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GOOD GOVERNANCE AND DECENTRALIZATION IN INDIA



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ABSTRACT

The concern for good governance has been expressed at different times in different spheres by political leaders, administrators and academics. The effective, responsive, transparent and accountable administration is the goal towards achieving good governance in every country. In the case of India, the democratic decentralization is one of the milestones to establish good governance in every corners of the country. In the post-independence period several initiatives have been taken to strengthening



democratic system of our country as well as establishing good governance. The Constitutional 73rd and 74th (Amendment) Act was truly a step towards decentralization and good governance. In this perspective the paper focused on the democratic decentralization towards good governance in India.

KEYWORDS: *Governance, Good Governance, Democratic decentralization.*

INTRODUCTION :

Governance refers to the 'governability' of a polity or, in other words, the capacity of a political system to govern efficiently and to provide the necessary political condition for socio –economic development. Governance is the process of decision –making & the process by which decision are Implemented, an analysis of governance focuses on the formal & informal actors involved in decision-making and implementing the decision made and the formal and informal structures that have been set in place for implementation of decisions. The philosophy of good governance has its origin dated back to the early days of human civilization. The description of Indus Valley and Vedic civilizations bear the details of the concept. Today the term 'Governance' has come to occupy a central place in the development discourse. Among the several development strategies governance is considered as an important element. There are many means of achieving good result in governance. Traditional texts such as Upanishads and in later period Kautilya's 'Arthashastra' delineate many methods of achieving the good results with has gained new momentum after the collapse of the totalitarian states in East European countries and the cry for democracy in several developing countries of Asia, Africa and Latin America. The concept of good governance as old as the human civilization. Over 300BC, Kautilya in his famous treaties 'Arthashastra' had expressed his opinion about the good ruler. He observed that "In

the happiness of his subjects lies his happiness; in their welfare his welfare; whatever pleases him (personally) he shall not consider as good, but whatever makes his subjects happy, he shall consider good¹." In 'Shanti Parva' of Mahabharata, Bhishma says to Yudhishthira that eternal duties of king are to make their subjects happy, to observe truth sincerely. The foundation of good governance is dharma (righteousness)². .. Manuscript remarked that conducting himself and discharging his royal duties, a king shall order all his officials to work for the good of his subjects³. Ram Rajya of Indian tradition and utopia of Greek philosopher all him at often elusive concept of "Good Governance". Mahatma Gandhi has called it "Su-raj."⁴ Rabindranath Tagore, in his Geetanjali, had a beautiful and uplifting dream for his country which a large number of his fellow-countrymen fervently shared:

"Where the mind is without fear and the head is held high;
Where knowledge is free;
Where words come out from the depth of truth;
Where tireless striving stretches its arms towards perfection;
Where the clear stream of reason has not lost its way into the dreary sand of dead habit;
Where the mind is led forward by the into ever-widening thought and action;
Into the heaven of freedom, my father, let my country awake."⁵

CONCEPT OF GOOD GOVERNANCE

The term government and governance appear synonymous in dictionary. Government refers to formal and institutional processes which operate at the level of nation state to maintain public order and facilitate collective action. It is a formal institution of the state with their monopoly of legitimacy, coercive power. It refers to various forms of political system or the manner in which state exercises its power in utilizing socio-economic resources. Governance signifies new process of governing or changed condition of ordered rule of new method by which society is governed. Rhodes defined governance in eight ways. They are minimal state, governance according to private enterprise model, new public management,

good governance, a social cybernetic system and a series of self organized social network. The Commission on Global Governance defines governance as "governance is the sum of many ways individuals and institutions, public and private manage their common affairs. It is a continuing process through which conflicting and diverse interests may be accommodated and cooperative action taken. Governance is the creation of structure or an order, which cannot be extremely imposed but is the result of the interaction of multiplicity of governing and each others influencing actors." The Human Development Report, 2002 has given a new perspective to governance by terming it as democratic governances, which is essential for better human development. Now a days the term 'good governance' is very much in vogue. Three major International bodies focus on different aspects. As the World Bank defined in 1994: 'good governance is epitomized by predictable, open and enlighten policy making; a bureaucracy

imbued with a professional ethos; on executive arm of government accountable for its actions and a strong civil society participating in public affairs; and all behaving under the rule of law'. United Nations Development Programme (UNDP) takes a broader view of good governance as comprising mechanism processes and institution through which citizens and groups articulate their interests, exercise their legal rights, meet their legal obligations, and mediate their differences. The Economic and Social Council for Asia and the Pacific (ESCAP) similarly considers governance good only if genuine

steps to minimize corruption are taken; if the views of the minorities and the voices of the most vulnerable sections of society in decision making is ensured, and if it is responsive to the present and future needs of a society. It has identified eight salient features of good governance: i) participatory in nature, ii) consensual in orientation iii) accountable iv) transparent v) responsive vi) effective and efficient vii) equitable and inclusive viii) rule of law.⁶

GOOD GOVERNANCE IN INDIA

The concern for good governance has been expressed at different times in different floras by political leaders, administrators and academics. Effective, responsive, transparent and accountable administration has been the goal towards which our administrative and political system, together, have been striving since independence. In the well known Vohra Committee report it was mentioned that the conference of Chief Secretaries in November, 1996 drew attention to the fact that despite recognition of the “critical role of responsive administration for achieving the goal of growth with equity, the public administration and the civil services at all levels are passing through difficult times in term of eroded credibility and effectiveness of civil service....”. and increasing criticism of low level of honesty, transparency and accessibility to the political and bureaucratic elements in-charge of administration. The conference also laid emphasis on the importance of government being more caring and responsive both to the needs of a growing economy and to concerns of the relatively unserved sections. There is no denying fact that inspite of all our efforts we are quite distance away from good governance. The time has come to analyze the reasons, identify the factors which obstruct good governance and the short-term and long-term policy measures and administrative step to be taken towards achievement of the same. The problem has become much more crucial and complex in view of the fast changing political scenario, in the context of the present and emerging political compulsions. Concept of good governance is not derived from west but it is depicted in ancient literature of Kautilya Arthashastra for the advancement of weaker and vulnerable sections of the society, in some ways forerunner of our concern today. Despite some semblance of good governance during the British Colonial Raj, the primary purpose was consolidation of the British Rule and resource exploitation for strengthening the British Empire. The Administrative Reforms Commission also noted that the pre-independence governance was concerned mainly with the enforcement of law, maintenance of order and collection of revenue. Involvement of government during British regime, in economic and social spheres was confined mainly to the task like building and maintaining a modest transport and communication system, regulation of indigenous trade and commerce and providing a modicum of facilities in the field of education and health. The development perspective of governance was obviously missing. It was neither welfare-oriented nor change-oriented; Preamble, Fundamental Right Directive Principle and Fundamental Duties are related to good governance in Indian constitution.⁷

THE CONCEPT OF DECENTRALISATION.

The English language word decentralization took the word from latin and it has innumerable application. Through all of them, however runs a common idea which is inherent in the word's Latin roots, meaning 'away from centre'. To some, decentralization denotes 'the transfer of authority, legislative, judicial or administrative, from a higher level of government to a lower level'. The process of decentralization basically seeks to create greater energy, a higher sense of responsibility and morale among the field agent. Although the basic idea of decentralization is sharing the decision-making authority with lower level in organization, power can be shared within the system, at a lower level, or creating a new mechanisms in the system. Power can also be shared with outside organizations or

agencies. Broadly, decentralization constitute four types as identified by Rondenelli et al.1984.

- 1) Deconcentration, i.e. handing over some amount of administrative authority or responsibility to lower level within the government ministries or agencies.
- 2) Delegation, i.e. transferring responsibility for specifically defined function to organization that are outside the regular bureaucratic structure and are only indirectly control by the central government;
- 3) Devolution, i.e. creation and strengthening of sub-national units of the government, activities of which are substantially outside the direct control of the central government; and
- 4) Privatization, i.e. passing all responsibility for function to non –governmental organizations or private enterprises independent of the government.⁸

OBJECTIVES OF DECENTRALISATION POLICY

To capture the essence of what democratic decentralization means in india, the beginning point is to study and understand the policy objectives. These objectives are:

- ✦ To transfer real power to the districts and thus reduce the load on remote and under resourced central government officials;
- ✦ To bring political and administrative over service to the point where they are actually delivered and thus reduce competition for power at the centre and improve accountability and effectiveness;
- ✦ To free local managers from central constraints and thus allow them to develop organizational structures tailored to local circumstances;
- ✦ To improve financial accountability and responsibility by establishing a clear link between payment of taxes and provision of services they finance;
- ✦ To restructure government machinery in order to make the administration of the country more effective; and
- ✦ To create a democracy, they would bring about more efficiency and productivity in the state machinery through involvement of the people at levels.

The attainment of these broad objectives largely depends on the political commitment of the central government to them.⁹

STRENGTHENING URBAN LOCAL BODIES AND DECENTRALISATION FOR GOOD URBAN GOVERNANCE

India enjoys the title of the “Largest Democracy of the World”, not due to its geographical or demographical dimensions but the people of India elect 1.3 million public representatives for various democratic institutions of three tires of governance. After union and state level governments, the local self government, are broadly divided into two parts: rural and urban. Urban local bodies are identified by various names like Municipal Corporation, municipal council, municipal board, municipal committee etc. municipal governance is not only the partipicle form of grassroots democracy but they are the focal points of urban public expectation too. There are more than 3500 municipal bodies in the country serving about 27% population of India. Good governance implies concern for people’s welfare, wherein the government and its bureaucracy follows policies and discharge duties with deep sense of commitment; respecting the rule of law in a manner which is transparent, ensuring human rights and dignity, probity and public accountability. For a complex, plural and a large country like India, Bottom-Up approach is the key rather than Top-Down approach. Municipal governance work closet to the

people-touches their lives, represent their aspirations with greater credibility and legitimacy. With them at helm of affairs, matching of resources with needs, if possible more efficient governance and delivery of services can be ensured, greater representation to vulnerable and marginalized groups can be given. Friendly institution can match outlays with inputs, to generate new ideas and plans in consonance with people's need and aspirations for channelizing energies of community, for better feeling of the community, fraternity and togetherness. They can hear the grass grow. Moreover implementation of plans and programmes is ensured, that is why institutions like the word bank support municipal governance for their effectiveness. They are helpful in better use and leveraging of local resources, for more cohesive community and sustainable development through increased people's participation and involvement, to resonate people's power, voice and urban development. However good governance is deeply connected with government at municipal level without their combination there is no hope of real "Sovereign Socialist Secular Democratic Republic" to secure public welfare.¹⁰

The roles responsibilities and management mechanisms for urban planning have undergone a sea-change as a result of 74th Constitutional Amendment Acts. Which have given urban local bodies a new role. The passing of these Acts have brought the multiplicity of institutions responsible for the delivery of housing and services under the umbrella of local bodies. This, it is hoped will go a long way in streamlining the functions and responsibilities of the variety of institutions in-charge of the management of urban habitats. As per the 12th Schedule of the 74th Constitutional Amendment Act, 18 tasks have been assigned as in the functional domain of the Urban Local Bodies, which inter-alia include:

1. Urban planning including town planning.
2. Regulation of land use and construction of building.
3. Planning for economic and social development.
4. Roads and bridges.
5. Water supply for domestic, industrial and commercial purpose.
6. Public health, sanitation, conservancy and solid waste management.
7. Fire services.
8. Urban forestry, protection of the environment and promotion of ecological aspects.
9. Safeguarding the interests of the weaker sections of society, including the handicapped and mentally retarded.
10. Slum improvement and up gradation.
11. Urban poverty alleviation.
12. Provision of urban amenities and facilities such as park, garden, playgrounds.
13. Promotion of cultural, educational and aesthetic aspects.
14. Burials and burial grounds, cremations, cremation grounds and electric crematoriums.
15. Cattle ponds, prevention of cruelty to animal.
16. Vital statistics including registration of birth and death.
17. Public amenities including street lighting, parking lots, bus stop and public conveniences.
18. Regulation of slaughter houses and tanneries.

The study of good governance came to the attention of Ford Foundation as a result of the apparent inability of government in the third world countries to regulate and control of their activities to prevent maladministration. The foundation advocates that government be checked and controlled

by an active, articulate and organized citizenry. Thus good governance are value –laden and these values are public interest, public welfare, public goods and public services. The machinery of government, which devoted to these values, is considered as good governance. The productive approach of municipal council's and good governance regarding health, hygiene, sanitation water and social reformatory processes constitutes a good study material in a country. Good governance in municipal services is based on efficient delivery of services, effectiveness of those services and accountability¹¹

STRENGTHENING RURAL LOCAL BODIES AND DECENTRALISATION FOR GOOD RURAL GOVERNANCE

The 73rd Amendment has been hailed as a major landmark in the history of local self-government in India. Some of the salient features of the Amendment are grant of constitutional status of PRIs, reservation of one-third of seats for women in panchayat bodies, holding of elections to panchayats under the direct supervision of the chief electoral officer, setting up of Finance commission to review the financial position of the panchayats after 5 years and inclusion of the XI Schedule in the constitution listing various socio-economic programmes to be undertaken by the panchayati raj institution. This Amendment, in fact, aimed at enhancing the capabilities of the rural people to involve themselves in the planning process with respect to their priorities. It also envisaged decentralization of the execution of all types of development activities with the active participation of the rural masses. In nutshell the purpose of the amendment was bring to good governance at the rural local level. Though the Amendment was regarded as welcome step yet its in depth analysis reveals some inherent ambiguities. The most important one is to lack of clear cut demarcation of function (29 included in the XI Schedule) amongst three tiers of panchayati raj system. Further it may also be pointed out the powers and functions of Gram Sabha have not been specified. To give effect to the Amendment, the states began to incorporate enthusiastically its provisions in their respective Panchayati Raj Acts and held elections with one- third reservation for women under the supervision of the State Election Commission. Consequently, Panchayat raj bodies came into existence throughout the country in the true spirit of the Amendment. Again, under 73rd Amendment, an effort was made to revamp the Gram Sabha by according it a constitutional status and it was hailed as Lok Sabha of the village people. The experience of about a decade shows that it is still a non-functional body mainly because of lack of faith of the rural people in its effectiveness resulting into their indifferent attitude towards this body.

On the basis of above discussion it may be observed that the implementation of the 73rd Amendment during the last decade has yet to exhibit a qualitative improvement in the governance of PRIs in India. It is mainly because of the fact that certain essential pre-requisites such as revamping the Gram Sabha, financial viability, political will for decentralization, attitudinal and behavioral changes on the part of both politician and bureaucrats, enlightened rural masses, committed and dedicated representatives and office-bearers have not been given due attention. So, what is required is that corrective measure must be taken immediately to facilitate the PRI to function in such a way as to send signals of good governance to the rural masses.¹²

CONCLUSION

Decentralization systems of governance which have recently emerged in the different part of the world vary considerably. they are structured, funded and held accountable in different ways, and they entail different modes and degrees of popular participation .Decentralization policy is a source of people's popular power this can temporarily be left to pass benefit of doubt .As we may further note, major and minor institution of the state have organizational culture of their own that are product of

history, which through recruitment and socialization of their members, assure continuity of the state and its institutions, have power structures reinforced by sanctions, generally expressed as hierarchy and authority. As we have demonstrated in this paper, this observation is very pertinent in a sense that power relations at the local level and behavior of officials(both elected and appointed) have remained unpredictable even after the passing of Amendment Act of 1992. All said and done, there is growing optimism out of observable empirical conditions and changes to the effect that the decentralization experiment is beginning to yield fruits by building confidence and increasing the civic awareness of local leaders. It is anticipated that if these trends continue, the decentralization policy may ignite prospects for good governance and more competent civil society in India.

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