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# UNIT 9 GOVERNANCE IN INDIA: ISSUES AND CHALLENGES

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## 9.0 OBJECTIVES

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After going through this unit you should be able to:

- explain the meaning of state, government, and administration;
- describe the structure and functions of Indian administration;
- discuss the concept and key characteristics of governance;
- identify the governance strategies in Indian context; and
- analyze the major issues and challenges of governance.

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## 9.1 INTRODUCTION

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You must be familiar, by now, with the meaning of state and society with particular reference to India. State, as you all know attempts to achieve set goals and objectives for the welfare of its citizens. These are accomplished through the instrument of government. The government through plans, policies and programmes attempts to deliver the essential services to the people. In simple words, this is the meaning of governance and this is a major task of the government. Since independence, the government has been the sole provider of goods and services in several areas. But over the past two decades, many changes are taking place at the global level and these are affecting India also. We have now a strong private sector, which along with the government provides services to the people. Also people's associations or civil society is playing an active role. Presently, we are moving from governing almost exclusively by the formal 'government' to governance, which is broader in nature comprising government, private sector and people's associations and civil society groups.

In this unit, we shall familiarize ourselves with the concepts of state, government, administration and governance. We shall discuss the key features of governance, and the key governance strategies adapted in India. We shall also examine certain issues and challenges pertaining to governance.

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## 9.2 GOVERNMENT, STATE AND ADMINISTRATION: MEANING

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There is a need to reiterate what a state is, before we explain the terms government, administration and governance. Here the term state does not refer to the states of Andhra Pradesh, Bihar, Tamil Nadu or so on. These are known as states within the federal set up of India. The term 'state' which we are referring to in this Section is a political institution that has sovereign jurisdiction within defined territorial borders and it exercises authority through a group or set of permanent institutions. Viewed from this sense, we can refer to India as a state, or Great Britain as a state. State has a number of institutions that include Parliament, Judiciary, ministries, departments, bureaucracy, etc., which performs important functions. We have already referred earlier that the state functions through the institution of government. In India we have government at central, state and local levels (local government has been made a part of the total structure of constitutional government in India under the Constitutional Amendment of 1992).

Let us now understand the meaning of government.

### 9.2.1 Government and the State

There are innumerable activities being performed by individuals and organisations in the society. There is a need for an institution or instrument to coordinate, regulate and provide necessary direction to these activities being performed and to look after the welfare of the citizens. State, through the agency of government, does all these. It is the organ – the government – that looks after maintenance of law and order and the provision of basic goods and services to the people such as education, health, transportation, power, etc.,. Hence we see that educational institutions such as schools, colleges are often being run by government; similarly there are government established hospitals, dispensaries, primary health centers that provide health services to the people.

Earlier it was only the government, which used to render most of the services. , But now we can see there is a private sector functioning in several areas such as running of educational institutions, managing of big hospitals etc. Note that since independence it was only the Indian Airlines that used to be the only agency for domestic air travel in India. The situation now has changed. Presently there are many private airlines operating in the aviation sector.

Having understood the meaning of government and state, you can now distinguish between the two. The state is broader in nature having a territory, a governmental system, the people or citizens,. Within the state are several institutions which are in public or government sector, private sector and also citizens' or people's organizations. Government is a part of the state; it is the agency mainly through which we can find out how the state is actually functioning. The state is a permanent institution. The government, as you all know, is not permanent. It is temporary, as it can be constituted, and changed. In a democracy, after each general election a new party or group of parties forms government.

## 9.2.2 Administration

Government has to govern or administer. So, administration is the job of government. It is the real life picture of government. For example, you apply for a telephone connection from a government organisation such as Mahanagar Telephone Nigam Limited (MTNL) or Bharat Sanchar Nigam Limited (BSNL). Initially, you or one of your family members go to the office, fill the application forms and complete other formalities. After a certain number of days, you get intimation about the sanction of a telephone connection and finally it is installed at your home. 'Administration' thus consists of a series of activities that, in our example, have been undertaken in the telephone organisation where the staff at several levels functioned to provide a telephone connection to you as a citizen, in an efficient and effective manner.

Administration, as you can now appreciate, involves several activities. These include planning, formulation of policies, organising the functions, appointment and removal of personnel or staff working in the organisation, directing, supervising, controlling the activities, managing the financial resources etc. In any organisation, there are several tiers or divisions with people doing specific activities. For example in a school, there are several teachers, each teaching a specific subject with, a Head Master or Headmistress or a Supervisor at primary, middle and high school level, while the overall administration of the school is the responsibility of the Principal. So, administration is 'headed' by someone or a board to for coordination and regulation.

Let us now discuss how the government functions at the central, state and local levels in India. .

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## 9.3 INDIAN ADMINISTRATION: STRUCTURE AND FUNCTIONS

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We have already discussed the basic features of the Indian Constitution in Unit 7 of this Course. We have a a federal form of government under which powers and functions of government are divided between two sets of government: central government and state governments.. Governmental functions are essentially of three types: legislative, executive and judicial. Legislative functions relate to legislation or framing of laws.. Executive functions are concerned with the implementation of laws, while judicial functions involve adjudication or resolving disputes on the basis of the laws and interpretation of laws. .

Parliament is the supreme law making body at the Union Government level. At the state level, legislative functions are undertaken by the state legislature.. The laws passed by either Parliament or the state legislature are implemented or executed by several ministries or departments such as education, health, finance, railways etc. Every ministry or department is headed by a minister who is the political executive. . The secretary who usually belongs to the Indian Administrative Service heads the ministry or department as a professional chief.

We shall now discuss broadly the structure and functioning of Indian administration at the union, state and local levels.

- i) **Union Level:** The President is the Constitutional head, who acts on the aid and advice of the council of ministers. The Prime Minister along with his council of ministers holding charge of different portfolios functions as the real executive.. The Cabinet Committees, the Cabinet Secretariat and the Prime Minister's office are among the major political wings that initiate important policies and provide advice and assistance to the different segments of administration. The Cabinet

Secretary is the overall head of the civil services and the administration at the Union level.

- ii) **State Level:** As earlier pointed out in Unit 7, the Governor is the Constitutional head, and the Chief Minister along with other ministers is the real Executive. As at the Union level, the administration at the state level is the responsibility of several departments such as education, health, finance etc. On the professional side, the Chief Secretary heads the administration at the state level as its chief coordinator.
- iii) **Local Level:** The local self-government (both rural and urban) have been given the statute under the 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendment Act 1992. We shall discuss the important features of this act now.

With regard to rural governance, after the 73<sup>rd</sup> Amendment, the Constitution of India provides for a three tier Panchayati Raj structure at the village, block and district level. There is a *gram* sabha consisting of all the adults who are registered as voters in the electoral rolls of the village. Along with this, at the village level is the *gram panchayat* that has members chosen by the process of election. Seats are reserved for Scheduled Castes, Scheduled Tribes and women. At the block level is the panchayat samiti. Its structure varies from state to state. *Panchayat Samiti* has members who are directly elected by the voters in a samiti. The state government reserves some seats for representation of the Chairperson of the village Panchayat, MPs, MLAs and MLCs. Some seats are reserved for Scheduled Castes, Scheduled Tribes and women at the district level in the *Zilla Parishad*. It has elected representatives, members of Scheduled Castes, Scheduled Tribes and women. The 73<sup>rd</sup> Constitution Amendment Act 1992 provide for the Constitution, Power and function, Committee System, finances of these bodies.

The 74<sup>th</sup> constitutional Amendment Act 1992, introduced several changes in the urban local self-government. Now, we have three types of urban bodies: (a) Municipal Corporations; (b) Municipalities; and (c) Nagar Panchayats. These are explained in section 9.8

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## **9.4 GOVERNANCE: CONCEPT AND KEY CHARACTERISTICS**

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Overreliance on 'government' as the sole provider of different services and infrastructure has resulted in certain problems. These include increase in government expenditure, long delays in completion of certain projects leading to cost and time over runs, and dissatisfaction of the citizens with the provision of services. Since, 1980s, the impact of globalisation with countries all over the world expanding the trade, entry of multinational corporations, the collapse of the Soviet Union, increasing dominance of the USA on several fronts brought about significant political and economic changes throughout the world and specially in several developing countries including India. Gradually it was being felt that government has to withdraw from direct provision of services and encourage other players in many spheres of activity. This led to the government accommodating other players such as the private sector, people's associations referred to commonly as 'civil society', in the process of governing.

The distinction between public and private sectors is getting narrowed and there is more of participative form of governing the society. Let us now discuss the meaning and key characteristics of 'governance'.

**Governance** in simple terms means the process of decision-making and its implementation in collective problem situations.. This does not imply that the efforts of

the government earlier were not aimed at effective formulation and implementation of policies. The term 'governance' had become popular especially since 1990s with the usage of the term by international donor agencies such as the World Bank, the United Nations Development Programme (UNDP) etc. The developing countries including India, as we all know, are dependent on the developed countries for technical and financial assistance. These international institutions, for the first time in the beginning of 1990s, drew attention to certain crucial deficiencies in the governance system of the developing countries. These included, non-availability of information to the people, lack of accountability, poor management of the public sector and lack of appropriate legal framework.

Against this background, the recommendation was to introduce 'governance' as a key component of overall governmental operations, for effective and accountable management of the affairs of a country at all levels in public interest.

Governance emphasises not just routine implementation of policies and programmes but making the entire activity accountable, democratic, participative and responsive to people's needs. Administration in the traditional context, has implied formulating and executing policies, within a framework of **hierarchy**, rules and regulations, citizens being mere passive recipients of services. There was more of formalism in administration than real two-way interactions with citizens. Now even the citizens are asserting their rights and demanding better governance. You can also observe this change in the present times. The Delhi government recently expressed its intention to increase the power tariff. There were strong protests from the people as they were unhappy with the distribution of power supply. They resorted to road blockades, agitations and ultimately the decision to hike the **tariff** was withdrawn. This is just to indicate the functioning of governance process with citizens as active participants.

Governance involves opening up of the arena of 'government' to multiple actors mobilizing the collective efforts of government, private sector and the community. For example, you are familiar with the Pulse Polio Programme, which aims to vaccinate every child against polio. Though it is a government programme, it is implemented at all levels by both public agencies and private clinics and hospitals in urban and rural areas and, at many places with direct citizens' involvement. The aim of governance is to secure maximum good of the maximum number of people through not just government efforts, but also the efforts of private organisations and the community.

Having understood the meaning and nature of governance, we shall discuss its basic characteristics. These are:

- i) **Accountability:** Governance lays emphasis on making all the organs of government accountable for the performance of functions. In present times, we find instances of police being held accountable in cases where they fail in discharging their duty of nabbing the culprits. People question, and through demonstrations, and mass protests demand justice. Also during elections, the electorates if they are not satisfied with the performance of elected representatives in their constituencies, vote them out of power. All these indicate the significance given to accountability in the governance process.
- ii) **People's participation:** Governance aims at **seeking** the participation of people in various developmental activities. The Panchayati Raj Institutions (PRIs) and the municipal bodies in India are locally elected representative bodies **looking** after the management of local affairs. For more people's participation, the 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendments have provided

for 'ward' committees in every municipality, and 'gram sabha' in every panchayat..

- ii) **Rule of Law:** Governance requires a well-drafted and fair legal framework that protects the interests of people and provides them justice.
- iv) **Transparency:** Administration in the traditional sense functioned on the principle of secrecy and it was quite secretive in letting out information to the people whom they serve. Now there is a change in the scenario. People, being participants in the governance process, are desirous of accessing information from the administration regarding matters that concern them. For example, if a farmer in the village would like to know about the amount being spent by the local administration on a development scheme, it has to be furnished. This is true not only with public or government organisations, but also with private sector organisations. They are supposed to provide the necessary information solicited by the person who is securing the services from it.
- v) **Effectiveness and Efficiency:** Governance is characterised by effective and efficient service delivery from any organisation. For instance, you visit the electricity office for payment of bill. The service, in most of the places, being computerised facilitates effective and efficient delivery. There is a concern, which is gradually being imbibed by organisations to provide services to the satisfaction of citizens.

Governance thus aims at improving the administrative structure and processes by making them efficient, effective and responsive. It is a two-way collaborative process between the providers and the recipients of services.

In India, governance has introduced several measures to strengthen the governance process. We shall be highlighting these in the next Section of this unit.

### Check Your Progress 1

- 1) What is meant by state?

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- 2) Distinguish state from government.

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- 3) Explain the meaning of governance.

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- 4) List the key characteristics of governance.

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## 9.5 GOVERNANCE STRATEGIES: THE INDIAN CONTEXT

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In India, after independence, several steps were taken for promotion of welfare state and catering to the needs of the people. The Constitution of India was adopted in 1950 and as we have already discussed in Unit 7, the Fundamental Rights and Directive Principles of State Policy have been incorporated in it. Planning was resorted to as an instrument of development to achieve the socio-economic objectives. The Planning Commission was set up to institutionalise the planning process. The governance system operates in accordance with the goals set by the planners. These include self-reliance, economic growth, industrialisation, modernisation and social justice.

The Constitution of India provides for setting up of important Commissions such as Election Commission, Finance Commission, National Commission for Scheduled Castes, National Commission for Scheduled Tribes, Union Public Service Commission etc. that play an important role in the governance system. In addition, there are some commissions created by Parliament through enactment of Acts. These include, the National Commission for Women, National Commission for Backward classes, National Human Rights Commission, State Human Rights Commissions. All these Commissions function to secure social, political and economic justice, liberty, equity, and dignity of individuals. India's governance structure and mechanisms had been designed and reformed from time to time to meet the overall welfare goals and objectives.

The role of government at the time of independence was mostly confined to revenue collection and maintenance of law and order. Having attained a certain level of development in several spheres, now the government is initiating several steps to make citizens partners in the development process. Attempts are now on to foster holistic development of the people and promote a more accountable, responsive and citizen-friendly government. Some of the initiatives in this context include:

- i) **Citizen's Charters:** The government or public agencies such as railways, hospitals, dispensaries, electricity and water department etc., provide services of varied nature to the citizens. Generally people are unaware of the various types of services, procedures, mechanisms of lodging complaints and grievances if they are not satisfied with the services and so on. To facilitate this, the government has introduced the concept of citizens' charters. These are statements that provide information to the public on various aspects useful to them pertaining to the concerned such as the objectives, its functions and the procedures of accessing the services etc. This exercise enables citizens make use of services provided by these agencies with ease and convenience. Next time, you visit any government agency, have a look at their citizens charters.
- ii) **Right to Information:** We have earlier mentioned in this Unit that the information pertaining to the government activities mostly was inaccessible to the citizens. For example, it was even very difficult to track the status of file movement in a government organisation. There was always secrecy in governmental operations.

There was reluctance on the part of the concerned organisation to provide information to the citizen. There is a change in the scenario now. The Central Government has enacted the Right to Information Act 2005 and several state governments such as Rajasthan, Karnataka and Madhya Pradesh have also passed the Act. This enables an interested citizen to approach any ministry, department or any government organisation for getting the required information except certain types of information that relate to national defense or security. The Act has laid down clearly various procedures through which one can ask for information and the time frame within which one get it.

- iii) **Use of Information and Communication Technology:** The developments taking place in the area of Information and Communication Technology (ICT) is facilitating efficient and effective service delivery. Even in the rural areas computerisation of land records is taking place. People are having access to computers at Panchayats and they get information about prices of agricultural commodities, auction rates etc. You know how the electronic mail or e-mail is facilitating a faster and smooth flow of communication.

Some states such as Andhra Pradesh and Kerala have introduced one-stop service centres where people can secure services such as registration of births and deaths, payment of property tax, electricity, water bills etc. You know that from home, one can get reservations done through computer in trains and airlines. ICT has facilitated extensive access of information in many areas to people. In Bangalore, to make governance responsive, the City Corporation has launched a Customer Complaint System (CCS). Once a person lodges a complaint, an acknowledgement receipt is issued and an Assistant Revenue Officer is entrusted the responsibility of examining this grievance. Upon action taken by the concerned officer within the given time frame, the information is fed into the computer and the concerned citizen is communicated about the response.

- iv) **Public-Private-People Partnership:** The Panchayati Raj Institutions at the local level and the urban local bodies known as Nagar Palikas are institutions of self-government functioning with the participation of people. Presently the government is securing the participation of private sector and people in several activities. In urban areas, the Resident Welfare Associations (RWAs) are playing an important role in ensuring sanitation, garbage disposal, environmental protection etc., in their respective localities. For example, in Delhi, the Bhagidari (Partnership) Project started in 2000 is getting wide recognition. It is a partnership between government and other agencies such as Municipal Corporation, Water Supply Board, Electricity Supply Undertaking and Resident Welfare Association. They meet at regular intervals and attempt to solve the problems of common concern.

In Kolkata, the waste management activity of the municipal government involving the collection, segregation and disposal of the waste is done by a private company, which has been assigned this task by the Corporation. Similarly in Bangalore, to improve the city, Bangalore Agenda Force was set up which is a partnership between the citizens, corporate groups and other public organisations such as Police, Bangalore Development Authority, Bangalore Electric Supply Corporation, Water Supply and Sewerage Board. This group discusses several ways of improving the civic governance and accordingly draws up the schemes.

These are a few of the initiatives taken by the government in governance arena. These measures can in the long run bring about desired results provided certain issues and challenges are taken cognizance of. We shall now highlight these.



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## 9.6 MAJOR ISSUES AND CHALLENGES

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Governance, as we have discussed occupies an important place in the current administrative scenario. It aims at the maximum welfare of citizens. It involves government, private sector and people's associations 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.

The important issues and challenges pertaining to governance include:

- Strengthening the institutions of governance. Parliament is the supreme representative institution in India. The political representative represents 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 need to develop good practices and procedures of parliamentary functioning and make Parliament a dynamic institution in tune with the changing times.
- Improving the functioning of civil service and bureaucracy. Ultimately it is the permanent executive that is responsible for policy implementation. It is necessary to develop a responsive civil service that is professional, energetic and caters to people's needs.
- Reassuring the citizens with establishing an independent and accountable 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.

### Check Your Progress 2

- 1) Name some important institutions created by the Constitution of India.

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2) What are citizens' charters?

3) Suggest few measures for tackling the challenges facing governance

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## 9.7 LET US SUM UP

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The state is a permanent political institution that functions through certain permanent institutions such as executive, legislature and judiciary. The government, as we have discussed in the Unit, was always the major provider of services to people. The federal system of government at the central, state and district level functions through well laid down framework. The global developments taking place over the last three decades gradually brought in the broader notion of governance which brings in its purview government, private sector and people. In the present scenario, as we have elaborately discussed in the Unit, there is need for collective efforts on the part of the three constituents of governance. It calls for accountability, people's participation, transparency and adherence to law. Governments world over are pursuing strategies to foster governance. India, as we have highlighted in the Unit, has initiated several such measures. The success of these steps is dependent on appropriate reforms on several fronts relating to government, private sector and civil society. The ultimate aim is to ensure quality governance. This unit attempted to highlight some of these concerns.

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## 9.8 KEY WORDS

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- Civil Society** : It refers to self-organisation of citizens. It is the collective of social organisations that enjoy autonomy from the state. Civil society includes financial, charitable, social service, development and professional organisations.
- Globalisation** : It is the process that is leading to worldwide of economic, cultural, political and social systems. It is leading to international exchange and sharing of labour force, production, products and services across the borders.
- Municipal Corporations** : These are set up in larger urban areas for example, Delhi, Hyderabad, Kolkata etc. They are constituted through special statute passed by state legislature.
- Municipal Councils** : Urban areas having lowing with population ranging from above 50,000 to 5,00,000 are governed by elected Municipal bodies known as Municipal councils. These have directly elected Councillors and

nominated ones. There are also Ward Committees.

**Nagar Panchayats**

: These are constituted for those areas which are neither fully **urban** or fully **rural**. The **urban** and **rural** local **bodies** are entrusted with the provision of civil services and facilities such as water supply, clean streets, construction and maintenance of roads etc.

**Rule of Law**

: It refers to a legal system in which the rules are clear, and fairly enforced and everyone is equal before the law.

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## 9.9 HINTS/ANSWERS TO CHECK YOUR PROGRESS EXERCISES

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### Check Your Progress 1

1) Your answer should include the following points:

- State is a political institution that has sovereign jurisdiction within defined territorial border.
- It exercises authority through a set of permanent institutions such as Parliament, Judiciary, ministries, departments etc.
- It is a permanent institution

2) Your answer should include the following points:

- State is broader in nature and government is its instrument.
- State exercises authority through the instrument of government.
- State is a permanent institution while government is temporary in the sense that it can be constituted and reconstituted.

3) Your answer should include the following points

- Governance is the process of decision-making and implementation.
- It is broad in nature and includes the collective efforts of government, private sector and people's associations known as civil society.
- It aims at making the policy formulation and implementation accountable, democratic, participative and responsive.

4) Your answer should include the following points.

- Accountability
- Participation
- Rule of law
- Transparency

### Check Your Progress 2

1) Some important Commissions created by the Constitution of India are:

- Election Commission

- National Commission for Scheduled Castes
- National Commission for Scheduled Tribes
- Union Public Service Commission

2) Your answer should include the following points:

- Citizens charters are statements that provide information to the public about the organisation, its objectives, functions, the procedures of accessing the services etc.
- The charters enable citizens make use of services provided by the organizations.

3) Your answer should include the following points:

- Strengthening the institutions of governance
- Developing good practices and procedures of functioning of Parliament.
- Improving the functioning of civil service and bureaucracy
- Establishing an independent and accountable judiciary
- Making the private sector accountable to consumers
- Educating the citizens about their rights and obligations