



GOOD GOVERNANCE AND DECENTALISATION IN INDIA

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Abstract

Good Governance ordinarily means looking after the welfare of all in all respects. Good governance is associated with efficient and effective administration in a democratic framework. It may refer to high level of organizational efficiency and effectiveness for responding in a responsive and responsible way in order to attain the pre-determined desirable goals for the society. To have a comprehensive understanding of the concept of good governance it would be desirable to take into account its parameters given by various scholars and institutions from time to time. Kautilya, the great Indian philosopher, in his famous treatise Arthashastra has dwelt upon indicators of good governance.

The concept of good governance is not a static but a dynamic one as it keeps changing due to overall societal changes. In ancient times, under monarchical regimes, king was expected to be the embodiment of good governance for promoting general human well-being. But with the emergence of modern democratic system this role automatically got transferred to the government-an instrument of the state. In this background this paper tries to explain the concept of good governance in India, concept of Decentralization and Strengthening Rural Local Bodies and decentralization for good rural governance.

Keywords: *Good Governance, Decentralization, Local Bodies.*

CONCEPT OF GOOD GOVERNANCE

Mayo acknowledges that confusion is rife about the usage of the concept of good governance, even among the donor communities. Mayo delineates this concept in the following ways. To ordinary people, specially NGO'S governance means government of a particular form, say modern as opposed to traditional. The perspective Mayo offers concerns varied uses of the concept of governance by donors. Some donors link it to the types of political regimes, lines of authority, institutional and structural arrangements, decision-making processes, flow of information and nature of relationship between the state and society. Other donors perceive good governance to mean respect for human rights and democracy, legitimacy of government, accountability of elected and appointed leaders, transparency in decision-making, freedom of mass media, right to freedom of association, freedom of speech and rule of law.

To some other donor agencies such as the World Bank, the main concerns of good governance can be summed up as follows: governance is defined as "the manner in which power is exercised in the management of the country's economic and social resources for development. Good governance for World Bank is synonymous with sound development management."

A very useful contribution to the effort of understanding this subject has been made by Hyden who assigns four variables to the governance concept, as elucidated below;

- Authority, meaning existence of legitimate power;
- Reciprocity, meaning advancement of the view that the exercise of power is not always a zero-sum game but could also be a positive-sum game;
- Trust that is cultivated by people living together and engaged, competitively or cooperatively, in pursuit of common objectives; and
- Accountability which reinforces trust and vice-versa.

GOOD GOVERNANCE IN INDIA

The concern for good governance has been expressed at different times in different forms by political leaders, administrators and academics. Effective, responsive, transparent and accountable administration has been the goal towards which our administration has been the goal towards which our administrative and political systems, together, have been striving since independence. The Vohra committee in its report in 1996 laid emphasis on the importance of government being more caring and responsive both to the needs of a growing economy and to the concerns of the relatively underserved sections.

There is no denying the fact that in spite of all our efforts we are still quite distance away from good governance. The time has come to analyze the reasons, identify factors which obstruct good governance and the short-term long-term policy measures and administrative steps 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. Some scholars may imply that the concept of good governance is derived from the west but this may not be wholly correct.



As far back as cira 300 BC, kautilya, in his treatise *Arthashastra*, had in his own way propounded the traits of good governance by the ruler as follows, In the happiness of his subjects lies his happiness , in their welfare his welfare...

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 the economic and social spheres was confined mainly to the tasks like building and maintaining a modest transport and communication system, regulation of indigenous trade and commerce and providing a modicum of facilities in the fields of education and health. The developmental perspective of governance was obviously missing. It was neither welfare-oriented nor change-oriented.

The first inkling of the fundamental principles of good governance can be gleaned through the preamble to the Indian Constitution, the Directive Principles of State Policy, Fundamental Rights and Fundamental Duties. The welfare state as modern concept came into existence during the period between 1947 and 1952, with the establishment of a National Government in a free and republican India and the establishment of the Central Planning Commission.

DECENTRALIZATION AND ITS CONCEPT

According to Prof. Aldous Huxley, "The political road to a better society is the road of decentralization and responsible self-government". Centralization of power results in curtailment of individual liberties and a progressive regimentation of the people even in countries hitherto enjoying a democratic form of government.

THE CONCEPT OF DECENTRALIZATION

Decentralization as a concept dwells on how the state structure is designed to allow sharing of power between the centre and the sub-national units of the state and other organizations within the society. Broadly, decentralization constitutes four types as identified by Randlinelli *et al* as deconcentration, delegation, devolution and privatization. it is argued that the application of any of these types has varied from place to place and depended on particular circumstances and that some governments have used all the three types simultaneously or at different times. Some start with one type and then shift to another.

Decentralization refers to shifting of the workload of centrally located officials to manage offices outside the national capital or headquarters. In this case, final authority is retained by the centre. Delegation on the other hand refers, to the transfer of power and responsibility for specifically defined functions to organizations that are outside regular bureaucratic structures and are indirectly controlled by the central government. Devolution takes place when the central government consciously decides to create or strengthen financially and legally te structures of sub-national units of government, the activities of which are substantially outside the direct control of the central government.

We need to note that the fourth type of decentralization, namely, privatization, is not really an independent method of decentralization; it implies divestiture, while decentralization, to a large extent, is construed to mean some form of government involvement, however thinly. It should be further being noted that each form of decentralization depends on the political will of a particular government and on particular circumstances.

Depending on the policy objectives and government's short and long-term development plans, it is possible to find a unitary state structure enjoying more devolved powers at the local level than some federal state structures. At the same time, it is to be noted that there are cases where political objectives have taken precedence over administrative efficiency that is usually professed as the key objective of decentralization.

OBJECTIVES OF DECENTRALIZATION POLICY

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

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 control over services 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 the 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 all levels.

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

STRENGTHENING RURAL LOCAL BODIES AND DECENTRALIZATION 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 panchayat under the direct supervision of the Chief Electoral Officer, setting up of Finance Commission to review the financial position of panchayats after 5 years and inclusion of the XI Schedule in the constitution listing various socio-economic programmers' to be undertaken by the panchayat raj institutions.

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 envisages 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 to bring 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 the lack of clear cut demarcation of functions (29 included in the IX Schedule) amongst the three tiers of panchayat 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 Panchayat 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 through the country in the true spirit of the Amendment.

Again, under the 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 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.

STATUS OF RURAL LOCAL GOVERNANCE IN INDIA

Hailed as a watershed in the evolution of local governments in India, this act contains part IX of the constitution of India and has added 11 schedules to it. Articles 234 to 243 "o" in the constitution are related to the Panchayat Raj system and there are 29 functional items of the panchayats. Before getting into the analysis of different parameters of the design and scope of devolution in various states, let's first know the incidental effects and relations of the Panchayat Raj(PR) system on and with its various vulnerable stakeholders.

- **Bureaucracy and the PR System:** Bureaucracy comes in as a stakeholder not in the sense that whether it gets benefit out of the system or not, but because of the vital role it has to play for the success of the PR system. Bureaucracy has not been sympathetic to the PR system as the bureaucratic gate keeping of panchayats has always been there where bureaucrats can throw rules at panchayats and will never be accountable to them, There has been a big disconnect between the lower level bureaucracy and the PR system and ongoing tussle still continues where the PR system has tried to function well and flourish. Even the transfer of service control of lower bureaucracy to panchayats has not been seen that the civil servants at the local level are accountable to the members of the local government.
- **Women and Surrogate Representation:** Though, the one-third reservation has created a silent revolution in the country, the government always needed to support this watershed provision with sufficient social, economic, and political conditions to enable women to participate effectively in the local government institutions. But the environment has remained the same, and even though the data showed that most of the states followed this constitutional mandate, it has always remained illusionary in nature. It is analyzed that elected women often act as proxies for men's views at the councils, being advised by their male relative.
- **Dalits and Adivasis:** With respect to SCs and STs, the case has been even worse than the case of women representation in the PR system, At the village level, most of the states have been found not having proportionate representation instead of it being a constitutional mandate, which points towards the social and exclusionary dynamics operating in the villages of the states. The reservation given to them under the act too seems futile as they are just acting as rubber stamps and until and unless the socio-political environment gets non-exclusionary and participatory democratization in terms of participation by SCs as and STs takes place, this constitutional mandate will remain a dead letter.



- **MLAs and the PR system:** The devolution of powers under the 11th Schedule has also led to the power undercutting for MLAs and thus they see the PR system as a threat to their monopoly over the domain of power and corruption at the local level. It has been seen that many MLAs and in few states even MPs disproportionate influence.

DESIGN, EXTENT AND SCOPE OF DEVOLUTION

Along with mandatory provisions in the 73rd Amendment Act, there were many key discretionary provisions too, due to which the design and degree of implementation of these provisions were lying at the behest of the individual states depending upon their whims and fancies, Now, this has led to a substantial digression in the extent, design and scope of devolution across different states in India with respect to all three dimensions ie political, functional and financial, has been very poor.

Reforms with respect to political devolution: For the first time in India the democratic broadening of representative democratic took place after the passage of the 73rd Amendment Act, as it led to exponential enhancement of constitutionally recognized representative bodies to more than 2 million, But, still against the spirit of Amendment, most of the states have retained considerable powers over the rural local bodies with them and have acted as an "Aggrandizer government". Though some of the states have conducted elections to these PR bodies, it has not been at regular intervals. In most of the states, the state government supported by the bureaucracy, believes that they are and should be the only Karta dharta of the state.

Reforms with respect to functional and financial devolution: Instead of having an array of functions under the 11th schedule, which was overlapping to a great extent with those, mentioned under the 7th schedule, the functioning of local governments has always remained confined to street lightening, sanitation, water supply and local roads. With respect to developmental activities, they have acted as implementing agencies in the form of Google search engines for the state governments merely to identify beneficiaries.

Even after the constitutional amendment, the legislations enacted or amended by the states to widen the domain of functioning of panchyats have been in a skeletal form and the flesh and blood of it has been missing for the reason that the administrative rules and procedures have been controlled largely by the executives.

CONCLUSION AND SUGGESTIONS

Though the panchyats have been considered as a gift by the sovereign politics to the people of the villages of India, it is not so as, they, been thought of as the nursery of future India. and their success becomes immaterial for the reason that their existence in itself is necessary. More, so it can be inferred that there have been lesser leakage of resources at the panchyat level and under the wider PR system as a whole in comparison to the national or state level.

It has been less than two decades and this is too short a time to write a report card of the PR system. And, to say that they always been inefficient is actually improper and too early to make a conclusive comment. They too need much more time, say at least another fifteen to twenty years, to showcase what they are capable of and then only someone can come up with a substantial analysis of the functioning of the PR system. Also, by saying this, I never intend to say that decentralization or the PR system can be panacea for all problems of corruption and accountability.

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