continues even today though in a less rigid form. The American Civil Service, by tradition, has not been a profession. The rate of turnover in the public service is larger than elsewhere, and there is no rigidity about age limits, and no preference to graduates of particular institutions. Of course, things have been changing of late, and civil service in the U.S.A., too, is fast becoming a career. However, a substantial proportion of top level jobs is still outside the civil service. These are called 'schedule C' jobs.

12.3 Max Weber and Bureaucracy

Max Weber (1864-1920), a German sociologist, was the first social scientist to have systematically studied bureaucracy. Max Weber developed a typology of authority and distinguished three 'pure' types- 'traditional', 'charismatic', and 'legal'. He regarded bureaucracy, sustained and sanctified by the purest type of exercise of legal authority, as the most efficient form of organization. "Experience tends universally to show that the purely bureaucratic type of administrative organization.....is, from a purely technical point of view, capable of attaining the highest degree of efficiency and is in this sense formally the most rational known means of carrying out imperative control over human beings. It is superior to any other form in precision, in stability, in the stringency of its discipline and in its reliability. It, thus, makes possible a particularly high degree of calculability of results for the heads of the organization and for those acting in relation to it. It is finally superior both in intensive efficiency and in the scope of its operations, and is formally capable of application to all kinds of administrative tasks." But then, what is bureaucracy? Bureaucracy is a form of organization which has certain essential characteristics and these Weber has himself carefully listed. These are (i) separation of office and its incumbent, (ii) selection by merit, (iii) fixed remuneration of officials, (iv) the official is subject to discipline and control while performing his official work, (v) hierarchy of offices, (vi) allocation of activities of the organization needed to fulfil its objectives, (vii) allocation of authority required to discharge these activities, and (viii) strict adherence to rules, etc. Let Max Weber speak himself:

"The purest type of exercise of legal authority is that which employs a bureaucratic administrative staff. Only the supreme chief of the organization occupies his position of authority by virtue of appropriation, of election, or of having been designated for the succession. But even his authority consists in a sphere of legal competence. The whole administrative staff under the supreme authority then consists, in the purest type, of individual officials who are appointed and function according to the following criteria:

1. They are personally free and subject to authority only with respect to their impersonal official obligations.
2. They are organized in a clearly defined hierarchy of offices.
3. Each office has a clearly defined sphere of competence in the legal sense.
4. The office is filled by a free contractual relationship. Thus, in principle, there is free selection.

5. Candidates are selected on the basis of technical qualifications. In the most rational case, this is tested by examination or guaranteed by diplomas certifying technical training, or both. They are appointed, not elected.
6. They are remunerated by fixed salaries in money, for the most part with a right to pensions. Only under certain circumstance does the employing authority, in private organizations, has a right to terminate the appointment, but the official is always free to resign. The salary scale is primarily graded according to rank in the hierarchy, but in addition to this criterion, the responsibility of the position and the requirements of the incumbent's social status may be taken into account.
7. The office is treated as the sole, or at least the primary occupation of the incumbent.
8. It constitutes a career. There is a system of 'promotion' according to seniority or to achievement, or both. Promotion is dependent on the judgement of superiors.
9. The officials work entirely separated from ownership of the means of administration and without appropriation of his position.
10. He is subject to strict and systematic discipline and control in the conduct of the office."

12.4 Types of Bureaucracy

According to F.M. Marx; there are four types of bureaucracy: (1) the Guardian bureaucracy, (2) the Caste bureaucracy, (3) the Patronage bureaucracy, and (4) the Merit bureaucracy. Marx cites two example of '**Guardian Bureaucracy**', viz., Chinese bureaucracy up to the advent of the Sung Period (960 A. D.), and the Prussian Civil Service during 1640 and 1740. This type may be defined as "a scholastic officialdom trained in right conduct according to the classics." Such civil service regarded itself as custodians of public interest, but was independent of and unresponsive to the public opinion. It was righteous, incorruptible, efficient, competent and benevolent on the one hand, but authoritarian and responsive on the other.

The **Caste bureaucracy** has a class base and "arises from the class connection of those in the controlling positions." Such type is widely prevalent in oligarchical political systems. Under such systems only persons belonging to upper classes or higher castes can become public officials. Thus, in ancient India, only Brahmins and Kshatriyas could become high officials. Another way in which such a type manifests is "linking the qualifications for the higher posts with arrangements that amount to class preference." This is what Willoughby has described as the aristocratic type existing in England till recently. The British rulers introduced the class character in the Indian Civil Service as well. The 'civil lines' where almost all the 'civilians' lived was just the counterpart of the 'cantonment' in which the military forces lived. Concentration of officers in spacious bungalows in one locality away from the city, exclusive clubs of officers, distance from the public, officiousness, love of precedence, secrecy and formalism were the manifestations of the class character of Indian Civil Service. Even today the civil service in India has not been able to shed completely its class character. In the words of Appleby, "Personnel.....are arranged self-consciously in too firm 'classes' and too firm and too many special 'services' with barriers between classes and services too high.... there is too much and too constant consciousness of rank, class, title and service membership, too little consciousness of membership in the public service..."

Another name for the **Patronage bureaucracy** is the 'spoils system'. There is a subtle difference between these two terms. In both, the recruitment is based on favouritism. But in patronage, the persons would continue in employment while in spoils the beneficiaries have to quit when the government changes. In contrast to the spoils system, patronage provides stability of tenure. The traditional home of spoils has been the U.S.A. Patronage had full sway in the U.K., till the middle of the

19th century. This type of civil service exists where public jobs are given as a personal favour or political reward. The system, it is interesting to note, worked differently in countries mentioned above. In the U.K., patronage bureaucracy marched side by side with an aristocratic social order and fulfilled its purpose. The patronage in Britain was used only for the benefit of the scions of the nobility. In the United States, on the contrary, the system worked quite differently and jobs went as spoils to the victorious political party. The patronage was, thus, an exercise in 'democracy'. "The system of spoils began on a minor scale and apologetically with Washington, Jefferson, and Adams, became a torrent in 1829, when Jackson came into office, and from that time until 1883, swept through all the offices of government without let or hindrance, and most usually without moral inhibitions." Such a system, however, could not produce a civil service competent to cope with the evergrowing complexities of the governmental functions after the setting in of the Industrial Revolution. "The patronage system stood condemned as an anachronism for its lack of technical competence, its slipshod discipline, its concealed rapaciousness, its erratic ways, its partisanship, and its want of spirit."

Merit bureaucracy has, as its basis, merit of the public official and, as its aim, efficiency of the civil service. It aims at "career open to talent". In other words, the attempt is to recruit the best man for the public service, his merit being judged by objective standards. This is the method in vogue in all civilized countries. Appointment to public service is no longer governed by class considerations, and it is no more a gift or a favour. Nor is the public servant any longer the self-appointed guardian of the people. The civil servant in a modern democracy is really an official in the service of the people, and is recruited on the basis of prescribed qualifications tested objectively. He owes his job to no one except to his hard work, intelligence, and luck.

12.5 Maladies of Bureaucracy

Many and varied have been the criticisms levelled against bureaucracy. One of the strongest critics of bureaucracy was Ramsay Muir, who in his book, 'How Britain is Governed' has drawn a graphic picture of the dangers of bureaucracy. "In short, in our system of government, the power of bureaucracy is enormously strong, whether in administration, in legislation, or in finance. Under the cloak of democracy, it has thriven and grown until, like Frankenstein's monster, it sometimes seems likely to devour its creator.....it has become the most vital and potent element in our system of government, although in the eyes of the law, it wields scarcely any formal authority." There are other critics of bureaucracy too. Thus, Lord Hewart characterizes the power and authority of Bureaucracy as new Despotism. The following are some of the main criticisms levelled against it :

- (1) **Unresponsiveness to popular demands and desires.** Bureaucracy, as shown earlier, tends to regard itself as the self-appointed guardian and interpreter of public interest. It is the 'public good' that is important, not the public opinion. The charge, however, tends to be exaggerated. According to Pfiffner and Presthus, Bureaucracy is "reluctant but responsive....in matters involving the great objectives of public policy in this century.... In both the United States and Britain the social programmes of the New Deal and the Attlee government were carried through." Our own civil service has proved its great resilience with the big changeover after Independence.
- (2) **Red tape or undue formalism.** Red tape has been defined as "punctilious exactitude in the observance of regulations." It is, unfortunately, true that bureaucracy perhaps puts too much emphasis on "procedure through proper channel" and precedents. Left to itself, it tends to multiply the red tape till it almost smothers itself. The bureaucracy seems to forget that the community does not exist for the purpose of filling up forms or obeying regulations, but that forms and regulations exist for the service of the community. It must be conceded, however, that some of the red tape is absolutely

necessary for providing the essential safety and control devices. Government by law requires a strict conformity to established procedures and legal regulations.

- (3) **Self-aggrandisement.** "The power-hungry bureaucrats, it is said, have no inherent lust for power. The permanent civil service is becoming more and more impatient of the sham facade of democracy behind which it works, and is showing progressively greater skill in using the forms of Parliament and the convenient doctrine of ministerial responsibility as a cover for the steady increase of the power of the Department."
- (4) **Departmentalism or empire-building.** Bureaucracy encourages the evil of splitting up the work of government into a number of isolated and self-dependent sections, each pursuing its own needs without any adequate correlation with the rest. There develops a tendency on the part of these units to consider themselves as independent and isolated units. They tend to forget that they are but parts of a bigger whole and regard their own little kingdoms as ends in themselves,
- (5) **Bureaucracy loves tradition and stands conservatism.** According to Bertrand Russell, bureaucracy everywhere tends to develop "a negative psychology perpetually prone to prohibitions."

In brief, maladies from which a bureaucracy can suffer are : arrogance, self-complacency, obsession with rules and routines resulting in ignoring the human side of things, parochial attitude, rigidity in outlook, and indifference to democratic institutions and processes.

12.6 Merits of Bureaucracy

Bureaucracy should not be used as a term of abuse or condemned per se. Its contribution to governmental administration is not insignificant. In fact, it has made administration more efficient, rational, impartial and consistent than was the case in earlier times. As already indicated earlier in this section, bureaucracy is indispensable. These researches in social psychology and the working of different bureaucratic systems have resulted in further refinement of the earlier analysis of bureaucratic organizations. In the words of Herbert Morrison, "Bureaucracy is the price of parliamentary democracy."

Both the good and the bad aspects of bureaucracy were well brought out by Lord Morley, the Secretary of State for India in his classical description of the nature of the Indian Administration: "Our administration would be a great deal more popular if it were a trifle less efficient and a trifle more elastic. Our danger is the creation of a pure bureaucracy, competent, honourable, faithful, industrious, but rather mechanical, rather lifeless, perhaps rather soulless." In fine, bureaucracy is not in itself a thing, in fact, some element of it is indispensable. What is needed is to guard against its characteristic defects and to subject it to a continuous stream of instructive and effective criticism. Bureaucracy, in brief, has to be kept under control. Someone has aptly remarked that bureaucracy is like fire-invaluable as a servant, ruinous when it becomes the master.

12.7 Bureaucracy and Governance :

Bureaucracy, in spite of its so many shortcomings plays a vital role in the governance of a country both at the policy-making and implementation levels. It is like a cart, which carries the burden of the political executive and committed to the programmes and policies being implemented. Bureaucracy being a professional and skilled body of officials, has a major role to play in the governance process. It is responsible for identifying major policy areas, preparing of policy proposals, analysing alternative solutions, categorizing major policies into sub-policies and determining programmes of action, to attain the laid down objectives. In the process of governance, which involves several set of activities to deliver effective services to people, bureaucracy plays a pivotal role in providing shape to policies that reflect people's needs and put their suggestive, analytical and informative role to implement the policies.

12.8 Changing Role of Bureaucracy

The impact of globalisation on State is manifold and it is resulting in transformation in the role of bureaucracy. The State is to act as a linking pin of processes of planning, consultation, negotiation and decision-making involving diverse actors-state as well as non-state at different levels of governance. The State is the hub of activities connecting multiple partners and stakeholders from various spheres. In consonance with this, the bureaucracy's role is also undergoing change. Research Studies indicate that there are reform measures initiated globally to streamline the size and scope of bureaucracy, and make them attuned to coping with market forces and citizen's voice. According to Haque, the role of bureaucracy is changing from a) developmental to managerial role b) active (leading) to supportive (facilitating) c) citizen-centred to customer-centred. The terms bureaucracy and democracy are usually thought of, in the academic literature, as antithetical approaches to providing governance for a society. On the one hand, public bureaucracies are typically conceptualised as necessary for effective administration of public programmes, but as being legalistic and largely indifferent to the wishes and demands of individual citizens. Bureaucracies also tend to be associated with hierarchical and even authoritarian forms of governing, even though at least part of the logic for institutionalising the bureaucratic form of governing was to ensure equal treatment of citizens, and to provide clients with records and justifications for the decisions being made about them within the public sector.

The nature of governance has been changing with shift from a system that is focused on inputs to one that is focused on outputs. This is perhaps inevitable given that a good deal of the reform of the public sector under New Public Management has been concerned with managing the output of programmes. Performance management in particular has emphasised the need to measure what the public sector does. A part of that measurement relates to citizen satisfaction with the services provided, a form of assessment that invites public participation and can serve as one form of democratic input, though perhaps a rather passive one. This change in turn implies that accountability has become an even more central instrument for democracy. The bureaucracy thus, has become an important locus for public involvement and for democracy.

Effective and efficient institutions form the backbone of a successful governance system. The bureaucracy plays a central role in socio-economic development and nation building. In the recent times, the role of bureaucracy has undergone a massive change due to a number of factors. The changing role of the State in the contemporary context has brought about significant changes in the profile of bureaucracy. The growing impact of liberalisation, privatisation and globalisation, increased complexity in administrative problems, influx of information technology and socio-cultural upheavals are bringing in a lot of changes in the complexion of Indian bureaucracy. Consequently, there have been persistent demands for a responsive, accountable and efficient administration. The bureaucracy has to strike a balance between participation and accountability, competition and conflict, user and citizen. The bureaucracy has to ensure that there is a suitable environment in which rights of the citizens are protected, law and order is maintained, stability is provided and efficient infrastructure is put in place to tone up the welfare services to the people.

There are several governance challenges in India on political and socio-economic fronts. In addition there are regional disparities, issues pertaining to centre-state relationship and so on. The bureaucracy in India suffers from certain paradoxes. It is a combination of rigid adherence to procedures and a low resistance to varied pressures, pulls and interventions.

Bureaucracy is the backbone of Indian administrative system. Its complexion is changing with the change in the socio-cultural and economic scenario. The governance scenario around is changing under the rubric of New Public Management (NPM) and good governance reforms where more emphasis is on making bureaucracy more transparent, efficient and accountable. The responsibilities,

the regulatory and service functions of bureaucracy are on increase. It is expected to play the role of knowledge manager to meet the contemporary governance challenges.

The role of bureaucracy varies at different levels. At the top level in governance structure, tasks of bureaucracy relate to policy formulation and devising appropriate implementation strategies. The bureaucracy at the middle level is to discharge tasks of supervising, coordinating, networking and communicating and overseeing the implementation and execution. It requires a blend of administrative, technical, and human skills. At the cutting edge level, the bureaucracy has to be proactive, innovative and entrepreneurial to deliver the services.

In nutshell, the shift or change in the role of bureaucracy in light of the emerging governance challenges can be understood under the following factors:

- Fast pace of globalisation
- Rapid advancement of communication technology and problems relating to cybercrime and threats due to social media
- Advances in technology and mass-scale digitisation of government operations
- New tools of governance
- Inclusive policies with a more sense of accountability and responsibility towards the excluded sections of society
- Participatory and engaged governance i.e., engaging the civil society for better governance since citizens are the most important assets in governance
- Building new skills and capacities
- Internal and external security threats

The bureaucracy's role is multifaceted being the :

- Articulator and integrator of interests of stakeholders
- Conciliator, mediator and adjudicator
- Contributor of expertise, skills and resources
- Network, and strategic manager
- Responsive, accessible and promoter of multidimensional accountability

12.9 Summary

In the new governance context, role of bureaucracy has been changing very fast. The government is no longer seen merely as a law enforcer or a controller of national resources but as a provider of basic services and public goods. Globalisation has added different dimensions to the concept of governance. There has been a shift in orientation from being controllers to facilitators and from being providers to enablers. Bureaucrats will have to equip themselves with the new set of skills and capabilities to meet the new governance challenges. They need to master new technologies and new styles of functioning and devise strategies to deal with the emerging governance challenges. Thus, in the light of the changing governance scenario, the bureaucracy must reform itself. It must reinvent itself in the light of changing norms of governance, New Public Service and New Governance.

12.10 Check Your Progress

1. What is meant by Bureaucracy?
2. How Max Weber has described Bureaucracy?
3. Describe the role of Bureaucracy in Governance.
4. Why Bureaucracy is criticized?
5. Describe the factors responsible for changing role of Bureaucracy.

12.11 Glossary

- **Etymologically** : Scientific study of the origin and evolution of a word's semantic meaning across time.
- **Opprobrium** : harsh criticism or censure.
- **Aggrandizement** : the act of increasing the wealth or prestige or power or scope of something.
- **Regimentation** : the imposition of strict order or discipline.
- **Charismatic** : A charismatic person attracts, influences and inspires people by his personal qualities.
- **Patronage** : The support given to an organization by someone.
- **Rapaciousness** : an excessive desire for wealth (usually in large amounts).
- **Parochial** : having a limited or narrow outlook or scope.
- **Spoil System** : In politics and government, a spoil system (also known as a patronage system) in which a political party, after winning an election, gives government jobs to its supporters, friends (Cronyism) and relatives (nepotism) as a reward for working towards victory and as an incentive to keep working for the party.
- **New Public Management** : This refers to private and market driven perspective on the operations of the government. It is a combination of various methods and techniques towards modernizing of government activities.
- **New Public Service** : This approach put forth by Robert B. Denhardt and Janet B. Denhardt suggests that public servants must adhere to law, community values, political norms, professional standards and citizen's interests. It considers the primary role of bureaucracy to serve the citizens.

12.12 Answers to Check Your Progress Exercise

1. See Section 12.3
2. See Section 12.4
3. See Section 12.8
4. See Section 12.6
5. See Section 12.9

12.13 Suggested Readings

- Marx, F.M. (ed.), Elements of Public Administration.
- Avasthi & Avasthi (2008). Indian Administration. Agra : Lakshmi Narain Agarwal.
- Jain, R.B. (1989). Bureaucratic Politics in the Third World : Some Reflections, New Delhi : Gitanjali Publishing House.
- Lipset, S.M. (1952). "Bureaucracy and Social Change" in Robert K. Merton et. al. (eds). Reader in Bureaucracy. Illinois : The Free Press.
- Peters, B.G. (2004). "Governance and Public Bureaucracy : New Forms of Democracy or New Forms of Control". Asia-Pacific Journal of Public Administration, 26, 3-15.
- Farazmand, Ali (ed.) (2009). Bureaucracy and Administration Florida : CRC Press.

12.14 Terminal Questions

1. Define Bureaucracy. Discuss the various type of Bureaucracy.
2. Describe the merits and demerits of Bureaucracy.
3. Analyse the Changing role of Bureaucracy.

LESSON - 13

Governance : Issues and Challenges

Structure :

- 13.0 Introduction
- 13.1 Learning Objectives
- 13.2 Major Issues and Challenges of Governance
- 13.3 Some Suggestions
- 13.4 Summary
- 13.5 Check your progress
- 13.6 Glossary
- 13.7 Answers to check your Progress Exercise
- 13.8 Suggested Readings
- 13.9 Terminal Questions

13.0 Introduction

Issues of governance refer to challenges or problems related to the way in which a government or organization is structured, operates and make decisions. There is a multitude of challenges facing 'governance in the twenty-first century. This is very true for most developing nations, especially in Asia. These challenges emanate from various levels-global, national, regional and local. While many challenges have local solutions because they involve local issues others have multiple sources involved, especially regional and global ones and demand national and international solutions. This has an imperative for regional and global cooperation.

13.1 Learning Objectives

After reading this lesson, the students will be able to :

- Comprehend the main issues and challenges of governance
- Suggest some measures to address the challenges of governance.

13.2 Major issues and Challenges of Governance

The challenge of governance in any State is not competitive populism or fulfilment of some wish lists. It is in restoring the basic values to the institutions and ensuring their sustenance through truly autonomous watch dog processes. The legislators should legislate and exercise supervision of government policies; the executive should concentrate on fair and equitable governance and efficient delivery of public services. The judiciary should focus on speedy justice for all sections of the society.

The environment of public administration in developing democracies has changed dramatically in the last few decades. The contemporary challenges of governance in India are: problems with bureaucracy, including the antiquated processes and criteria for recruitment of the nation's higher civil

service, rigidity and inefficiencies in government, lack of transparency operations, widespread corruption, lack of accountability, lack of transparency, abuse of power, lack of representativeness in public service, ineffective leadership, unresponsiveness to citizens, and the inability of the bureaucracy to deal with the growing role of the private sector and civil society in governance. In 1991, India liberalised its markets, privatised several government-owned industries and became more open to globalisation. These reforms have created a radical change in the Indian political and economic system as well as unprecedented challenges for governance. On the one hand, liberalisation and globalisation have produced greater wealth, a larger middle class and modernisation in India; on the other hand, they have created a tremendous and urgent need for public administration reforms, infrastructure development and reduction of the widening gap between the rich and the poor. The problems of a developing democracy; a governance system that is undergoing major changes that at times appears chaotic and an administrative apparatus that suffers from much pathology. The change is slow and requires simultaneous and coordinated efforts on the part of the country's social political and economic institutions.

Throughout the world, governance issues have become increasingly crucial in recent years in all sectors and at all organisational levels - social, economic, cultural, administrative and political. Globalisation has profoundly altered and intensified communication and dialogue on issues pertaining to the manner in which communities, societies, nations and the world are governed. The current economic situation, marked by growing economic tensions and budget austerity, renders the invention or reinvention of systems of governance much more vital-but also politically delicate.

Some of the contemporary issues of governance can be summed as:

- Political, economic and social systems have become increasingly fragmented, making global strategic initiatives even more complex;
- The range of values, attitudes and behaviours exhibited by individuals and groups has contributed to greater and more diverse demands for inclusion and participation on the part of citizens, groups and organisations:
- As the structure around the representation of interests is further broadened and differentiated, the governance system becomes more complex and progressively less intelligible, decipherable and accountable to lay persons:
- There is a growing risk that the democratic quality of our political systems will deteriorate.

The Key Challenges of Governance

Information gap: characterised by information asymmetries between levels of government when designing, implementing and delivering public policy

Capacity gap: arises when there is a lack of human, knowledge (skill-based and "knowhow") or infrastructural resources available to carry out tasks, regardless of the level of government.

Fiscal gap: reflects the difference between sub-central revenues and the expenditures needed to meet their responsibilities. It indicates a direct dependence on higher levels of government for funding in order to meet obligations

Administrative gap: arises when administrative borders do not correspond to functional economic areas at the sub-central level.

Policy gap : results when line ministries take purely vertical approaches to cross-sectoral policy (e.g. energy, water or youth)

13.3 Some Suggestions

Governance, as we have discussed occupies an important place in the current administrative scenario. It aims at maximum welfare of citizens. It involves government, private sector and people's association or civil society. The important challenge facing the governance process is to build a framework or system that can promote an appropriate balance between these three constituents. The quality of governance is to be improved and sustained. For that matter, there is a need to :

- **Strengthening the institutions of governance** : Parliament is the supreme representative institution in India. The Political representatives represent the electorate. Many a times concerns are expressed on various fronts about the falling standards in the quality of participation, conduct of proceedings and so on. Hence there is a need to develop good practices and procedures of parliamentary functioning and make parliament a dynamic institution tuning with the changing times.
- **Improving the functioning of civil service and bureaucracy** : Ultimately it is the permanent executive that is responsible for policy implantation. It is necessary to develop a responsive civil service that is professional, energetic and caters to the needs of people.
- **Reassuring the citizens with establishing an independent and impartial judiciary** : The judiciary is to be seen as an effective instrument of maintenance of rule of law and upholding of social justice.
- **Making the private sector accountable** through adopting sound business practices, adhering to rules and regulations and protecting the interests of consumers.
- **Educating the citizens about their rights and obligations**, and making them partners in all development activities.
- The issues and challenges that confront governance require effective functioning of three wings of government namely executive, legislature and judiciary and building appropriate linkages amongst the organs. Governance has to strike a suitable balance between parliamentary Supremacy and Judicial independence. As the state, private sector and civil society have an important role in governance process, there is a need to assign clear cut roles and responsibilities to these components to enable them to work towards genuine people-oriented development activities.

13.4 Summary:

Addressing these governance issues and challenges requires a combination of legal reforms, institutional strengthening, transparency measures, accountability mechanisms, and civic engagement to ensure that government are responsive, accountable, and effective in serving the needs of their citizens. Good governance is essential for the effective functioning of any entity and for building trust and confidence among stakeholders. It requires reforms in policies, procedures, and institutional structures to ensure that decision-making process are fair, transparent and accountable.

13.5 Check Your Progress

1. What are main challenges of governance?
2. Discuss the main issues of governance?

13.6 Glossary:

- **Populism** : Political ideas and activities that are intended to get the support of ordinary people by giving them what they want.
- **Antiquated** : Old fashioned or unsuitable for modern society.
- **Decipherable** : Capable of being explained or accounted for.
- **Pathology** : a branch of medical science primarily concerning the cause, origin and nature of disease.
- **Line-ministries** : Line-ministries are specific governmental departments or ministries that focus on particular sectors or group, such as health, education, or transportation.

13.7 Answers to Check Your Progress Exercise

1. See Section 13.2
2. See Section 13.2

13.8 Suggested Readings

- Singh, Shivani (ed.) (2016), Governance : Issues and Challenges, New Delhi : Sage Publications.
- Chakrabarty, Bidyut and Mohit, Bhattacharya (eds.) (2008). The Governance Discourse, New Delhi : Oxford University Press.
- Chakrabarty, Bidyut and Prakash Chand (eds.) (2012). Public Administration in a Globalizing World. New Delhi : Sage Publications.
- Rhodes, R.A.W. (1996). "The New Governance : Governing Without Government?" Political Studies, 44, 652-667.
- Farazmad, A. (2015). "Governance in the Age of Globalization : Challenges and Opportunities for South and Southeast Asia" in I. Jamilet et. al. (eds.), Governance in South, Southeast and East Asia, Public Administration, Governance and Globalization. Switzerland : Springer International Publishing.
- Jain, R.B. (2001). Public Administration in India : 21st Century Challenges for Good Governance. New Delhi : Deep & Deep Publications.

13.9 Terminal Questions

1. Identify the key issues and challenges of Governance.
2. Suggest some measures for tackling the challenges facing Governance.
