ALAGAPPA UNIVERSITY

[Accredited with 'A+' Grade by NAAC (CGPA:3.64) in the Third Cycle
and Graded as Category–I University by MHRD-UGC]

(A State University Established by the Government of Tamil Nadu)

KARAIKUDI – 630 003

Directorate of Distance Education

B.A. [Public Administration]

V - Semester

106 54

CITIZEN AND ADMINISTRATION

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SYLLABI-BOOK MAPPING TABLE
Citizen and Administration

Syllabi	Mapping in Book
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BLOCK II: ACCOUNTABILITY AND POPULAR CONTROL **Unit 3:** Concept of Accountability - Popular Control Over Administration **Unit 4:** Peoples Participation in Administration - Meaning - Mechanism - Challenges **Unit 5:** Role of Civil Society - Social Audit: Meaning - Benefits - Methodology	**Unit 3:** Concept of Accountability: Popular Control over Administration **(Pages 29-42);** **Unit 4:** People's Participation in Administration: Meaning, Mechanism and Challenges **(Pages 43-56);** **Unit 5:** Role of Civil Society and Social Audit **(Pages 57-70)**
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INTRODUCTION

In a democracy, citizens and public servants are not two separate entities. Much of the success of public administration depends on its capacity to enlist public participation in the administrative process. In fact, in India, many developmental programmes like family planning, community development and social welfare have failed due to the lack of citizens' participation in them. The lack of citizen participation in administration stems from their belief that the administrative process is corrupt, lacks transparency and is not accountable.

Since independence, numerous initiatives have been undertaken by the government to reduce corruption in administration and make the administrative process more open and transparent. In recent times, new public management concepts such as good governance have also been incorporated. Briefly, good governance is a way of measuring how public institutions conduct public affairs and manage public resources in a preferred way. All these issues will be taken up in this book entitled *Citizen and Administration*.

This book is written with the distance learning student in mind. It is presented in a user-friendly format using a clear, lucid language. Each unit contains an Introduction and a list of Objectives to prepare the student for what to expect in the text. At the end of each unit are a Summary and a list of Key Words, to aid in recollection of concepts learnt. All units contain Self Assessment Questions and Exercises, and strategically placed Check Your Progress questions so the student can keep track of what has been discussed.

BLOCK I
VALUES AND ETHICS IN PUBLIC SERVICES

UNIT 1 INTEGRITY IN ADMINISTRATION, ETHICS AND VALUES IN PUBLIC SERVICES

Structure

1.0 INTRODUCTION

The concepts of integrity, ethics and values have been identified by the UN and its member nations as an integral part of the public administrative machinery. In fact, these principles are also an integral part of the UN itself. In the sphere of public administration, integrity means being honest or being trustworthy, when it comes to fulfilling the various duties related to administration and simultaneously being transparent in the face of corruption and corrupt practices.

According to the UN, integrity includes being impartial, uprightness, fair, honest and a follower of truth and thus provides a common and stable platform for transparency and accountability. In the past decades, globally there has been resurgence of interest in ethics, values and the concept of integrity in the field of public administration. The administrative machinery requires the public to place their trust on the administrative system to work soundly. The citizen being an integral part of the administrative system requires the public servants to look after the interests of the people and thus serve them in a fair manner and on a day-to-day basis manage the limited number of public resources efficiently. Implementing fair and reliable services for the public and a practical form of decision-making helps

to inspire the public to place their trust on the administrative machinery and thereby enable in the creation of a common platform that helps in the overall development of the society and promotes economic and financial growth of the nation. Integrity in public administration is prerequisite for gaining the trust of the public and is therefore integral to the system of good governance. Corrupt practices and maladministration are anti-thesis to integrity and thus promote failure of the system and weak governance. Corruption and the failure of the administration have had a negative impact when it comes to public trust in the decision-making process.

After the end of the Cold War, the global community witnessed the rise of globalization, democratization, economic transformations and other activities. With the increase of penetrating market forces, interdependence among the sovereign nations started to take place and in turn has, somewhat, created a global civil society/community. All the nations that were earlier secluded now have the only option to mingle with other nations in order to fulfil their own objectives and goals. With the rise of a global civil society, it has now become possible to transmit ideas in a rapid fashion which in turn has led to the public constantly demanding higher levels of integrity in the administrative sphere.

From a global perspective, integrity in public administration has emerged in a wave like manner. In the late 1980s and early 1990s, an increase in debates and discussions centring around corruption and maladministration started to take place with mass mobilizations taking place globally. Various international organizations also started to advocate the need to implement integrity when it came to fighting corruption. In the mid-1990s the global community saw the rise of various international and regional standards that aimed at creating a common platform for carry out international trade activities on one hand and on the other to prevent foreign public officials from being corrupt and accepting bribes. These international and regional standards were introduced at many international conventions such as Inter-American Convention Against Corruption in 1996, Convention Against Bribery in 1997, African Union Convention on Preventing and Combating Corruption in 2003 and the UN Convention Against Corruption which took place in 2003. With the introduction of various standards it became, now, necessary to implement them. However, a point to be noted here is that the implementation of various international and regional standards pertaining to integrity in the public administration sector depended upon the economic status and financial aptitude of the different nations.

With the world undergoing changes at a rapid pace, the need to demonstrate integrity in public administration has gained momentum. It has become very important to show the efficacy of various programmes aimed at measuring the importance of integrity in public administration. This has led to the development of a comparative model wherein methodologies, definitions, outcomes and objectives, cost-effectiveness etc., are taken into consideration. Integrity of various sectors is under scrutiny. In the realm of public administration, the need to achieve integrity has somewhat become a target in itself. Integrity, ethics and values are now being

seen as integral components of capacity building within an institution. Integrity is further gaining credence as the common man is gaining access to information that was once withheld and that the mass media outlets are now actively engaged in reporting the various facets of public administration. As mentioned before, the need to promote integrity, ethics and values has gained global importance. Cross-border cooperation is on the rise in relation to issues pertaining to corruption etc., which is either carried under the aegis of the UN or under various regional policies.

1.1 OBJECTIVES

After going through this unit, you will be able to:

- Examine the need for implementing ethics and values in the public service system
- State the various steps taken by the Indian government to curb corruption at the administrative level
- Define the Code of Ethics
- Identify the steps to be taken to inculcate ethics, values and integrity in the Indian administrative set-up

1.2 INTEGRITY IN ADMINISTRATION: ETHICS AND VALUES IN PUBLIC SERVICES

Integrity means a choice taken by the individual wherein they are committed to the upholding of moral, ethical, transcendent and creative values and principles. In order to integrate within the society and accept the responsibilities of life and profession, one needs to have integrity in his character. Integrity enables an individual to seek truth and justice and therefore be honest in all aspects of life. In order to develop integrity, one needs to be self-disciplined and have the ability to be devoid of temptation when in a position that requires administering over the masses and looking for solutions to their problems. One who has integrity in his character, will be seen as an individual having a dignified presence in the society and thus will be at peace. Integrity is an important part of a state that aims to promote welfare amongst its citizens. Integrity is an essential part of the administrative circle and thus should be part of every sector that is concerned with carrying out public activity. In order to fight the growing tide of corrupt practices it is necessary to have integrity within the institution. However, it is to be noted that integrity today has been forsaken and is on the verge of being driven into extinction from various institutions, society and nation itself. This is very evident from the fact that one can see the rise of many cases wherein individuals have been involved in acts of corruption. Various forms of corruption, benefaction and influence have risen due to the waning influence of integrity. One can see the thoughtful and premeditated manipulation of one's position/status/resources, either directly or indirectly, for

personal gain have risen in the society due to the lack of integrity. Wastage of public money and resources is also seen as a rampant form of corruption.

In a nation like India, lack of integrity is prevalent due to the following reasons. First and the foremost reason as to why there is lack of integrity in India is because it is something which we have inherited. Being a dominion of the colonial powers, those who were working under the British crown were being paid less and therefore in order to fill their purses with money, the administrative officers started to take bribe and thereby indulged in corrupt practices and in turn forsake integrity. This need to indulge in corrupt practices has been going since post-independence in India.

Secondly, sometimes it can be said that one's environment, which includes his social/cultural/economic conditions, have had a deep impact on civil servants who are unable to cope up with the growing demands of an urbanized and industrialized society.

Thirdly, with the rise of technology, everyone is showcasing their life in front of everyone. In this ongoing process wherein, everyone is showcasing their extravagant life, many including those who are unable to lead such an extravagant life indulge in corruption thereby leading to a decline in integrity within the system.

Fourthly, the common man, sometimes, helps in the transmission of corruption throughout the system as they do not report corrupt practices because of the need to fulfil their illegitimate claims by one way or another.

Fifthly, it can be said that there is a lack of integrity in the Indian administrative space because of the fact that most of the Indian administrative sectors are very much complicated by nature when it comes to their inner workings. This, in turn, has encouraged the need to indulge in malpractices and thus leading to a decline in the level of integrity within the system.

Lastly, the presence of inadequate laws, protection provided to civil servants, connections between those in financial and administrative sectors and the presence of pressure groups has led to further decline of integrity in the system.

The lack of integrity has led to the creation of corruption in the Indian administrative system. However, post-independence, the Indian government has been proactive when it comes to the implementation of various rules and regulations in order to curb corruption and thereby increase integrity among government officials. These rules and regulations are as follows:

In 1947, the Prevention of Corruption Act was passed which defined the scope of corruption in relation to a civil/public servant. Similarly, in 1954 the All India Services (Conduct) Rules; in 1955 the Central Civil Services (Conduct) Rules; in 1956 the Railway Services (Conduct) Rules were passed by the Indian government which set forth a series of rules that worked to calibrate the conduct of the civil servant and has over a period of many years come up with various other rules that deal with the different situations faced by a civil servant which in turn can led to a decline in their integrity. However, the problem with these rules is

that they consist of various loopholes which have led to keeping a check on the corrupt —a tedious job at most.

In 1962, the Santhanam Committee on Prevention of Corruption was instituted in order to review the existing mechanisms to combat corruption and suggest various anti-corruption measures. The committee recommended the amendment of Article 311 of the Indian Constitution and suggested the need for having Central and State Vigilance Commissions that would be autonomous in nature and would tackle corruption at the state and central levels. The Central Vigilance Commission (CVC) has jurisdiction over matters pertaining to the employees in the Central Government, public undertakings and so forth. In short, gazetted officers fall under the preview of the CVC. The Commission, upon investigation of cases, submits an annual report to the Ministry of Home Affairs.

Similarly, in order to prevent further degradation of integrity in public administration, the Indian government has established Vigilance Commissions in various ministries/departments; the CBI; the Lokpal and the Lokayukta.

Public service is carried out to provide specific services to all members of a community. It is the government that usually provides a variety of services to those under its jurisdiction. It is through the presence of public services that a government can create a moral and responsible form of governance. Integrity, ethics and values play an integral role in both the administrative structure and the public services.

In today's rapidly developing world, the need for having good public service is of paramount importance. Public service systems such as the civil service, law and order and many other government bureaucrats act on the behalf of the government by partaking in many administrative mechanisms. The government bureaucrats that play a prominent role in the government help in maintaining the various institutions in a democratic nation like India; and by doing so enable in the promotion of economic growth and well-being of the overall society.

In order to promote smooth functioning of the public services, those involved in public services need to have ethics and values as they further enable in the proper functioning of the public service system. Values are the norms that are present throughout a culture and at the same time are of universal nature. Most of the value systems prevalent in the cultures globally revolve around the need to provide support to others and at the same time respect them too.

When the question arises regarding the sources of values; there are different viewpoints from philosophical and from an organizational perspective. For many thinkers, values have originated over a period of time while there are many who suggest that values either come into existence due to the rise of many institutions or due to the presence of many conflicts among individuals. Throughout the world, different cultures have their own value system and it is these values that enable the formation of behavioural pattern in an individual. From a political perspective, values can be defined as the rights of the individuals and simultaneously it can be seen as the commitment one has towards one's society, state and for every other

individual. In a nutshell, politically values are what the government and its policies are based upon.

1.2.1 Role of Values in the Public Service System

Values enable the overall development of the public service system. When it comes to public services, values are an important aspect of the overall culture of an organization and play a pivotal role in the formation and development of the organizational behaviour. Values also serve as the link between those involved in the public service system and the overall aims of the government. Values enable the allocation of resources and help in making important decisions with reference to the public policy formulation and implementation. For administrative institutions, the need to adhere to values enables the development of trust and assurance in the public. A strong value-based system in the public services enables the implementation of various elements of democracy in governance and promotes ethical decision-making process. From an overall perspective, the public service system can have a core set of values but at each level of the system different values are prevalent as well. The public service system is very much value driven as it works in such a place wherein change is regularly taking place and the same time demands and obligations are also on the rise.

Values play an important role in the public service sector as the outside environment is always undergoing change both structural and functionally. Therefore, in times of change values serve as a beacon of guidance. Values also enable in gaining the trust of the public and promote stability and consistency throughout the system. Values are developed through the various levels of interaction and thus need to be constantly re-evaluated and challenged.

1.2.2 Role of Ethics in the Public Service System

Ethics, on the other hand, promote a systematic way of protecting and commending perceptions of right and wrong behaviour. In a society, the ethical system originates throughout a course of time and is constantly nurtured by its environment. In the administrative machinery, carrying out ethical behaviour is very important in order to gain the trust of the public and carry out proper decisions in order to use the resources in an efficient manner and at the same time protecting the rights of the individuals in such a manner that everyone is benefitted from them. In order for democracy to succeed in a nation-state it is very important to have an ethical standard in the society and in the administrative machinery so as to fulfil the very objectives that democracy aims to accomplish. When the ethics in the government machinery are used in a wrong manner, then there is the rise of various scandals which in turn creates a threat for the various aspects of democracy and thus makes the people lose trust in the government and its machinery. Unethical practices promote inequality in the society.

Ethics is a system that is based on what is right and what is wrong i.e., morals. Ethics has a Latin point of origin and comes from the Latin word *ethicus* which means character. From the perspective of Western philosophy, ethics is the

study of morals, human duty and code of conduct. Based upon this, ethics can be defined as a set of principles that govern the behaviour of an individual/group. According to Western philosophers, ethics are temperaments that benefit the individual and the society in which they exist. Individuals are rational beings and ethics serve as a guiding principle for those in power.

From the standpoint of public service, ethics have been growing and changing since their inception. In India, from ancient times ethics have played a pivotal role in the system of governance. Many ancient Indian political and administrative thinkers and their works have heavily emphasized on the importance of ethics in administrative mechanisms. Kautilya's finest work, the *Arthashastra* is a prime example of the importance of ethics in the governance system. Arthashastra states that unethical behaviour should not be practised and if it done so then the one who is propagating such practices should be held responsible and be given severe punishment. A king/administrator who follows the path of ethics will always garner the support of his people.

Ethics and values in a society have developed over a period of time. Apart from developing over a period of time, they are also influenced by the presence of various variables in the society/environment. The ethics and values of the administrative system have developed in the same manner. When it comes to ethics and values that prevail in the administrative sector, one can say that these have come into existence due to the presence of various administrative structures and they continue to change and grown with the passage of time. The history of the nation, the society and the culture, presence of legal/judicial system, the presence of a political class and lastly the economic set-up/nature of a nation play a pivotal role in the development of the ethics and value base system in an administrative structure. Ethics and values are important for the public service system and the overall well-being of the society. The environment of an individual plays an integral role in the development of a system of ethics and value in the individual. Family, educational institutions, the society and its laws play an important role in the development and implementation of values and ethics in the individual who later on takes these same values into an organization thus making them values of an organization/institution. The presence of ethics and values in an administrative system and in the overall society is important because it leads to the development of rationality, responsibility, commitment, responsiveness, justice, promotion of national interest, transparency and lastly integrity.

Opening up the administrative system to the public in order to gain its trust is one of the paramount ways of introducing ethics and values into the system and the society once again. An open and transparent governance system is the ultimate antidote to corruption and various malpractices that are prevalent in the administrative setup. Legislations have been implemented in India, both at the national and state level, to make the government transparent, ethical and accountable. However, legislation is not adequate when it comes to the inculcation of ethics, integrity and values in the system. In order to enforce various legislations, it is of paramount importance that the need to do so comes from within the legislators

i.e., the members who have ben elected in the government. After the legislators, it is the citizens who need to create this wave of implementing various legislations pertaining to bringing forth transparency and integrity in the governing system. The government machinery should be proactive when it comes to meeting out adequate punishment on those civil servants who are corrupt or indulge in unethical practices.

Check Your Progress

1. What are the reasons behind the prevalence of lack of integrity in India?

2. In which year was the Prevention of Corruption Act passed in India?

3. What was the main recommendation of the Santhanam Committee on Prevention of Corruption constituted in 1962?

1.3 STEPS TO INCULCATE INTEGRITY, ETHICS AND VALUE IN THE ADMINISTRATIVE SYSTEM

In order to inculcate integrity, ethics and value in the system some of the things need to be taken into consideration. These are as follows:

Firstly, in spite of implementing the Right to Information (RTI), most of the time, it is seen that the civil/public servant is reluctant to share information pertaining to his department/ministry as at the end of the day, the public servant is nothing but a gatekeeper of sorts who decides as to what to share with the public and what not to share.

Secondly, it is very much difficult to keep a check on the administrator using outside watchdog institutions. Moreover, even if they keep a check on them and gain access to information that they withhold it becomes difficult to go through the information and make sense of it.

Thirdly, with the Indian administrative set-up being on an expansion mode, it becomes very difficult for the higher officials to keep a check on their subordinates due to the presence of various departments within the existing set-up.

Fourthly, there is a lack of coordination among different agencies. For instance, in India there are various agencies that work towards the removal of corruption from the system and still they lack a certain degree of cohesiveness amongst themselves.

Fifth, according to Article 311 of the Indian Constitution, the removal of a civil servant is next to impossible. This is can be inferred as follows. The Indian civil servant is an asset whose security is of paramount importance and therefore in the case of a decline in performance of the civil servant, he cannot be removed from his job post due to the protection he gets from the Constitution of India.

Sixth, it has been observed that there is no actual definition of the job profile of the civil servant. This leads to the civil servant coming up with his own definition

of what his work means and thus leads to the creation of a narrow vision when it comes to the interests of the people.

Seventh, public servants are seen being loyal towards the political class rather than towards the people which in turn leads to the implementation of unethical policies and practices.

Lastly, the presence of unchanged age-old rules; presence of unions that resist against actions being carried out on their members; presence of corruption; passing of state secrets to third party in exchange of financial assistance; rise of new public management systems; lack of ethical training in the overall training process; lack of follow-ups in relation to media trails pertaining to civil servants etc., are some of the problems that are faced by the system and the nation alike when it comes to the implementation of ethics, integrity and values into the administrative system and into the society at large.

To conclude, gaining access to public trust is of paramount importance when one works in the administrative machinery of an institutions/state. Public trust is the very base upon which various governmental reforms are based. Public trust can only be achieved when one shows integrity in his work. Integrity is very much necessary to remove corruption from the system and in turn leads to the creation of a value-based system that is based on legal and policy frameworks which control the expenditure of public funds and thus promote various improved procurement practices. Integrity, ethics and values need to be promoted via an institutional mechanism which promotes education, training and enforcement. Thus, the need to create a coalition amongst the government, the financial sector and the civil society is very much necessary in order to promote integrity within the existing system.

Integrity needs to be promoted because one cannot downplay corruption and misconduct in the system and its impact on the people. Unethical and malpractices such as bribery, fraud etc., have a negative impact on the life of an individual and in turn majorly influence the society from the financial and safety perspective. Public trust is lost and in turn destroys the stability of the governance system. With the implementation of various measures that help promote integrity within the system, it is necessary not to lose sight when it comes to the rebuilding of existing institutions.

Ethics and values play a pivotal in public service. Values serve as an important instrument of measurement in relation to the accomplishment of goals. The need to establish a proper infrastructure, institutions and framework in order to promote ethics and values is the need of the hour. However, due to the presence of problems and unethical behaviour, values and ethics can become meaningless. Therefore, it becomes important to implement, enforce, coordinate and integrate values and ethics into public service. However, in contemporary times people have been actively participating in the process of governance and have heavily emphasised on the need for inculcating ethical behaviour. As the public life is declining, the common man has raised concerns on the misconduct carried out in the society by

those who have to look after the public interest and resources. It is important for those in public service to be aware from an ethical and value-based perspective, as it can lead to a proper understanding between the government and the general public.

1.4 MAINTAINING INTEGRITY IN PUBLIC ADMINISTRATION

In order to maintain integrity in the public sector and especially in public administration, it is necessary to implement some of the measures in India. These measures are as follows:

Firstly, maximization of salary for public servants, especially for those at lower levels needs to be carried out as most of them are besieged by poverty. Therefore, in order to get rid of their poverty levels they indulge in bribes and other corrupt practices.

Secondly, the simplification of various government processes and procedures needs to be carried out so that the delays that occur with regard to the passing of files from one department/ministry to other goes down and thereby making the government officials more responsive to the demands of the people.

Thirdly, the need to generate public opinion against corruption is of paramount importance. When the people resist the growth of corruption then only will it decline and lead to integrity within the system and the society.

Fourthly, implementing high standards of conduct amongst those at the top in the administrative system.

By doing so, it then becomes possible to a certain extent; integrity becomes a fundamental responsibility of the administration and the government to instil in the government employees who can then cater to the rising needs of the people and the government.

Ethics and values are all-inclusive concepts on their own. For a nation like India, the emphasis on morals, norms and ethics is an integral part of our life and tradition. However, with the growing corruption and various administrative malpractices, many of the rules and regulations that have been implemented by the government are not that effective as many of these reforms are not all-inclusive by nature. Any reforms that need to be implemented in the administrative sector need to be all-inclusive as they need to concentrate on nature, dimensions, concerns of ethics. Also, importance should also be given to the obstacles that one faces when it comes to adhering to the ethics and morals in the administrative sector.

1.4.1 Code of Ethics

For a government to be transparent and accountable, it is necessary to have a Code of Ethics that consists of various rules, norms and strategies and more essentially should not be influenced and manipulated by external variables. For the

Code of Ethics to be successful, there needs to be self-sufficiency i.e., no external influence. Globally, one can see importance being given to the need to implement ethical norms and values as philosophical definitions of good governance have started to sweep into the international and regional governance models. With the Code of Ethics in place, the government can assure that proper direction and advice is given when it comes to ethical conduct and administration. The Code of Ethics can consist of the following points: promotion of public interest; recognizing the rights of the people; promoting a system that is based upon the values of compassion and fairness; creating a system that aims at the prevention of mismanagement when it comes to using the public funds; protecting the Constitution; upholding truth and honesty at all times; curbing conflict of interest; promoting ethical behaviour and so forth. The presence of the Code of Ethics, in a nation like India, will only lead to the creation of model public organizations.

Promotion of work ethics is also an important aspect of the overall ethics and value system. When one is committed to the fulfilment of his responsibilities that he needs to carry out in his institution, then it can be said that an individual is sincere and dedicated. Thus, he is inclined towards the completion of his task from an ethical perspective. Work ethics also promotes efficiency in the administrative set-up. In short, work ethics promotes efficiency, productivity and punctuality and thereby leads to the creation of an administrative behaviour that is ethical by nature and is based upon a value system.

Check Your Progress

4. What is the role of ethics and values in public service?
5. What are the main points to be included in the Code of Ethics?

1.5   ANSWERS TO CHECK YOUR PROGRESS QUESTIONS

1. In a nation like India, lack of integrity is prevalent due to the following reasons. First and the foremost reason as to why there is lack of integrity in India is because it is something which we have inherited. Being a dominion of the colonial powers, those who were working under the British crown were being paid less and therefore in order to fill their purses with money, the administrative officers started to take bribe and thereby indulged in corrupt practices and in turn forsake integrity. This need to indulge in corrupt practices has been going since post-independence in India.

2. In 1947, the Prevention of Corruption Act was passed which defined the scope of corruption in relation to a civil/public servant.

3. In 1962, the Santhanam Committee on Prevention of Corruption was instituted in order to review the existing mechanisms to combat corruption and suggest various anti-corruption measures. The committee recommended

the amendment of Article 311 of the Indian Constitution and suggested the need for having Central and State Vigilance Commissions that would be autonomous in nature and would tackle corruption at the state and central levels.

4. Ethics and values play a pivotal in public service. Values serve as an important instrument of measurement in relation to the accomplishment of goals. The need to establish a proper infrastructure, institutions and framework in order to promote ethics and values is the need of the hour. However, due to the presence of problems and unethical behaviour, values and ethics can become meaningless. Therefore, it becomes important to implement, enforce, coordinate and integrate values and ethics into public service.

5. The Code of Ethics can consist of the following points: promotion of public interest; recognizing the rights of the people; promoting a system that is based upon the values of compassion and fairness; creating a system that aims at the prevention of mismanagement when it comes to using the public funds; protecting the Constitution; upholding truth and honesty at all times; curbing conflict of interest; promoting ethical behaviour and so forth.

1.6 SUMMARY

- Integrity means a choice taken by the individual wherein they are committed to the upholding of moral, ethical, transcendent and creative values and principles. In order to integrate within the society and accept the responsibilities of life and profession, one needs to have integrity in his character.

- The lack of integrity has led to the creation of corruption in the Indian administrative system. However, post-independence, the Indian government has been proactive when it comes to the implementation of various rules and regulations in order to curb corruption and thereby increase integrity among government officials.

- In 1962, the Santhanam Committee on Prevention of Corruption was instituted in order to review the existing mechanisms to combat corruption and suggest various anti-corruption measures. The committee recommended the amendment of Article 311 of the Indian Constitution and suggested the need for having Central and State Vigilance Commissions that would be autonomous in nature and would tackle corruption at the state and central levels.

- In today's rapidly developing world, the need for having good public service is of paramount importance. Public service systems such as the civil service, law and order and many other government bureaucrats act on the behalf of the government by partaking in many administrative mechanisms.

- Values enable the overall development of the public service system. When it comes to public services, values are an important aspect of the overall culture of an organization and play a pivotal role in the formation and development of the organizational behaviour.

- Ethics, on the other hand, promote a systematic way of protecting and commending perceptions of right and wrong behaviour. In a society, the ethical system originates throughout a course of time and is constantly nurtured by its environment.

- Ethics and values in a society have developed over a period of time. Apart from developing over a period of time, they are also influenced by the presence of various variables in the society/environment. The ethics and values of the administrative system have developed in the same manner.

- Integrity needs to be promoted because one cannot downplay corruption and misconduct in the system and its impact on the people. Unethical and malpractices such as bribery, fraud etc., have a negative impact on the life of an individual and in turn majorly influence the society from the financial and safety perspective.

- Ethics and values are all-inclusive concepts on their own. For a nation like India, the emphasis on morals, norms and ethics is an integral part of our life and tradition. However, with the growing corruption and various administrative malpractices, many of the rules and regulations that have been implemented by the government are not that effective as many of these reforms are not all-inclusive by nature.

- For the Code of Ethics to be successful, there needs to be self-sufficiency i.e., no external influence. Globally, one can see importance being given to the need to implement ethical norms and values as philosophical definitions of good governance have started to sweep into the international and regional governance models.

1.7 KEYWORDS

- **Integrity:** Integrity means a choice taken by the individual wherein they are committed to the upholding of moral, ethical, transcendent and creative values and principles.

- **Values:** These are the moral principles and beliefs or accepted standards of a person or social group.

- **Ethics:** Ethics is a system that is based on what is right and what is wrong i.e., morals. Ethics has a Latin point of origin and comes from the Latin word *ethicus* which means character.

1.8 SELF ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. Why has it become necessary to inculcate integrity in public administration?

2. Write a short note on the significance of integrity in public service.

3. What is the need for a Code of Ethics in public administration?

Long-Answer Questions

1. 'Values enable the overall development of the public service system.' Elucidate the statement.

2. Discuss the steps necessary to inculcate integrity, values and ethics in the public administrative system.

3. Explain the necessary measures for implementing integrity in the public administration sector.

4. How can the Code of Ethics be applied in the field of public administration?

1.9 FURTHER READINGS

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UNIT 2 INDIAN MODEL OF OMBUDSMAN: LOKPAL AND LOKAYUKTAS

Structure

2.0 INTRODUCTION

It is necessary to hold the government accountable for its actions so that democracy can grow and flourish. Even though the government is elected by the citizens yet it is ultimately in the hands of the bureaucrats who are more interested in the rule and regulations side of the governance mechanism rather than looking after the interests of the people. In order to fulfil their needs, the people have put forth their grievances against the government apparatus. In order to maintain the trust of the public, there are various grievance redressal mechanisms that aim to hear the various grievances of the individual concerned.

In a developing country such as India, the government has many functions and duties to perform at any given time period. The citizens heavily depend upon the services that are provided by the government machinery. In order to access these services that are provided by the various government agencies, majority of the population has to go through a plethora of difficulties which come in the form of rules and regulations that might be unnecessary.

Adjournment/aggravations and the unaccommodating attitude of the public servant or the government employee has created an overall negative image of the governance system. Moreover, at the same, it can be seen that the government engages in various services and functions that are beneficial for the common man. When it comes to gaining access to various public services, the common man has to face a lot of difficulties which in turn makes him dissatisfied and unhappy; as they are the ones who are in desperate need of public services but are also the

ones that are the most harassed by the government and its employees. This, in turn, is not good for the long-term health of a democratic country such as India. The common man needs an administrative machinery that is compassionate, spirited and accommodating when it comes to the needs of the people.

Corruption has become the cornerstone of the contemporary Indian society. Those who lead a life based on morals and ethics are not seen as valuable assets of the society. In the Indian society, bribes help to get approval for unethical practices. In India, the society has accepted corruption to such an extent that in order to have jobs/get their work done, one has to pay a certain sum of money. In short, corruption has taken control over every facet of the Indian society.

As per the international reports, many Indians have a first-hand experience when it comes to paying bribes or influencing the public servant in order to get one's job done. Many in order to get a job done have been involved in using a contact. According to the Transparency International's Corruption Perceptions Index report of 2012, out of 176 nations India's rank is 94. This statement in itself should act as a mirror for those whose aspire to land a job in the administrative sector.

There was a time when anybody who was involved in carrying out corrupt practices was seen as an outcast. However, today those who have money are seen as the ones who have access to power and at the same time are gatekeepers of power as well. Indirectly, corruption is given a lot of respect and behind closed doors it seen as a symbol of status and power. The rise of corruption can be linked to the poor practices associated with the governance system. The rise in exposures, scams etc., has showed an individual the reach of corruption and various other malpractices. In order to fight the rising tide of corruption there needs to be a coordinated effort amongst the citizens. Thus, it can be seen that a huge hue and cry against the prevalence of corrupt and malpractices is required.

In the year 1966, the Administrative Reforms Committee which was set-up by the then Government of India had stated when the complaint of the Indian citizen is of genuine nature, then it is the utmost duty of the Indian state to set things right. The committee also stated the need to create an institution that looks after the redressal of grievances in the democratic form of governance that is followed in India. The institution should be of such a nature that the common man should have faith and confidence in it when it comes to securing swift and reasonable justice. In order to bring down the rate of corruption, in 1967 the Administrative Reforms Commission (ARC) recommended the creation of a grievance redressal mechanism i.e., the creation of Lokpal at the centre and the Lokayukta at the state levels. In 1968, the bill was introduced in the Lok Sabha and was passed in 1969 but did not pass in the Rajya Sabha. However, under the rule of subsequent governments, attempts were made to pass the bill in the parliament in

1971,1977,1985, 1989, 1996,1998, 2001, 2005, 2008. The Lokpal bill was finally passed in 2013 as being a body of inquiry in order to deal with the accusations pertaining to corruption in the government.

With the passage of the bill, the Lokpal and the Lokayukta have worked tirelessly for the benefit of the common man and have at times prevented the misuse of public interest and trust at both the central and the state level. Both these institutions are independent which means that the politicians and bureaucrats cannot interfere in the matters of these institutions. The setting up of these two independent institutions, has now made it possible for the common man to play a prominent role in the making of laws. In order to eradicate corruption from India, it is important for these two institutions to exist for a long period of time. However, before we go into the nitty-gritty details regarding the institution of Lokpal and Lokayukta, it is important to understand the very nature of the Ombudsman of which these institutions are an integral part.

2.1 OBJECTIVES

After going through this unit, you will be able to:

- Discuss the origin of Ombudsman
- State the meaning and significance of an Ombudsman
- Explain the history of passing of the Lokyayukta Bill in India
- Identify the major objectives of the Lokpal and Lokayuktas Act, 2013

2.2 DEFINITION AND MEANING OF OMBUDSMAN

The word 'Ombudsman' is of Scandinavian origin and roughly means being an 'entrusted person' or basically a 'grievance representative'. In the term Ombudsman, the part 'man' does not say that the one who is looking after the grievances of the people needs to be a man instead it is taken from the Swedish/Norse word '*Umbodhsmadr*'. Globally, the Ombudsman community consists of more representatives as the research tells us that women are more capable of forming relations and thus looking after the grievances of the people. The Scandinavian version of the Ombudsman is the standard model. However, the very concept of Ombudsman is not a modern one. In fact, it existed in ancient times as well. In the ancient empires of India, Rome and China, the very concept of an Ombudsman existed in some form and capacity. However, we will be studying about the modern version of Ombudsman.

It was in 1809 that the Swedish government appointed an official who was given the title '*Justitieombudsman*'. The main duty of this appointed official was to look and enquire into the actions of the administrative personnel of the government. This institution was established as a reaction to the absolute power enjoyed by the state and the rise of the citizens when it came to their own individual rights. In many countries such as Ukraine the Ombudsman is known as the Ukrainian Parliament Commissioner for Human Rights; in the Republic of South Africa the institution is known as the Guardian of the People; in Poland the institution is known as Commissioner for Civil Rights Protection; in France the Ombudsman is known as the Intermediary of the French Republic; in Greece it is known as the Guardian of Citizens; in England it is the Parliamentary Commission; in Spain it is the Defender of the People.

Sweden has an interesting story when it comes to the establishment of the institution of Ombudsman. In 1767, the King of Sweden came to power and had to immediately engage in wars with Russia. It was during this time that the King of Sweden decided to create an office called the King Highest Ombudsman. The main duty of this institution was to see as to whether the administrative, judicial and military sectors of the government are carrying out their day-to-day activities regularly and also following the orders of the king. With the wars getting over, the King of Sweden finally returned back to his kingdom and the office of Ombudsman disappeared. However, it was not forgotten and stayed in the minds of the people for many decades.

In 1809, Sweden was again fighting a losing battle against Russia as the Swedish army was captured by the Russian army. The Swedish Parliament, in such dire times, brought back the institution of Ombudsman in order to settle disputes and make the decision-making process smooth. The re-initiated Ombudsman was responsible to the Swedish Parliament and had to protect the rights of the Swedish people in the absence of the King and also to protect the people from the bureaucrats who at times can be unfair and oppressive in their decisions. The first Ombudsman of Sweden was Lars Augustine Mannerheim.

Similarly, in countries such as Finland the Ombudsman was established in 1919; in Denmark the Ombudsman was established in 1953; in New Zealand the institution was established in 1962; in United Kingdom it was established in 1967; in France it was established in 1973; in Spain it was created in 1981 and lastly in the European Union it was established in 1995. A point to be noted here is that in the United States of America, the very institution of Ombudsman does not exist because of the presence of a strong judiciary. Due to the greater role of the judiciary in USA, the very idea of an Ombudsman has fascinated the Americans but it has not been implemented due to the aforementioned reason. However, there are many services that are offered in the USA which is similar to the grievance redressal mechanism initiated by the institution of Ombudsman. These services are as follows:

Internal revenue service of 1979; the Department of Education that resolves disputes pertaining to loan taken by the students; the Environmental Protection Agency (EPA) which helps in the protection of the American environmental landscape and acts as a connecting link between the industrial sector, the American common man and the government machinery.

The Ombudsman can be defined as an office that is instituted either by the Constitution of a nation or by its legislature or by the national Parliament and is headed by an independent official. This high-level public official is responsible to the legislature or to the parliament and receives complaints from the citizens concerning various government officials, agencies and employees. Based upon these complaints the appointed officials act as per their discretion investigates in relation to the concerned issue, recommends various actions and lastly issues the report. This very definition, however, is not a universal definition and thus varies from country to country.

The office of the Ombudsman is a type of a supervisory body that watches the very actions of the government, investigates and resolves the complaints of the citizens. An Ombudsman is a connecting link between the people and the government and works at resolving the citizen's complaints in an amicable and independent manner. With the rise of the institution of the Ombudsman, there has been a rise of the very same institution in the private sector as well. This new section of Ombudsman in the private sector is referred to as 'Quasi Ombudsman'. The various characteristics of the Ombudsman are as follows:

Firstly, the institution is a separate entity and is therefore autonomous when it comes to its functions.

Secondly, the institution is independent which means it is not under the control of the legislature or the executive.

Thirdly, the official in in the Ombudsman is appointed via legal procedures.

Fourthly, the official's main duty is to observe. These observations are carried out based upon the administrative expertise of the official.

Fifthly, the official is expected to be unbias, should be working with the client, should be accessible and visible and lastly, has access to lot of resources in order to carry out his observations and investigations.

Check Your Progress

1. When was the institution of Ombudsman established in Finland and Denmark?
2. Why has the institution of Ombudsman not been established in the USA?
3. How is the institution of Ombudsman known in the private sector?

2.3   OMBUDSMAN IN INDIA: LOKPAL AND LOKAYUKTA

The Lokpal in India is one and the same as the Scandinavian version. The Lokpal and the Lokayukta are the Ombudsman of India. This word is derived from the Sanskrit word *lok* which means people and *pala* which means caretaker of the people. The terms 'Lokpal' and 'Lokayukta' were coined by Dr. L.M. Singhvi and will serve as the Indian version of the Ombudsman when it comes to grievance redressal mechanism. The approval of the Lokpal bill by the Indian Parliament showcases the resolve of the government and the people in dealing with corruption by creating an anti-corruption framework. Another important aspect of the bill is that the present-day bill has come into existence via the hardships faced by the stakeholders. These bills have been widely discussed and have also created a lot of awareness among the people when it comes to tackling corruption. The features of the bill are as follows:

Firstly, both the institutions of Lokpal and Lokayukta will create an environment of vigilance and anti-corruption in the nation at both the central and state levels.

Secondly, the Lokpal will consist of a Chairperson and a maximum strength of eight members. Half of these members will consist of individuals who come from a judicial background and while the other half will comprise individuals from SC, ST, OBC, minorities and women.

Thirdly, the Chairperson and the members of the Lokpal will be selected by a selection committee that consists of the Prime Minister of India, the Speaker of the Lok Sabha, Leader of the Opposition in the Lok Sabha, Chief Justice of India/sitting Supreme Court Judge nominated by the CJI, eminent jurists nominated by the President of India.

Fourthly, when it comes to the selection of the member for the Indian Ombudsman institutions, the selection committee will be assisted by a search committee. Half of the search committee's members will come from SC, ST, OBC, minorities and women.

Fifth, offences investigated by the Lokpal will be as per the Prevention of Corruption Act, 1988. The Lokpal has the authority to investigate the following eminent and powerful dignitaries such as the Prime Minister who has left office, current and former Union Ministers, current and former Members of Parliament, group 'A' officers and above, persons having equivalent ranks in the Public Sector Undertakings and various other government bodies and lastly those officers in the

organization whose annual income is above a specified amount and receive funds from the government or from the public.

Sixth, the Prime Minister of India is under the purview of the Lokpal. However, the jurisdiction related to the Prime Minister's decisions on issues pertaining to national security, foreign affairs and public order will not be included into the allegations that involve the Prime Minister (PM). Thus, it can be said that the PM will enjoy powers in relation to issues pertaining to national security, public order and so forth. Also, an important point to note here is that the offices of the President, Vice President, Speaker, Deputy Speaker, Deputy Chairman of Rajya Sabha, sitting judges of the Supreme Court and High Court, CAG, Election Commission, UPSC etc., are not answerable to the institution of the Lokpal and their acts will also not be questioned.

Seventh, under the jurisdiction of the Lokpal all categories of public servants including Group 'A', 'B', 'C' & 'D' government officers and employees will be covered. When it comes to Group 'A' and 'B' government officers and employees, the Lokpal works in tandem with the CVC. However, in the case of Group 'C' and 'D' officers and employees of the government, the CVC will work independently while at the same time, it will be in constant touch of the Lokpal.

Eight, all those who receive in excess of Rs. 10 lakh per year in the form of donations from foreign sources are under the jurisdiction of the Lokpal itself.

Lastly, the Lokpal has the power of oversight and direction over any Indian investigation agencies which includes the CBI and the cases referred to them by the Lokpal. The Lokpal can also confiscate the property of public servants that is acquired through illegal means even when the prosecution of the cases against them is pending. The Lokpal consists of two wings which will be the Investigation wing and the Prosecution wing. Acting on the instruction of the bill, the central government is to set-up a special court that looks into the various cases referred to it by the Lokpal itself. The number of courts needed to hear the cases will be recommended by the Lokpal. Under the auspices of the Prevention of Corruption Act, the Lokpal will address its Investigation wing to carry out investigation in relation to the offences conducted. The Lokpal has the obligation to provide the accused with the copy of the complaint made against them and secure a hearing against them. Based upon the inquiry conducted, if the Lokpal proves that the offence was committed then it can suggest the disciplinary action to the competent authority. The Lokpal also has power to file a case in a Special Court, through its Prosecution wing, wherein then the competent authority has only 30 days to initiate the disciplinary proceeding against the accused and simultaneously inform the Lokpal that the action has been carried out. An important aspect of the bill is that

the requirement needed in order to initiate and investigation and prosecution is not needed.

The Lokpal has been established at the centre and in various states of India with the objective of addressing the grievances of the public towards the formulation and implementation of various public services. The institution of the Lokayukta has been established as per the guidelines provided by the ARC. In 1971, it was Maharashtra which became the first Indian state to create the institution of Lokayukta which was also given exclusive powers to look into the issues pertaining to ministers of state, secretaries and various other officers of the senior level. The Maharashtra model of Lokayukta has been further adopted by various Indian states.

The bill also states that the time needed to carry out the preliminary enquiry is three months which can be further extended by three months, if needed. In order to carry out an investigation, six months is allocated and can further be extended by six months, if needed. In order to carry out the trails via the setting up of special courts, then one year is given which can be further extended to one more year, if needed.

Punishment is also given as per the Prevention of Corruption Act, 1988. As per the Act, maximum punishment can range from seven to ten years. The Lokpal has the authority to look into complaints pertaining to corruption. However, the Lokpal cannot look in the redressal of grievances pertaining to cases of corruption. It also does not have the power to issue any order, writ or point towards a particular in cases related to corruption. The Lokpal can only seek assistance when it comes to the assimilation of facts in relation to cases of corruption. The Lokpal also does not have any Suo moto powers even though it acts as a watchdog against corruption and various other malpractices. The Lokpal can also be removed by an order of the President of India which is based upon a report that is given by the Supreme Court to the President.

Apart from the institution of Lokpal and Lokayukta, there are various other rules and regulations that address the various grievances of the people in speedy manner. In India, a civil servant can be penalized under the Indian Penal Code, 1860 in relation to carrying out corrupt practices. Public servants can also be punished under the Prevention of Corruption Act, 1988. In order to further increase punishment among the corrupt civil servants, in 2002 the Benamidaar Prohibition Transaction Act, was implemented, which prohibits the Benami transactions. The Prevention of Money Laundering Act, 2002 further strengthens the action to be taken against public servants who are involved in the process of money laundering. In 2005, India became a signatory in the United Nations Convention Against

Corruption. In May 2011, the Indian Government ratified two UN Conventions - the United Nations Convention against Corruption (UNCAC) and the United Nations Convention against Transnational Organised Crime (UNTOC) and its three protocols.

2.3.1 The Lokpal and Lokayuktas Act, 2013

The Lokpal and Lokayuktas Act, 2013 has had a long chequered history. It took almost forty-five years to enact this important piece of legislation. The institution of Lokpal was first contemplated way back in early 1960s with the aim to rooting out corruption in public offices.

For the first time, the Bill was introduced in the Fourth Lok Sabha as the Lokpal and Lokayuktas Bill, 1968. Since then the Bill has been introduced nine times in the parliament but without any success. In view of the repeated postponement to enact this legislation, a campaign was launched by civil society organizations in 2011. They brought out their own version of the Bill titled 'The Jan Lokpal Bill'. The Government subsequently introduced a new Lokpal Bill on 4 August 2011, which was referred to the Department-related Parliamentary Standing Committee for examination on 8 August 2011. On the basis of the recommendations contained in the Committee Report, presented on 9 December 2011, the Lokpal Bill, 2011, was withdrawn and a revised Bill titled 'The Lokpal and Lokayuktas Bill, 2011' was again introduced in the Lok Sabha on 22 December 2011. On 27 December 2011, the Bill was discussed and passed by the Lok Sabha with certain amendments. The Bill as passed by the Lok Sabha came up for discussion in the Rajya Sabha on 29 December 2011, but remained inconclusive. On 21 May 2012, the Rajya Sabha referred the Bill as passed by the Lok Sabha to the Select Committee of the Rajya Sabha. The Committee presented its Report to the Rajya Sabha on 23 November 2012. The Government accepted 14 of the 16 recommendations made by the Select Committee and accordingly amended the Lokpal and Lokayuktas Bill, 2011. The amended Bill was brought for consideration in the Rajya Sabha on 13 December 2013. However, as the House was adjourned that day the Bill could be taken up for discussion only on 17 December 2013. The Bill as passed by the Rajya Sabha with certain amendments on 17 December 2012 was sent back to the Lok Sabha for further approval. The Bill as passed by the Rajya Sabha with amendments was taken up for consideration by the Lok Sabha on 18 December 2013. The Lok Sabha agreed to the amendments made by the Rajya Sabha and passed the Bill on the same day. The Bill as passed by both Houses received the President's assent on 1 January 2014 and became Act No. 1 of 2014.

The current Chairperson of Lokpal is Pinaki Chandra Ghose. He is a former Judge of the Supreme Court of India and was a sitting member of National Human Rights Commission.

Conclusion

To conclude, the very nature and function of the Ombudsman is not understood by the general public. The availability of their scope of work, documents and other information is very limited by nature. This has led to confusion amongst the civil society regarding their role and with the rise of the office of Ombudsman in private sector, the confusion has grown a lot. Even though the office of Ombudsman is open to all, most of the times these institutions are criticised as being inaccessible due to the high requirements of procedural knowledge. There are only few individuals who understand the inner workings of the Ombudsman institution. The need to understand the inner working of the Ombudsman has often led to the institution to being underutilized.. Globally, it has been observed at times that the bureaucracy has knowingly hidden the Ombudsman from the prying eyes of the individuals. Most of the times, the very institution is categorized as being non-responsive as it waits for the complaints to come to it rather going after the offenders.

The institution is also criticized for being non-effective as its effectiveness depends upon the behaviour of those who are working within the Ombudsman. The growth and failure of the institution depends upon the very knowledge and capabilities of the individuals working in the Ombudsman.

An important area where many people from the civil society have expressed their concerns in relation to the institution of the Ombudsman is the fact that is paper tiger i.e., it lacks the capability to go after the offenders. The annual reports that are submitted by the Ombudsman to the government are not, at times, taken into consideration when it comes to uprooting corruption from the system itself. This, in fact, makes the institution of the Ombudsman powerless. Many believe that the powers of the Ombudsman need to be strengthened and reformed.

The various grievances of citizens in relation to the administrative and government machinery need to be heard and readdressed. Public trust is reinstated in the government when the grievances of the people are addressed. Therefore, it becomes very important for a democratic set-up to have a grievance redressal system. When it comes to India, one thing that is to be noted is that since ancient times the need to have honesty and integrity in one private as well as public life has been given a lot of importance. And now one can see a total reversal in the society wherein honesty and integrity have taken the backseat. If reports are to be believed

then from a global perspective, India is one of the corrupt nations of the world. India has been ranked at the 80th position among 180 countries and territories in the Corruption Perception Index (CPI) prepared by Transparency International and released in January 2020.

The civil society in India is actively engaged in bringing the public servants and functionary under the scanner in order to hold them accountable for their actions. The implementation of the Lokpal Bill was the first and foremost way of attacking the rise tide of corruption in India.

The main reason as to why the institution of the Lokpal was created and established was to empower the citizens to rise against corruption and various malpractices that are prevalent in the society. However, in spite of implementing the Lokpal, the need to know the various procedures within the Lokpal, has made the very institution of the Lokpal a failure of sorts.

Check Your Progress

4. Who coined the terms terms 'Lokpal' and 'Lokayukta'?

5. Name the first Indian state where the institution of Lokayukta was established.

2.4 ANSWERS TO CHECK YOUR PROGRESS QUESTIONS

1. Finland in 1919 and Denmark in 1953 appointed the institution of Ombudsman within their national territories.

2. In the United States of America, the very institution of Ombudsman does not exist because of the presence of a strong judiciary. Due to the greater role of the judiciary in USA, the very idea of an Ombudsman has fascinated the Americans but it has not been implemented due to strong role of the judiciary.

3. The institution of Ombudsman in the private sector is referred to as 'Quasi Ombudsman'.

4. The terms 'Lokpal' and 'Lokayukta' were coined by Dr. L.M. Singhvi and will serve as the Indian version of the Ombudsman when it comes to grievance redressal mechanism.

5. In 1971, Maharashtra became the first Indian state where the institution of Lokayukta was established.

2.5 SUMMARY

- The word 'Ombudsman' is of Scandinavian origin and roughly means being an 'entrusted person' or basically a 'grievance representative'.

- It was in 1809 that the Swedish government appointed an official who was given the title '*Justitieombudsman*'. The main duty of this appointed official was to look and enquire into the actions of the administrative personnel of the government.

- Sweden has an interesting story when it comes to the establishment of the institution of Ombudsman. In 1767, the King of Sweden came to power and had to immediately engage in wars with Russia. It was during this time that the King of Sweden decided to create an office called the King Highest Ombudsman.

- An Ombudsman can be defined as an office that is instituted either by the Constitution of a nation or by its legislature or by the national Parliament and is headed by an independent official.

- The Lokpal in India is one and the same as the Scandinavian version. The Lokpal and the Lokayukta are the Ombudsman of India. This word is derived from the Sanskrit word *lok* which means people and *pala* which means caretaker of the people.

- The Lokpal has been established at the centre and in various states of India with the objective of addressing the grievances of the public towards the formulation and implementation of various public services.

- Apart from the institution of Lokpal and Lokayukta, there are various other rules and regulations that address the various grievances of the people in speedy manner. In India, a civil servant can be penalized under the Indian Penal Code, 1860 in relation to carrying out corrupt practices.

- The Lokpal and Lokayuktas Act, 2013 has had a long chequered history. It took almost forty-five years to enact this important piece of legislation. The institution of Lokpal was first contemplated way back in early 1960s with the aim to rooting out corruption in public offices.

- To conclude, the very nature and function of the Ombudsman is not understood by the general public. The availability of their scope of work, documents and other information is very limited by nature. This has led to confusion amongst the civil society regarding their role and with the rise of the office of Ombudsman in private sector, the confusion has grown a lot.

- An important area where many people from the civil society have expressed their concerns in relation to the institution of the Ombudsman is the fact that is paper tiger i.e., it lacks the capability to go after the offenders.

2.6 KEY WORDS

- **Environmental Protection Agency (EPA):** It is a United States agency designed to enforce regulations that protect the environment and natural resources.

- **Ombudsman:** It can be defined as an office that is instituted either by the Constitution of a nation or by its legislature or by the national Parliament and is headed by an independent official.

- **United Nations Convention against Corruption (UNCAC):** It is recognized as the only legally binding universal anti-corruption instrument.

- **Paper tiger:** It is an idiom and refers to a country or an organization that gives the impression that it is threatening or powerful but in reality it is not.

2.7 SELF ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. List the various characteristics of the Ombudsman.

2. Briefly mention the history of the passing of the Lokpal bill which became the Lokpal and Lokayuktas Act, 2013.

3. Mention the organizational structure of the Lokpal of India.

Long-Answer Questions

1. Describe the history of the formation of the institution of Ombudsman at the global platform.

2. Discuss the powers and functions of the Lokayukta under the Lokpal bill.

3. Do you think that the formulation of the Lokpal and Lokayuktas Act, 2013 will help to eradicate corruption from India? Give reasons for your answer.

2.8 FURTHER READINGS

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BLOCK II
ACCOUNTABILITY AND POPULAR CONTROL

UNIT 3   CONCEPT OF ACCOUNTABILITY: POPULAR CONTROL OVER ADMINISTRATION

Structure

3.0 Introduction
3.1 Objectives
3.2 Definition and Meaning of Accountability
    3.2.1 Significance of Accountability
    3.2.2 Implementation of Accountability
    3.2.3 Methods of Promoting Accountability
    3.2.4 Types of Accountability
3.3 Accountability: An International Perspective
3.4 Answers to Check Your Progress Questions
3.5 Summary
3.6 Key Words
3.7 Self Assessment Questions and Exercises
3.8 Further Readings

3.0   INTRODUCTION

The term 'accountability' means being held accountable for one's actions and the ability to report one's achievements and failures by giving proper explanation in relation to one's goals and objectives. When it comes to the public sector, the issue of accountability has gained paramount importance. This is because of the fact that when it comes to the public sector, it is largely regulated by the government. On the other hand, in the private sector the presence of market forces keeps a check on the various activities of the sector. However, this is not the case, when it comes to the public sector and therefore the need to hold accountable the government and the public sector is of paramount importance.

In a democratic set-up, the government is constituted through general elections and is therefore important for the elected government to be accountable to the people as well. The government and administrative machinery should always work together in upholding the public trust and interests of the people. In this way, they will be held accountable for the things they do and for the things they do not

do. We know that a democratic government consists of elected officials who are further helped by various civil servants who functions in the system created through a serious of rules, regulations and the implementation of various laws.

In contemporary times, the size of the government is expanding and the distance between the general public and the civil servant is also increasing. Therefore, it is becoming difficult for the government and the administrative machinery to work together towards the adoption and implementation of a particular policy. Another important point to be noted here is that most of the times various government operations are shrouded in secrecy or are well guarded by a moat of complex rules, regulations and laws. Thus, the need to be held accountable is necessary as accountability is one of the significant aspects which keeps the democracy alive. When a government is transparent about its various operations and the public servants can be held accountable for their actions, then it can be said that democracy is truly alive and is functioning at its best. When it comes to accountability, some aspects such as how to apply various checks and balances on the administrative system, how to supervise the administration when it comes to their exercise of power etc., should be taken into consideration. Therefore, it can be said that accountability involves giving answers for the actions taken and at the same time enforcing various measures in relation to the performance of the administrative machinery.

Being held accountable to the public, i.e., public accountability makes the public administrative machinery more diverse and in turn helps in the sustainable growth of democracy. This is so because accountability makes the administrative set-up in a democratic nation more open when compared to other forms of governance. For instance, in an authoritarian regime the supreme authority is not held accountable to any one while in a democratic nation, the authorities present in the public sector are held accountable to the people. In contemporary times, the concept of accountability has only grown due to the rise of the forces of liberalization, privatization and globalization. Due to enhancement of the public sector, the government has invested a lot in the growth of the public sector and has witnessed the public sector being accountable for its actions.

3.1 OBJECTIVES

After going through this unit, you will be able to:

- Define accountability
- Analyze the significance of accountability
- Discuss the various types of accountability
- Examine accountability from a global perspective

3.2 DEFINITION AND MEANING OF ACCOUNTABILITY

Accountability implies being answerable for one's actions/behaviour. The public service sector is held accountable via its fulfilment of the various duties and obligations that it has been assigned. It also includes the process by which a particular agency or a particular official is held accountable in relation to his actions. In developed and developing nations, the government is the most powerful institution as it is run by the civil servants. With the rise in government functions, the scope of bureaucracy has also grown and therefore the very system of bureaucracy has an impact on the day-to-day life of the individual. Thus, it can be said that bureaucratic accountability is of paramount importance as well.

As per various dictionaries of the English language, the term 'accountability' means 'being liable, to be called, to account, responsible for one's actions'. Accountability takes place after the accomplishing one's job/act and an individual to give an account of his actions or behaviour in relation to the fulfilment of his goals or objectives. Seen from a positive perceptive, accountability also enables one to achieve more positive results. However, this is easier said than done as those in the public service sector have tremendous responsibilities on their shoulders which they have to discharge in an efficient manner. In order for them to actively carry out their duty, a stable tenure and a well-established administrative support system has been created. However, in spite of providing various support systems to the civil servant, if they do not carry out their duties in a responsible manner, then naturally they will be held accountable for their actions. In order to remind the administrator about his responsibilities, he is often held accountable for his actions. Both accountability and responsibility are part and parcel of the life of an individual involved in the public service sector. A public servant is held accountable for the delays in executing a task. These delays can range from doing things that are against the rule of law, can cause huge damage to the system and lead to the wastage of the taxpayers hard earned money etc. In short, it is next to impossible when it comes to the implementation of accountability. This is so because of the presence of a complex decision-making process, diffused accountability and frequent transferences. When serious organizational lapses occur in the system, then the necessary enquiry is carried out in order to punish those deemed guilty. However, when it comes to punishing those who are responsible for committing various lapses in the system, it is next to impossible to pinpoint responsibility as many individuals are involved in the decision-making process and therefore the range of accountability increases. As a result, it is impossible to hold any single individual being responsible for the lapses in the system.

3.2.1 Significance of Accountability

Accountability, in today's world, has a growing significance associated with it especially from a social perspective. The government is obligated to reveal, explain

and justify its various policies and actions to the people. Therefore, it can be said that accountability is an integral part of the overall administrative machinery in a democratic form of governance. When a nation is run through a constitutional set-up, then it is very important that the various bureaucrats should be under the jurisdiction of the Constitution, which in turn is interpreted by the judiciary. Apart from being subordinate to the Constitution, it is important to note here that the bureaucratic system is also a subordinate to the people. Accountability is enforced upon the bureaucratic system on the basis of its actions and on the basis of its behaviour as to whether it complies with the various standards of ethics or not. Again, both of these two mentioned points overlap each other.

When it comes to accountability, one major concern is that how can one ensure that those who have access to power exercise the power in a responsible manner so that they be held accountable for their actions from a positive/negative/ ethical point of view. Seen from a democratic viewpoint, accountability is pretty much a no-brainer. The common man, via either state or national elections, chooses their representatives which in itself is based upon the representative's particular stand in relation to the various social, economical and political issues that plague the society. After being elected, these representatives induce the various administrative agencies and employees to carry out and implement their policies. Thus, it can be seen that both the politician and administrative employees are answerable to each other and to the general public. In today's contemporary form of administration, the relation between the policy-making and implementation is not of a stable nature. It is being seen now that administrators of today are having a lot of discretionary powers to themselves which means that on one hand, they participate in the policy-making process, and on the other hand, they implement various policies based upon their freedom of choice. With the functions of the nation-state increasing with each passing day, it is also being seen that the various agencies and employees of the government are increasingly being involved in the misuse and abuse of power. This, in turn, has led to the people and the media, also known as the fourth pillar of democracy, to increase their voice when it comes to the creation of a more transparent and accountable public administrative machinery.

According to many subject matter experts, when it comes to culpability in accountability, the notion of culpability is very narrow in order to promote the grand idea of accountability. According to them, accountability in the realm of public administration should also include as to how various agencies and their employees manage the opportunities that come from within the organization and from outside the organization. When it comes to decreasing the abuse of power in the administrative circles, accountability aims to do so via imposing various sanctions, bringing forth more transparency in the system and making the employees admit their wrongdoings.

The need to implement accountability also brings forth the right to access to information as it becomes important to release all the necessary details. The right to information also includes the ability to receive an explanation and justification

with reference to a particular issue. Thus, one can say accountability is argumentative as well as informative. In short, accountability creates a bridge amongst those who are accountable and those who carry forth the act of accounting. It creates a common platform for many parties to come together and engage in debates and discussions and in turn promotes various aspects of democracy.

3.2.2 Implementation of Accountability

When it comes to accountability, three main areas need to be taken in consideration. These are as follows: accountability for what, to whom and how to implement accountability. The first and foremost question is accountability for what? Now if you look at it just a question, then the answer would seem to be simple as well. However, that is not the case; as this is a very complex question in itself and can come into conflict with the various purposes of the public sector itself. A point to be noted here is that when it comes to the public sector, there are no clearly defined goals in order to hold them accountable. A public sector agency should be held accountable for its complete contribution. Emphasis on various aspects of the society, via the forum of public policy, causes a clash of various objectives. One thing that can be done here is to make accountability more definite by nature. But in order to do that it is important to create a good criteria of measuring performance. By doing so it would be easier to hold the public sector more accountable for its actions.

The second question is accountability to whom? This is also a serious question in itself. The common public is both varied and assorted by nature and thus holds the public sector accountable. The onus of accountability lies on the shoulders of those who are elected by the public and thus secure a seat in the legislature. The general public also expresses the need to hold its representatives and the various offices of the public accountable via the media, public meetings, seminars, demonstrations, conferences, pressure and interest groups etc.

The third and last question is how to enforce accountability? There are various channels of accountability that have been mentioned in the various documents put forth by the various agencies that are a part of the legislative set-up. Audit of the public body, preparation of annual reports, answering the critics via the use of various media, informing the public via various speeches, publications etc., are some of the ways in which accountability can be enforced.

Accountability has an important place in public administration. It increases the scope of public administration by instilling its various objectives into the realm of public administration. These objectives include firstly, accountability controls the abuse of power executed by the bureaucratic machinery. Secondly, it increases the level of assurance as it sets a series of standards that need to be followed. Thirdly, it creates a cyclic process wherein those involved are in the constant process of learning new things thus leading to improvement in governance and public management. Lastly, the concept of accountability brings forth a human

dimension to the government by giving importance to ethics, values and morals. In short, accountability bridges the gap between democracy and administration.

The need to be held accountable is of paramount importance for any government and administrative set-up and is not related to how they implement or enforce it. Accountability offers the government and the administration a measurement scale wherein those at the very top can be measured in terms of their work. Simultaneously, accountability makes it possible for everyone to see as to why they need to work within certain parameters. If this is not shown to the general public and those in the administrative set-up, then there is no use of accountability in the system. The level of accountability differs in its form, degree and varies from organization to organization.

The main areas of thrust where accountability works is as follows: promotion of an efficient working structure; achievement of specific objectives and goals; promoting pecuniary accountability; enabling coordination among various levels; fulfilling national objectives and interests; promoting decentralization of powers; ensuring that people's representatives are accountable to the people and the parliament.

3.2.3 Methods of Promoting Accountability

Accountability is a multifaceted concept which creates an environment wherein those in the administration are held responsible for their actions and thus are answerable to the people who in the first place elected them. Accountability focuses on how rules and regulations are implemented and observed within an organization; on how goals are effective and how they are achieved; evaluating as to how various goals and objectives are achieved and how various services are fulfilled etc. In order to hold a public servant accountable for his actions, there are various methods that are used to get the job done. These methods are as follows:

Firstly, the use of the Constitution and the system of voting in various elections paves the way for the establishment of a democratic form of government and enables the creation of various institutions that help in the decision-making process.

Secondly, perpetuation of various values of the society, promotion of various aspects of social justice and public interest, promotion of values that are professional by nature, conducting various training and orientation programmes.

Thirdly, the implementation of various responsive actions that promote increase in public contribution and discussion, debates, various bodies that are advisory by nature, enabling meetings amongst the various sections of the public and promoting freedom of speech.

Fourth, through the use of budgets, use of procedures pertaining to the use of financial resources, auditing, public participation etc., accountability enables the utilization of various resources in an optimum manner.

Fifth, promoting efficiency and effectiveness in the system through the use and implementation of various systems in order to inform and communicate with

the general public, setting up various objectives and guidelines that in turn help in the creation of a feedback mechanism between the public and the administration/ government.

Thus, these are the various methods and tools through which the public servant/government employee can be held accountable for his actions.

3.2.4 Types of Accountability

As mentioned before, accountability is complex in nature. Due to the complexity involved, accountability can be differentiated in the following parts:

First and foremost, there is political accountability. In a parliamentary and democratic form of government that is prevalent in India, political accountability is widely practised as those in power, i.e., the political executive, are responsible to the Indian Parliament. The executive, which is elected in a democratic manner, has to provide an account in relation to its actions in front of the Parliament in a timely manner. This is so because the Indian Parliament also has various means at its disposal by which hold the political executive is held responsible for its actions. When it comes to the bureaucracy, then it is to be noted here is that the bureaucrat is accountable to the political executive who in turn is accountable to the parliament.

After political accountability, there is the ministerial accountability. We know that in the Indian democratic set-up there are various ministries at the central and state level that look into various matters of the country. Therefore, these matters fall under the direct purview of a particular minister who in turn is responsible for the issue at hand in his personal capacity. The minister is accountable for his actions to the parliament and is accountable for the civil servant who is working under the purview of the concerned minister. The minister is held accountable for whatever goes wrong in his ministry.

Then there is financial accountability which in itself is an integral part of the overall accountability set-up. The very concept of financial accountability is based upon the fact that those spending the precious tax payer's money are to be held accountable for their actions by those involved in the process of taxation. Financial accountability is made up of those who control the ones who are entrusted with the public money. This is type of accountability is carried on behalf of the people who pay taxes on a regular basis. In order to further the scope of financial accountability, the budget is used as a tool in order to increase the financial control of the legislature.

Next is judicial accountability which, as the name suggests, is enforced by the courts themselves. Judicial accountability is also known as judicial remedies. The court delivers judicial accountability by carrying out the judicial review of acts and decisions that have been implemented by the administrative machinery. Judicial accountability is further carried out by statutory appeals and by administrative tribunals which are used by administrative authorities to exercise quasi-judicial powers in resolving disputes between the citizen and the state.

Another important type of accountability is professional accountability which works on the basis of maintaining a code of profession in order to protect the public interest. In modern times, governments are seeking the advice of various experts when it comes to various issues that plague the society and the country alike. By doing so, public interest is fulfilled and public trust is maintained.

Last but not the least, there is administrative accountability wherein the civil servant, even though he is accountable to the parliament via a minister, from an organizational perspective is accountable to his immediate superior. Through the generation of various confidential reports, the official is held accountable for his actions. His work is reviewed throughout the year in order to further enforce the idea of accountability.

Check Your Progress

1. Mention the various channels through which accountability can be enforced.
2. Name the various types of accountability.

3.3 ACCOUNTABILITY: AN INTERNATIONAL PERSPECTIVE

Thus, it can be said that in contemporary times the ever-growing democratic system has created several mechanisms to enforce accountability within the overall system of governance. Accountability is an integral part of the system of good governance as well. This is because of the fact that the very concept of good governance in itself is a concept that revolves around accountability and is therefore vital for developing nations like India. In fact, accountability is so much vital for the overall mechanism of good governance, that in order to get international loans from various organizations and institutions; it has become important to show that one's country follows the principles of accountability. When countries like India explicitly state that they are following various measures in order to hold the government and civil servant accountable for their actions; then this means that good governance is being followed and implemented here in India. This in turn leads to the promotion of good management strategies due to the implementation of vibrant economic policies.

The need to be held accountable has seeped into both the public and private sectors. Accountability has brought in importance as it ensures efficiency and enables more investments into the system and leads to increase in the production and distribution of various goods and services. The government, apart from being accountable when it comes to public services and goods, has also ensured accountability in the private sector as well by bringing forth various legislations related to the setting up of various companies and the security of these companies. Various policies related to regulatory oversight and various areas of the private sector have been implemented in India. The formulation of corporate governance

measures has made various public and private sector companies adhere to these policies and thereby lead to the implementation of accountability.

From a global perspective, accountability is necessary as it ensures that the government is responsive enough which it comes to the perspective of the people with reference to the services being provided to them by the government. This is because the public can stop accessing a particular service if it is dissatisfied by the service provided which in turn leads to a reduction in the functions of a particular agency involved and will finally lead to insecurity among the staff members. Simultaneously, accountability also increases the participation of the people in relation to various services offered to them. The rise in participation of the people has the ability to make various public agencies responsive to the demands of the general public. Accountability also leads to the decentralization of power which in turn strengthens the government bodies at the grassroots level.

Globally, accountability has been gaining a lot of momentum. Various countries have been persuading most of the international organizations such as the UN, IMF, World Bank etc., to enhance their activities when it comes to ensuring global permanency, security and development. Then there is the rise of various international and multinational companies on one hand and on the other hand there is the rise of various non-governmental organizations as well. International and multinational companies are increasing their financial activities either by lobbying or by coming up with various self-regulatory rules and regulations in order to protect their interests. Similarly, in contemporary times, there is a rise in various non-state actors who are now holding the governments of various countries accountable through their own elections, judicial systems, the institution of the Ombudsman, the media and so forth. In short, it can be said that in this growing age of globalization, the accountability gap is getting reduced due to the presence of various NGOs and due to the mushrooming of social media outlets that investigate both national and international issues. The activities of several public and private sector companies is being monitored by the media and the general public as the consumer is now being offered more information and choices about the various services that are offered to them. In fact, off lately, one can observe that the people are now wondering that all the excessive monitoring and holding everyone accountable for their actions is too much; and in fact, it needs a renewed direction and rethinking.

Conclusion

To conclude, accountability is an instrument that is used to guarantee that the innumerable businesses are steered with due repute to the benefits towards those who are concerned in the dealings of the entity. Accountability promises actions and pronouncements taken by collective representatives regarding government activities, inventiveness and responses to the various needs of the people which in turn leads to the better governance measures that aim at the overall development of the society. Accountability also means that the various decisions and actions that are taken should meet the stated objectives as well.

Accountability promotes good governance as it leads to improvement of various services and their delivery; provides a common ground for measuring the performance of the government and the civil servants; helps in the provision of enticements to achieve various targets. Simultaneously, come up with various sanctions in case there is a lapse in performance; promotes democracy as a regulator of various operations; helps in the creation of various agreements between the people, the government and the bureaucracy and others. Many nations such as New Zealand, Australia, Canada, USA etc., have in fact embraced the philosophy of accountability which in turn has led to a significant rise in the delivery of various public services. In India as well, accountability is an integral part of the public service system which is evident by the implementation of various reforms such as the Citizen's Charter, Public Service Agreement and so forth.

Accountability helps in defining the various goals of an institution, its powers, various functions and other aspects. It also helps in the development, administration and control of activities and operations. It aids in recording the various dealings that take place on a daily basis. Last but not the least, it also enables one to carry out an audit by an independent authority.

Accountability is necessary when it comes to the evaluation of the government and the public officials who are an integral part of the system in order to ensure that the concerned authority is working to its maximum potential, provides value for money, improves public trust in the government thereby boosting the overall confidence of the government etc. The bureaucratic system that is prevalent in most of the nations is, at times, inclined to carry out various decisions that will benefit it more than the general public. Thus, the need to be held accountable for one's actions is of paramount importance.

In a democratic set-up, accountability is important as it derives its lawfulness from the people themselves. Accountability is one of the core pillars of a government and mostly depends upon the political set-up of the country.

As the need for accountability rises, the need to implement it also rises due to the clashes that occur between the bureaucratic set-up and the institution that tries to instil accountability within the system. Therefore, accountability is necessary for good governance to follow and thus keep a check on the public servants.

Accountability in India works in the following manner. Firstly, there is political accountability wherein the political executive is held accountable for his actions by the Parliament of India. The Indian Parliament hold the political executive accountable in the following manner: by asking various questions in the parliamentary sessions, passing various adjournment motions, passing the vote-of-no-confidence, carrying out various discussions pertaining to various demands and so forth.

Second type of accountability is from an administrative perspective wherein the civil servant is held accountable for his actions by the political executive in India. As mentioned before, all the civil servants working in a particular ministry

are accountable to the minister. As the minister in turn is accountable to the Indian Parliament, the civil servants are also held accountable to the ministers themselves.

Accountability promotes a new form of governance that is largely based upon ethics and morals and looking after the needs of the common man. Thus, it can be inferred that the very nature of accountability is not static but is dynamic and is under constant change. Accountability promotes responsibility and thus both are interrelated to each other. It is very important for one to ensure that accountability exists in the system so that the policies are implemented by the government in a consistent manner that in turn leads to efficiency in the system. Accountability is the cornerstone of democracy. It stresses on responsibility and holds the public official accountable for his positive or negative actions or behaviours. There are many types of accountability. These range from political accountability to administrative accountability, from financial accountability to judicial accountability and others.

Check Your Progress

3. How does accountability lead to good governance?
4. How does political accountability function in India?

3.4 ANSWERS TO CHECK YOUR PROGRESS QUESTIONS

1. There are various channels of accountability that have been mentioned in the various documents put forth by the various agencies that are a part of the legislative set-up. Audit of the public body, preparation of annual reports, answering the critics via the use of various media, informing the public via various speeches, publications etc., are some of the ways in which accountability can be enforced.

2. There are various kinds of accountability. The prominent ones are the following:

   - Political accountability
   - Ministerial accountability
   - Financial accountability
   - Judicial accountability

3. Accountability is an integral part of the system of good governance. This is because of the fact that the very concept of good governance in itself is a concept that revolves around accountability and is therefore vital for developing nations like India. In fact, accountability is so much vital for the overall mechanism of good governance, that in order to get international

loans from various organizations and institutions; it has become important to show that one's country follows the principles of accountability.

4. In India the political executive is held accountable for his actions by the Indian Parliament. The Indian Parliament holds the political executive accountable in the following manner: by asking various questions in the parliamentary sessions, passing various adjournment motions, passing the vote-of-no-confidence, carrying out various discussions pertaining to various demands and so forth.

3.5 SUMMARY

- Accountability implies being answerable for one's actions/behaviour. The public service sector is held accountable via its fulfilment of the various duties and obligations that it has been assigned. It also includes the process by which a particular agency or a particular official is held accountable in relation to his actions.

- Accountability, in today's world, has a growing significance associated with it especially from a social perspective. The government is obligated to reveal, explain and justify its various policies and actions to the people.

- The need to implement accountability also brings forth the right to access to information as it becomes important to release all the necessary details. The right to information also includes the ability to receive an explanation and justification with reference to a particular issue. Thus, one can say accountability is argumentative as well as informative.

- When it comes to accountability, three main areas need to be taken in consideration. These are as follows: accountability for what, to whom and how to implement accountability. The first and foremost question is accountability for what?

- The need to be held accountable is of paramount importance for any government and administrative set-up and is not related to how they implement or enforce it. Accountability offers the government and the administration a measurement scale wherein those at the very top can be measured in terms of their work.

- Accountability is a multifaceted concept which creates an environment wherein those in the administration are held responsible for their actions and thus are answerable to the people who in the first place elected them.

- First and foremost, there is political accountability. In a parliamentary and democratic form of government that is prevalent in India, political accountability is widely practised as those in power, i.e., the political executive, are responsible to the Indian Parliament.

- Another important type of accountability is professional accountability which works on the basis of maintaining a code of profession in order to protect the public interest. In modern times, governments are seeking the advice of various experts when it comes to various issues that plague the society and the country alike. By doing so, public interest is fulfilled and public trust is maintained.

- The need to be held accountable has seeped into both the public and private sectors. Accountability has brought in importance as it ensures efficiency and enables more investments into the system and leads to increase in the production and distribution of various goods and services.

- Globally, accountability has been gaining a lot of momentum. Various countries have been persuading most of the international organizations such as the UN, IMF, World Bank etc., to enhance their activities when it comes to ensuring global permanency, security and development.

- Accountability promises actions and pronouncements taken by collective representatives regarding government activities, inventiveness and responses to the various needs of the people which in turn leads to the better governance measures that aim at the overall development of the society.

- Accountability is necessary when it comes to the evaluation of the government and the public officials who are an integral part of the system in order to ensure that the concerned authority is working to its maximum potential, provides value for money, improves public trust in the government thereby boosting the overall confidence of the government etc.

- As the need for accountability rises, the need to implement it also rises due to the clashes that occur between the bureaucratic set-up and the institution that tries to instil accountability within the system. Therefore, accountability is necessary for good governance to follow and thus keep a check on the public servants.

3.6 KEY WORDS

- **Liberalization:** It refers to lessening of government regulations and restrictions for greater participation by private entities.

- **Bureaucracy:** It is a system of government in which most of the important decisions are taken by state officials rather than by elected representatives.

- **Quasi-judicial powers:** These refer to the power vested in the commissions established by law, administrative officers, or bodies to determine the rights of those who appear before it. A quasi-judicial power has been described as the power or duty to investigate and to draw conclusions from such investigations.

- **Vote-of-no-confidence:** It is a statement or vote passed by the Opposition party in the Indian Parliament stating that the government in power no longer holds majority and has to resign from power.

3.7 SELF ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. Define accountability in your own words.
2. How does the need to implement accountability bring the right to access information?
3. Write a short note on the various kinds of accountability.

Long-Answer Questions

1. 'Accountability is an integral part of the overall administrative machinery in a democratic form of governance.' Elucidate the statement.
2. 'Accountability has an important place in public administration.' Do you agree with this statement? Give reasons for your answer.
3. Discuss the methods of promoting accountability.
4. Analyze the implications of accountability from the global perspective.

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UNIT 4   PEOPLE'S PARTICIPATION IN ADMINISTRATION: MEANING, MECHANISM AND CHALLENGES

Structure

4.0   INTRODUCTION

One can witness a common phenomenon taking place at the global platform. This phenomenon is related to the increasing involvement of the common public in the problem-solving process for global issues at hand. Democracy can only be successful when the general public is able to play an active role in the decision-making process which revolves around their issues and problems. The people's participation in the administrative set-up is of crucial importance as it very necessary for the government to be in constant touch with the people and in order to do so the people should be given ample space when it comes to their participation in the overall governing process.

With the world undergoing a developmental overhaul, a nation is seeing various venues that were unexplored earlier. Earlier many nations followed a centralized style of planning which consisted of a top-to-bottom approach which was more focused on the growth of the economy. However, we know that this type of approach might work for a short period of time but in the long run, it is next to impossible for a centralized model to work and at the same generate economic benefits for the nation and the people alike. The lacunas in the centralized model have led to the creation of a people centric development model that is also decentralized in its approach and enables participation of the people in the overall administrative process.

Decentralized form of governance includes everyone being a part of the development process. In India, we follow a decentralized form of governance wherein the power is not concentrated in the hands of the central government but is distributed between the centre, the state and the local governments. In India, there have been significant policy changes which have led to the creation of local government bodies at both at the rural and urban levels. These changes have made it possible for democracy to penetrate the lowest levels of the governance system.

4.1   OBJECTIVES

After going through this unit, you will be able to:

- Describe the meaning of people's administration
- Discuss the mechanism of functioning of people's administration
- Identify the challenges faced by people in the participatory process

4.2   DEFINITION, MEANING AND TYPES OF PEOPLE'S PARTICIPATION

Participation basically means to take part in something. From a developmental perspective, participation means the direct engagement of the people in the overall decision-making process which has a direct impact on their day-to-day lives. However, the very definition of the term 'participation' depends upon the context used and the background for which it is being applied. People participate in the decision-making process in two ways: first being passive involvement and the second active involvement. In passive involvement, people are told what to do and what not to do. People are seen as asset upon which action is thrust upon. On the other hand, there is active involvement or active participation of the people. This is also called as self-mobilization and here people participate in the decision-making process through their own initiatives to change the system. People are independently involved in the decision-making process. The decision-making process is free of any external influence. Therefore, it can be said that the very principle of participation is an integral aspect of the general public and every individual has the right to take part in the overall decision-making and development process when it comes to living in proper civil, economic, social and political conditions. Apart from passive and active forms of participation, people also participate in the process of giving material, taking part in discussions, giving encouragement, carrying out interactions and various other functions etc.

In contemporary times, people's participation is gaining importance. The very concept of participation is gaining appreciation from the general public, policy makers, political circles and other entities. Many subject experts state that the general public has this innate nature wherein they want to be involved in the decision-

making process. They also have the right to be involved as they have legal prerogatives which gives them the right to redress their grievances, gives them the right to comment on various social, political and economic issues and be kept informed about the various issues that impact their day-to-day lives. People also have this intrinsic need to participate as it brings in accountability in the system and it leads to the execution of cost-effective and efficient services.

According to various international organizations, people's participation can be further categorized in the following types: first and foremost, the need to participate arises when the general public wants to come up with efficient solutions for common problems via integrated research and development; second, the need to participate in the process to increase awareness amongst the people which leads to their independence and furthers the capacity of building system within the people; and the last one being the expression of different viewpoints in the overall participatory process.

People's participation can also be seen from various other perspectives which are as follows: the first one is that the people's participation is a process in itself as the people as involved in it. Various agencies collaborate with the people leading to the development of various participatory activities. This is means that participation in itself is made of various ways in order to achieve a desired goal/ objective under a programme. The second perspective according to many is that participation is a way to empower the people i.e., as means to an end. Participation helps the general public to acquire various skills, knowledge and experience in order to make them responsible so that their development takes place in a continuous and sustainable manner. In short, participation can be defined as one of the ways in which one gets most of the work done which leads to the development of sense of belongingness among the general public which in turn leads to the creation of self-reliance and finally enables proper management of various projects.

Check Your Progress

1. What are the two kinds of participation of people in the decision making process?

2. List two significant features of the people's participation process.

4.3 PEOPLE'S PARTICIPATION: AN INTERNATIONAL PERSPECTIVE

In recent decades, people's participation is playing an enhanced role in the governance and development of the society and the state. The need to develop is connected to people's participation in the overall decision-making process and is something that is being pursued by various international organizations like the UN and the World Bank etc. According to subject experts, development can only take place when the people participate in the process. Development is an all-

round process and needs financial and various other forms and types of resources. Out of all the much-needed resources, the human resource is the most important of them as human ingenuity is required to develop many other forms and types of resources. Just as our solar system wherein all the planets revolve around the sun, similarly in a society, the individual or the general public is at the very centre of things and all other forms of development revolve around them, the people. Thus, it can be said that the people play a pivotal role in the overall development process.

The methods of development of societies have been a heated topic of debate and discussion. As the first societies came into existence, the methods upon which the development of the society will take place is a topic of heated debate and discussion. In modern times, the society initially experimented with the 'top-to-bottom' approach and was based upon the theory of 'trickledown effect'. During the period, when such as approach was being followed, more emphasis was given on achieving a higher growth rate from the very top. Following such an approach, led to the creation of a centralized planning system wherein it was believed that higher growth will bring forth changes in the very nature and structure of the society. These changes will further trickle down to the grassroots levels which in turn will benefit each and every level. However, the results that were achieved via the use of the top-to-bottom approach and centralized planning convey a very different story.

It was seen that as time progressed, the impact of such an approach did not have the desired effect especially with reference to eradication of poverty and unemployment. Critics of the approach stated that even if higher growth is achieved, it will not lead to equal growth and will not remove the existing disparities in the society. In order to overcome the negative effects of the centralized form of planning, it was stated that the participation of the general public in the overall decision-making process was of utmost importance.

The rise of the people's participatory approach was seen as an antidote to the centralized form of approach in order to increase the scope of development. The need to include people into the participatory approach was further emphasised by various international organizations such as UN, UNDP and other bodies. Many subject experts and economists stated that various governments need to implement social welfare policies, plan their economies in such a manner that the general public is benefitted the most; and lastly take various steps to redistribute the wealth that has been generated among the general public.

This paradigm shifts wherein the focus shifted from growth-oriented approach to people centred approach has brought forth grassroots level planning that has involved every stakeholder from the very bottom to the top. Such a planning mechanism has stated that people need to be at the very centre of the development process and therefore making the process of development a people-centric process.

This kind of planning has created an environment wherein the development process is not something which the people aspire to acquire for themselves but in

fact are now a part of the overall process. The general public of today is intelligent enough to differentiate between what is right and what is wrong and cannot be treated as either passive objects or observers. In fact, the general public is an active respondent in the developmental process and holds immense power to change the nature of the developmental process.

International organizations have stated that the need for people to participate in the developmental process is of paramount importance and can be further strengthened in the following manner: increasing the level of participation among the people by spreading more information among the masses; making the people involved in the process of spreading more information amongst their fellow beings; strengthening exiting consultation programmes and implementing programmes that aim to consult with the general public furthers the level of participation among the people; including the people in joint planning and decision-making process and lastly making the local communities empowered will increasing the participatory process among the people, society and the state itself.

4.3.1 Methods to Promote People's Participation

The need to increase participation amongst the people is absolutely vital more so because of the following benefits:

Firstly, people's participation increases efficiency among the masses in relation to the utilization of existing resources. This includes both the general public and various agencies involved working in tandem with each other, when it comes achieving their individual and group objectives. Coordination among various groups also rises.

Secondly, effectiveness also increases due to the acquirement of grassroots level knowledge which is due to the rise in the people's role in the development process. With the general public participating in the overall development process, the strategy involved in the process makes the strategy more effective by causing management of the resources in an improvised manner.

Thirdly, people's participation brings forth self-reliance among the general public as they are able to find solutions to local problems and issues and hand by utilizing the local resources. Since the problems are local in nature, therefore, when the people use local resources for solving their local problems then this leads to a realization that most of the problems and issues at hand are nothing but localized in nature. This, in turn, leads to the disintegration of various psychological barriers, increases awareness among the people, inculcates self-confidence among the masses and thus, provides a proper direction to the developmental process.

Fourth, people's participation in the administrative process increases the exposure among all the sections of the society including the deprived classes.

Lastly, it promotes sustainability by utilizing local capabilities and resources which creates a sustainable process wherein issues and problems require local solutions that are long-term in nature.

4.4 PEOPLE'S PARTICIPATION IN INDIA

In a democratic nation such as India, the people's participation in the decision-making process is not something we have acquired recently but it has existed with us since ancient times. In our nation, we have a rich and long history of local governance. The very concept of a village being a self-sufficient unit at the grassroots levels is an integral part of the ancient Indian administrative set-up. In ancient India, at some point of time there existed massive empires throughout the length and breadth of the Indian subcontinent. These empires were divided into smaller provinces and districts in order to carry out proper administrative measures. Simultaneously, apart from these massive empires there also existed small kingdoms which had their own administrative measures. The administration at the provincial levels for these massive empires were of elaborate nature and the administrators of these provinces served as a connecting link between the main government body and the provinces themselves. The provinces were further divided into smaller districts which had their own form of administrative measures.

An important aspect of the administrative set-up in ancient times was the existence of village administration in these massive empires. The village has been the backbone of the Indian administrative set-up since ancient times. The village administration in those times were carried out under the leadership of a 'gramani' which is mentioned in many Vedic literatures as well. The primary duty of the village headman was to look after the protection of the overall village and at the same time collect revenue and taxes on behalf of the central government. The headman of the villages was assisted by a council of people who were from the village itself. In southern India, under the able leadership of the Chola Empire, the village administrative set-up was very much similar to modern democracy. These institutions served as a common ground wherein the people from the villages came together and solved their issues and disputes in an amicable manner. An important point to note here is that in those times, most of the laws were implemented and executed through verbal communication and were not codified as well. Despite this there, clearly, existed a bottom-to-top approach as well. These institutions existed in order to maintain law and order at the grassroots level to create a stable base for the overall society to grow and prosper through the use of local resources. These institutions fostered people's participation in the decision-making process and used the local talent and resources to look after the various affairs of the village. These institutions were not that dependent upon external units and in turn promoted local governance via involving the people to participate in the decision-making process in a democratic manner. The presence of various democratic institutions in ancient Indian empires clearly proves that people's participation was an important part of the daily lives of the ancient Indian folk and clearly, they were following a bottom-to-top approach even in those days.

In the modern-day democratic India, people's participation has been an integral part of the administrative set-up. The very first steps were taken in the

year 1952 when a Community Development Programme was created in order to enable the people to participate in the development process. The programme was created in such a manner that the people living in the villages plan and implement the various aspects of the programme to help in the development process and that the technical knowhow and financial assistance is provided by the government itself. In spite of being a programme with good intentions, the programme is said to have failed as the government did not show any interest in such programmes and that pathetic state bureaucracy only increased the percentage of failure. Another reason as to why the programme failed was due to the fact that at that time, the nation was more focussed on a top-to-bottom approach through the implementation of centralized planning. The need to decentralize the system had taken a backseat. This happened at such a time when the newly formed Indian government, in a post-partition environment, had stated and accepted in the Indian Constitution that the Panchayati Raj Institutions were self-governing units in the villages which in turn were based upon the historical presence of such institutions through the Indian villages in ancient times.

As per Article 40 of the Indian Constitution, one of the Direct Principles of State Policy is to take steps in order to create and organize village panchayats and provide them with powers and authority for them to functions as self-governing units. However, being part of the Directive Principles of the State Policy, priority was given to a decentralized system wherein the Panchayati Raj Institutions acted as self-governing units at the grassroots level for many decades.

However, in spite a laid-back nature shown by the Indian government and bureaucratic structure, there are many instances wherein the need to create a decentralized system of governance and thus enable people's participation was already taking place throughout the Indian political landscape. In the year 1957, the Balwant Mehta Committee was set-up with the objective of examining various problems and issues with reference to the implementation of the Panchayati Raj Institutions throughout the country. Similarly, in the year 1977 the Ashok Mehta Committee was established and was given the task of coming up with various measures related to the Panchayati Raj Institutions (PRIs). In the year 1984, the C.H. Hanumantha Rao Committee was established with the objective of coming up with a proper procedural set-up related to planning of the administrative set-up at the district level. Then in the year 1985, the G.V.K. Rao Committee was set-up with the purpose of studying various administrative aspects related to the implementation of various development programmes for the rural parts of India and various schemes and programmes related to the alleviation of poverty in India. Later on, in the year 1987 the Sanghvi Committee was constituted which had to primarily look after the working of the PRIs and create new mechanisms for the creation of Gram Panchayats. It was in the year 1992, the 73rd and the 74th Constitutional Amendment was brought forth which made it a Constitutional responsibility for creating and setting up Panchayats in the rural areas and Urban Local Governance Bodies in urban areas of the Indian state.

After gaining independence in 1947, the newly formed Indian government initially went forward with the centralized system of governance and planning as it was still under the colonial hangover and also wanted to have good relations with the developed nations. Therefore, the period from 1950s to 1980s saw dominance of the centralized system of planning on a global level. Even though on paper, the Indian government stated it followed the decentralized system of planning, yet the ground reality was that India had borrowed and implemented the concept of centralized planning with a top-to-bottom approach with more emphasis being given to the improvement of GDP.

However, it is a universal fact that the only thing that is constant is change itself. In the case of centralized planning system, a change occurred as the approach did not fare for long among the masses both in India and the world. With a plethora of issues such as poverty, illiteracy, hunger, unemployment etc., the Indian government finally renounced centralized planning and introduced people's participation in the system to bring forth overall development of the society and the state. The emphasis had shifted from the boring 'top-to-bottom' approach to the very dynamic 'bottom-to-top' approach wherein there was decentralization of power. This means that the power that earlier concentrated in the hands of the central government was divided between the central, the state and the local government units as well. The decentralization of power has enabled the people to participate and make their own contribution to the development process.

The 73rd amendment is a breakthrough moment in the area pertaining to governing rural India and covers various areas ranging from agriculture, reforms relevant to land, small scale industries, drinking water, poverty alleviation, education and other areas. Similarly, the 74th amendment also empower the local bodies in urban areas to look after the issues pertaining to urban India. In short, the presence of local body institutions identifies the importance of people's participation in the governance process and it begins from the grassroots level.

Power in democracy is derived from the people and is used on their behalf. The ability to access this power is very much important for the overall development and empowerment of the state and society. Therefore, in order to carry out the governance mechanism, empowerment of the people is of paramount importance. The only way in which the general public can be empowered is through gaining access to the sphere of governance. Before the implementation of the 73rd and the 74th amendments, the general public was excluded from the development process and the result was a rise in inefficiency and costs when it came to delivering various services to the public. With the implementation of the 73rd and the 74th amendments, a policy change was seen and the centralized approach was replaced by the decentralized system of planning wherein emphasis was more on people's participation.

4.4.1 Methods of Initiating People's Participation

People's participation in the democratic process consists of many methods. These methods define the very term and nature of participation of the people in the process. These methods are many but the most important ones are as follows:

The first and foremost method by which the people participate in the democratic process is through the use of voice. In simple terms, it means the expression of one's opinions, ideas, emotions and issues at hand. The general public has the right to seek information and also gain access to various procedures when it comes to lodging their complaints and handling their grievances through various mechanisms put in place by the concerned authority. People also have the right to make their voice heard through the system of courts, various forums, local government bodies, tribunals, media etc.

The second way in which people are able to participate is through exercising their choice during the time when elections take place. If the general public is dissatisfied with their representatives then they can throw them out of power. Similarly, they can also form various organizations or join various local bodies.

Representation is another way in which the people participate in the decision-making process. Representation relates to getting representation of all sections of the society in the government on one hand while on the other, representation can also be bureaucratic in nature wherein the civil servants represent different sections of the society. Representation leads to the creation of a proper channel wherein voices and choices of the general public are channelized properly.

Last but not the least, information regarding various services, rules, rights, etc., enable the general public to make the right choice and voice their opinions and problems in a proper manner.

Other ways in which the participation of the people can be further increased is as follows:

The ability to recall is an important democratic tool that increases the participation of the people in the overall process. The system recall gives the general public the power to remove their elected official prematurely, i.e., removing them before their prescribed term is over. This is done when the elected representative is unable to represent the will of the general public. An important aspect of the recall device is that it enables the people to hold their elected officials accountable for their actions.

Next, is the use of pressure groups. Pressure group is a group of individuals who come together in order to promote their common interests. These groups are also called interest/vested groups. These groups exert tremendous pressure upon the administrative machinery to promote their goals and objectives. They have tremendous influence over the policy-making and policy-implementation bodies/ agencies as well. They use various methods such as propaganda, public debates etc. They also have the ability to resort to violence and the use of violent methods in order to get their demands across the table.

The third one is through the advisory committees. These committees act a connecting link between the administrative machinery and the general public. They are an integral part of the administrative system.

In spite of an increase in the level of people participation in the overall decision-making process, it does not mean that democracy is working at its fullest in a successful manner. In fact, there are many challenges that the people's participatory process confronts and those challenges are as follows:

People's participation is sometimes a costly and time-consuming affair because of which it is sometimes seen as an inefficient process.

The existence of a knowledge gap between the general public and the civil servants with reference to the complex decision-making process which is mostly technical in nature.

Apart from a knowledge gap, there is, apparently, a cultural gap as well between the civil servants and the general public as the civil servants might lack the necessary experience when it comes to organizing an effective people' participation initiative.

Lack of alignment between the government agencies and the general public which means that most of the time the general public expects quick decisions to be taken in relation to their problems and issues at hand but various governmental agencies take a lot time by going through unnecessary and complicated procedures and regulations.

People also do not participate in the participatory approach due to their lower economic status. People also do not want to participate due to the belief that a single person has less impact when compared to the influence exerted by a collective group. Polarization of group discussions by one or few other members, lack of confidence in order to be effective and due to limited time and money, lack of resources, cynicism shown by various sections of the public, mistrust in the planning process, variety of public obligations, lack of understanding, hard to reach population sectors, communities with different language preferences, minority communities, low-income communities etc., are some of the other challenges that prevent the people from being a part of the participatory process.

Conclusion

To conclude, participation means, in a literal sense, being part of some activity of interest. By being a part of an activity of interest an individual or a group of individuals who have a common objective/goal can influence the policy-making and policy-implementation process. From a development perspective, participation is important for a community to develop through the use of information that is locally sourced and by involving the local public in all the stages of the planning process. India has a rich history when it comes to the establishment of self-governing units at the grassroots levels. The Panchayat system has been an integral part of the village development process since ancient times and were tasked with the overall protection

and development of the village. In the past, these institutions worked perfectly when it came to governance of the village but nowadays their work has been cut short as now, they are mostly concerned with the development of the village only.

In contemporary times, the 73rd and the 74th amendment in the Indian Constitution have provided for the creation of self-governing units at both rural and urban centres in India. These institutions have increased the level of people's participation in the development process by giving reservations to all sections of the society. Apart from the 73rd and the 74th amendments, following a decentralized planning approach has further increased the scope of development in India as a decentralized system of planning increases the level of people's participation in the decision-making process. In developing nations like India, the use of a decentralized planning system has ensured that that general public has unbiased circulation of expansion.

Check Your Progress

3. What are the ways of strengthening people's participation in the development process?

4. What was the primary duty of the village headman in ancient India?

5. In which year was the Balwant Mehta Committee set-up? What was its main objective?

6. What was the main objective behind the implementation 73rd and the 74th Constitutional Amendment?

4.5 ANSWERS TO CHECK YOUR PROGRESS QUESTIONS

1. Basically, there is passive participation and active participation of people in the decision-making process.

2. Two significant features of the people's participation process are the following:

   (i) The people's participation is a process in itself as the people as involved in it. Various agencies collaborate with the people leading to the development of various participatory activities. This is means that participation in itself is made of various ways in order to achieve a desired goal/objective under a programme.

   (ii) Participation is a way to empower the people i.e., as means to an end. Participation helps the general public to acquire various skills, knowledge and experience in order to make them responsible so that their development takes place in a continuous and sustainable manner.

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3. It is extremely vital for people to participate in the development process. And it can be further strengthened in the following manner: increasing the level of participation among the people by spreading more information among the masses; making the people involved in the process of spreading more information amongst their fellow beings; strengthening exiting consultation programmes and implementing programmes that aim to consult with the general public furthers the level of participation among the people; including the people in joint planning and decision-making process and lastly making the local communities empowered will increasing the participatory process among the people, society and the state itself.

4. The primary duty of the village headman in ancient India was to look after the protection of the overall village and at the same time collect revenue and taxes on behalf of the central government.

5. In the year 1957, the Balwant Mehta Committee was set-up with the objective of examining various problems and issues with reference to the implementation of the Panchayati Raj institutions throughout the country.

6. It was in the year 1992, the 73rd and the 74th Constitutional Amendment was brought forth which made it a Constitutional responsibility for creating and setting up Panchayats in the rural areas and Urban Local Governance Bodies in urban areas of the Indian state.

4.6   SUMMARY

- Participation basically means to take part in something. From a developmental perspective, participation means the direct engagement of the people in the overall decision-making process which has a direct impact on their day-to-day lives.

- In contemporary times, people's participation is gaining importance. The very concept of participation is gaining appreciation from the general public, policy makers, political circles and other entities.

- In recent decades, people's participation is playing an enhanced role in the governance and development of the society and the state. The need to develop is connected to people's participation in the overall decision-making process and is something that is being pursued by various international organizations like the UN and the World Bank etc.

- The methods of development of societies have been a heated topic of debate and discussion. As the first societies came into existence, the methods upon which the development of the society will take place is a topic of heated debate and discussion.

- This paradigm shifts wherein the focus shifted from growth-oriented approach to people centred approach has brought forth grassroots level planning that has involved every stakeholder from the very bottom to the top.

- People's participation brings forth self-reliance among the general public as they are able to find solutions to local problems and issues and hand by utilizing the local resources.

- An important aspect of the administrative set-up in ancient times was the existence of village administration in these massive empires. The village has been the backbone of the Indian administrative set-up since ancient times.

- In the modern-day democratic India, people's participation has been an integral part of the administrative set-up. The very first steps were taken in the year 1952 when a Community Development Programme was created in order to enable the people to participate in the development process.

- As per Article 40 of the Indian Constitution, one of the Direct Principles of State Policy is to take steps in order to create and organize village panchayats and provide them with powers and authority for them to functions as self-governing units.

- After gaining independence in 1947, the newly formed Indian government initially went forward with the centralized system of governance and planning as it was still under the colonial hangover and also wanted to have good relations with the developed nations.

- People's participation in the democratic process consists of many methods. These methods define the very term and nature of participation of the people in the process.

- The ability to recall is an important democratic tool that increases the participation of the people in the overall process. The system recall gives the general public the power to remove their elected official prematurely, i.e., removing them before their prescribed term is over.

- People also do not participate in the participatory approach due to their lower economic status. People also do not want to participate due to the belief that a single person has less impact when compared to the influence exerted by a collective group.

- In developing nations like India, the use of a decentralized planning system has ensured that that general public has unbiased circulation of expansion.

4.7 KEY WORDS

- **Community Development Programme:** This was launched in 1952 and has been recognized as the largest social development programme launched by the government of India.

- **GDP:** It is the final value of the goods and services produced within the geographic boundaries of a country during a specified period of time, normally a year. GDP growth rate is an important indicator of the economic performance of a country.

- **Pressure group:** It is a group of individuals who come together in order to promote their common interests. These groups are also called interest/vested groups.

4.8 SELF ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. Define centralized planning.

2. Write a short note on people's participation in India.

3. What is the significance of advisory committee and pressure groups in people's participation?

4. What are the challenges that prevent people from being a part of the participatory process?

Long-Answer Questions

1. Analyze the significance of people's participation in modern times.

2. How has people's participation enhanced the governance system across the world?

3. Discuss the methods to promote people's participation.

4.9 FURTHER READINGS

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UNIT 5   ROLE OF CIVIL SOCIETY AND SOCIAL AUDIT

Structure

5.0   INTRODUCTION

The very concept of 'state' is an integral part of the subject of political science and at the same time is very important in the day-to-day life an individual. No discussion is complete in contemporary times without talking or referring to the very nature of the state. The state is the thread that links the life of every individual and connects every part of the life of the general public. It is because of this dynamic nature of the state that the very term has been an integral part of every discussion whether political or not. In order to understand the very nature of the civil society, it is very important to comprehend the very nature of the state as well.

The state as a term is said to have come forth in the writings of many western philosophers in the early part of the 16th century. The state being a political body became important in the later years to come. The state comprises people, a unified structure between the legal and political authorities and aims to control the external and internal linkages between the society and the world. Thus, it can be said that a state is very intricate and complex by nature as it consists of institutions that make and implement laws and simultaneously its very existence. It is through these institutions that the state exercises its powers. Seen from the perspective of governance, the system of governance within a state is known as its political system and consists of institutions such as political parties, interest groups, labour unions, religious institutions, industries and many more. These institutions at times try to influence the very nature of the state in order to suit their own needs. Therefore, it can be stated that the state is a creation that has its foundations in the society itself and has come into existence due to the needs that arise in the society itself.

In today's contemporary times, many subject experts, for the sake of not confusing people, have stated that the society is civil society and civil society is

society is itself. However, when one goes in-depth into the very concept of civil society; it is to be noted that the term 'society' is very common by nature while the term 'civil society' is very different and is related to a precise society, that is, there in a specific time period and is based upon a certain situation at hand. 'Society' is a total of the various social associations that exist within a society. While on the other hand, 'civil society' is based upon the issues related to the common man/ general public and these issues include various rights that are political, social and civil by nature; promotion of the rule of law; creating various institutions that represent sections of the society and lastly create an environment that promote pluralism. Civil society is made up of all the entities that are an integral part of the society itself. Civil society is also made up of the 'public sphere'. A public sphere is an important part of social life wherein the various members of the general public can come together and discuss the problems that have an impact on the daily life of the individual and thereby come to a common conclusion via a common solution. These discussions at the end of the day influence the political action of the state itself. The discussions that impact the political, social, civil etc., areas of the society are known as 'Public Debates'. Civil society also includes the modern democratic state which in itself consists of an open economy that promotes linkage between various sections a particular society and between various societies as well. Civil society promotes an environment wherein individuals come together and work with each other to fulfil their own interests leading to the strengthening of the society. Subject matter experts state that the institution of the civil society came into existence due to the need of being independent from the direction that was being provided by the state via its various institutions. Initially, the civil society was oriented towards the market forces and later on, with the progress of time, the institution of civil society became progressive by nature and thus, became an integral part of the democratic process.

5.1 OBJECTIVES

After going through this unit, you will be able to:

- Examine the role of civil society
- State the objectives of social audit
- List the benefits of social audit
- Discuss the functioning of social audit

5.2 DEFINITION AND ROLE OF CIVIL SOCIETY

The term 'civil society' emerged somewhere before 1850 as an important concept in Western political thought. Before that, civil society was seen as a synonym of the nation-state. A civil society member is also a citizen of the state and under obligation to act as per the rules, regulations and laws of the land. Initially, the civil

society was under the grip of the nation-state but with the passage of time, the very nature of the civil society became liberalized and was seen as a deterrent against absolutism.

The concept of civil society was introduced in western philosophy through the translation of the Greek term *politike koinonia* which meant having a political community that is also of ethical nature and consists of citizens who are free and equal and are ruled by a legal system that is well-defined in terms of procedures and values. The Greek term was devised by Aristotle himself. In contemporary times, the term 'civil society' encompasses various different organizations that are under the legal jurisdiction the public law system and is therefore, an important part of the democratic set-up as well.

Both the state and the society are different from each other as the state exists within a society itself. Society is made of relationships which are also pluralistic in nature and are aimed at creating association among the individuals. As a society comes into existence, it creates a hierarchy within itself that is made up of various social practices which lead to the creation of a community within a society and thus, leads to the creation of various equations of power amongst various individuals within a society. The state provides stability to the society by providing acceptability to the various relationships that exist within a society through the creation and implementation of rules and regulations that are legal in nature. In short, it can be stated that the state is an institution that consists of power which is codified in nature that is created through the social establishment which goes on for a period of time.

Civil society, on the other hand, is an institution that keeps control on the powers of the state. It promotes political accountability through the creation of the Constitution, rules, regulations etc. It also empowers the people to be politically active which in turn enables the people to come together in a common place and thus, partake in various debates and discussions that are not under the control of the state.

The state is at the core of the all the political activities that take place within a society and has been, throughout the ages, defined by different subject experts from a western perspective. For many political experts, the state was seen as an institution that came into existence through the use of coercive forces; while for some, the state is seen as an institution that exists to protect the rights of the people. There are many who wish the total annihilation of the state as an institution while there are some who wish for the state to adopt and adhere to an ideology/political belief. In spite of the varied shades that exist in accordance to the beliefs and notions of the subject matter experts, the fact is that the very institution of the state occupies an importance place in theory as well as in the practicality of life itself.

The concept of the civil society came into existence due to the intellectual prowess that prevailed in the western society and thought. As the western society evolved through the decades, the concept of civil society has also evolved

simultaneously. With the emergence of an authority that aims at the promotion and implementation of secularism throughout the society, the very concept of civil society has grown and has embraced the world.

The relationship between state and civil society is of paramount importance as both are dependent upon each other for their survival. However, an important point that should be noted here is that the relationship between the two is disproportionate by nature which means that the stronger the state is the weaker the civil society and stronger the civil society the weaker the state is. This in turn means that the relation between the state and the civil society is consolidative by nature. Both the state and the civil society are connected through the common link of democracy. The two work in tandem with each other to create a system that works in an effective manner. In a democratic form of governance, the state has been decentralized and does not interfere in the lives of the people while the civil society is very inclusive and differentiated and branched out.

Therefore, it can be said that the state is not just a mere political institution. In fact, it is a community in itself. It is an important part of the civil society and is made up of various activities that are complex in nature wherein ruling elite is of dominant nature and is always trying very hard in order to maintain public trust. It is made up of various institutions and practices that are of varied nature and in turn derive their power from civil society itself.

Civil society, on the other hand, consists of various values and institutions that aim at the upliftment of the general public. Civil society enables in creating the public sphere wherein the people can come together and discuss the problems afflicting them. Hence, they can come up with a common solution for all their issues and problems.

The twin concepts of state and civil society have evolved simultaneously. They have evolved independently and at the same time have influenced each other. With the rise of globalization, the concept of state and civil society has grown further closer to each other. The state and civil society has come closer in contemporary times and the two cannot exist without each other. Both come together and form a consolidative relationship wherein both strengthen each other.

Check Your Progress

1. Who devised the Greek term *politike koinonia*?
2. Define the term 'state'.

5.3 SOCIAL AUDIT: DEFINITION

Social audit is a process through which the nitty-gritty details of a particular project are looked into and scrutinized. Through a social audit, one can measure, understand, report and improve an organizations performance both socially and

ethically. Social audit enables the sharing of details of various resources used by an organization/institution for development purposes through a public platform. It promotes in-depth analysis and scrutiny with the public being involved in each and every step of the process.

The very nature of social audit is open to interpretations. From a common perspective, social audit can be said as being an assessment process that looks into the inner workings of an organization/institution when it comes to the fulfilment of various obligations that are necessary to be carried out in a society. Many also see social audit as methodical and wide-ranging machinery to be used in order to evaluate the social performance of an organization which is related to the welfare of the society and the individual.

The need to carry out social audit arises due to various reasons. An organization/institution aims at fulfilment of its financial goals. In order to ride the wave of competition, the organization/institution causes several disorders in the society and the environment. But, if we focus on the larger picture, an organization/institution cannot cause social and political disorder for a long period of time. Therefore, it becomes very important that the larger interests of the society be maintained which can only be done through some contemplation in this direction.

An organization/institution is expected to function as a socially accountable member of the society.

Organizations and institutions are expected to function in a manner which makes them accountable to the society. There is also the need to be held accountable for the actions that have been committed by the organization/institution. Nowadays, a business is set-up in order to properly utilize the resources with the objective to maximize the benefits to the people and the society. Profit is important but it should not be the only driving force for conducting business. The organization/institution should function in such a manner that it is able to contribute to the growth and development of the society as well.

The upliftment of the society is necessary as the community believes that whatever returns an organization/institution gets, it should be equally distributed among all the members of the society. Being a socially responsible organization/institution helps create an image that promotes public trust and positivity.

5.3.1 Scope and Benefits of Social Audit

Social audit covers the following areas:

- First and foremost, social audit covers various issues that are ethical in nature. Social audit creates a platform wherein it is easy to differentiate between right and wrong.
- Second reason being that social audit promotes the implementation of equal opportunity in the society. Social audit promotes employment on the basis of merit and ability rather than on the basis of reservations.

- Third one is that social audit promotes in the creation of quality work life. Social audit aims at the creation of a work environment that is safe and healthy for an individual and has humane standards to it. It also promotes growth, freedom, flexibility, being rewarded in a fair manner and the implementation of various assistance programmes for the employees within an organization/institution.

- Last one being, that social audit promotes protection of the natural environment as well which is a growing demand in the contemporary scenario.

- Social audit in India was looked into in the year 1979 and gained further momentum after the 73rd amendment. The 9th Five Year Plan promoted the idea of social audit being important for the proper functioning of the local governmental bodies such as Panchayati Raj, Gram Sabha's and other local bodies. The National Rural Employment Act, 2005 enabled regular social audits to take place in order to promote transparency and accountability on one hand and on the other enabled the State governments to set-up an independent organization called Social Audit Unit which was given the objective of carrying out social audit at the local level. In India, currently Andhra Pradesh, Jharkhand and Chhattisgarh are known for carrying out various social audit programmes.

- In a democratic country such as India, social audit is of paramount importance as there is growing awareness amongst the people who demand the government to be more accountable and be more responsible to the society. The society in which we live is highly influenced by the government's decision-making process and the society is increasing its access to Right to Information. Various organizations and institutions that are a part of the civil society are also partaking in the 'social audit' process in order to monitor and verify the claims made by several organizations and institutions when it comes to their performance in the society. Various departments and ministries in the government, public and private organizations and institutions are undertaking various social audits in order to monitor and verify the mainstream process and the gaps that emerge when it comes to the implementation of equivalence and impartiality.

Social audit is important in India because of the following reasons:

- First and foremost reason is that the very process of social audit enables an individual to understand the inner workings of the administrative system that is prevalent within the country.

- Second reason is that social audit is a process of independently evaluating the performance of the organization or the institution when it comes to the fulfilment of its social goals.

- Third reason is that social audit promotes accountability towards the larger society/community within the organization.

- Fourth one being that social audit gives the organization an opportunity to give back to the society, economy and the environment.

- Fifth one is that social audit provides a unit of measurement wherein one can see as to whether the organization is living up to its morals and values.

- Last but not the least; social audit helps the stakeholder by providing them with timely data and accurate information.

- Most of the time, social audit is seen as another form of audit when clearly it is not the case. Most of the various forms of audits are not that comprehensive as social audit and this in tun increases its scope of work.

Social audit aims at measuring, understanding and improving the social performance levels of the organization or the institution. It is an internal process that is generated within the four walls of an organization and revolves around its goals and objectives. On the other hand, other forms of audit either look into the improvisation of the financial or the policy aspect of the institution. Social audit is non-financial in nature and therefore as the name suggests looks into the performance of the organization by taking into consideration its goals and objectives and its contribution to the overall community in terms of benefits and other forms of assistance. Social audit also helps in the creation of social wealth. Social wealth is wealth created on the basis of your interaction with the social world. When a government or the organization/institution partakes in the creation of social wealth, then it creates an image for itself which in turn improves its legitimacy and helps in the creation of public trust in the organization/state/institution.

Social audit is based upon various principles. These principles are as follows:

(i) The first and the foremost principle is that social audit is all encompassing which makes it possible to see things from a varied viewpoint.

(ii) It has an all-inclusive nature to it.

(iii) It encourages more involvement in the process.

(iv) It gives multidirectional feedbacks.

(v) Last but not the least, other principles upon which the very concept of social audit is based is that it takes place on a regular basis. Social audit promotes comparativeness which is more situation based; cuts back on the vested interests that might be present within the organization/institution and lastly; the very process of social audit puts forth the reports in front of the public so that a transparent system gets created.

Hence, these are the pillars which constitute the foundation of the institution of social audit. Social audit promotes engagement between the society and the state/institution; creates a transparent environment; promotes communication of information throughout every level of the society; makes those involved in the

decision-making process more accountable. In short, it can be stated that social audit enables the promotion and implementation of democracy and increases people's participation in the decision-making process.

For a democratic country such as India, social audit is an important tool as it provides the necessary inputs when it comes to correctly assessing the impact of various activities of the government on the lives of the people. It creates assessments for the costs involved and the benefits created in relation to the implementation of various programmes. Social audits also provide various forms of information which are as follows:

The first type of information which social audits provide is the data related to the impression and presentation of the organization from an ethical and a social perspective.

Social audit provides information related to the creation of strategies that promote responsibility and accountability in the society.

Social audit provides information to change the structure of the organization by which the level of social performance increases.

Lastly, social audit helps inform the society and the general public when it comes to the allocation of resources, accountability and ethics.

Social audit is important as it:

Increases character via the information generated. When social audits are conducted, then the information that is generated helps the public decide how to perceive the various services that are provided by the government bodies. This in turn can either increase or decrease the reputation of the government department and its associated wings.

Nowadays, all services have to pass a benchmark test and at the same time the general public is also becoming aware about the provisions of various services through the implementation of the citizen's charter. Simultaneously, the information provided via social audits enables the government departments to work harder to enhance their reputation and the quality of their services as well. Social audits also help the various branches of the government such as the executive and the legislature, and help the executive to identify where the problems exist and thereby come up with a common solution.

Social audit also acts as an alarm wherein it signals the policymakers the various loopholes that are prevailing in the society and in turn modify themselves accordingly.

Social audit also brings forth changes in the structure of the organization as well as it provides various tools and implements which facilitate the overall improvement of the organization.

Social audit increases accountability in various government departments as it enhances their transparency. The information that is disclosed via the process of social audit is fair and accurate. The overall process of social audit is inclusive and

complete and is dependent upon external validation that removes corruption from the process of social auditing.

Social auditing also enables the concerned department to shape their policies and decisions as per the needs and demands of the people.

Social audit promotes the growth of confidence among the various sections of the society, government departments and ministries, organizations and institutions etc.

Social audit enhances Corporate Social Responsibility (CSR) which in turn has made the companies take better actions in a plethora of areas.

Social audit creates a conducive environment wherein transparency is given more importance. Due to social audits, various regulators in the government, analysts, employees, non-governmental organizations, worker-based unions, various organizations working at the community levels and lastly the media are made responsible for their actions. As a result, these bodies have to convey information to the public so that the public trust is maintained.

Social audit promotes the growth of sustainable reporting in relation to the various activities of a government department/organization with reference to their activities and influence pertaining to the society and the environment.

Social audit also improves the quality and quantity of information when it is put forth in front of the general public.

Social audit creates a common link between the stakeholders, the companies and the government via a common medium.

Social audit increases the use of information and communication technology which in turn leads to an increase in the attention span of the media pertaining to various issues and problems that plague the lives of the common man.

5.3.2 Social Audit Methodology

The methodology to carry out social audit is as follows:

The first step to carry out social audit is the preparation of various activities that help us in understanding the stages of a social audit to be carried out. In the first step, one also goes through the value system of a department/organization/programme. The various social objectives are also listed down. Next, as to how the practices are being carried out by the various systems of delivery are looked into. Lastly, a budget is created for the execution of social audit.

The second step is defining the various limits of the social audit. These include making a statement of purpose for the audit to be carried for, objectives of the audit, issues and activities that will be covered under the audit and lastly identifying the shareholders in the audit process.

The third step is the identification of various records that exist and how they can be used in a better manner to aid the auditing process. This step also consists of collection of data.

Fourth step is the creation of various accounts that will be using the information that exists beforehand while simultaneously ,looking into the newly collected information and the viewpoint of the stakeholders as well.

Fifth step is the presentation of the information collected and its dissemination via proper media and channels.

The last and final step is the creation of a feedback mechanism which leads to the institutionalization of the social audit process.

Social audit is carried out at various stages of the society. Social audit can be carried out in various organizations that can either be in the government, private sector or in the civil society sector. In various organizations, when social audit is carried out then it can either be internal or external by nature. At the civil society level, social audit can be carried out to gain access to various levels of information about the society pertaining to particular values/activities/policy programmes etc. This information that is gathered is then matched with the social audit that has been carried out in the organization. Based upon the comparison, social audit leads to the overall development of the society.

Importance is being given to social audit because of the fact that people do not get what they want and also because people do not know what their needs are. Social audit is gaining significance because it removes corruption in the system by highlighting the malpractices and irregularities that exist; provides a feedback mechanism and at the same time promotes monitoring of the overall system; promotes accountability and ensures transparency; makes the overall system and the administrative machinery more democratic in nature; strengthens local government bodies; promotes demands with reference to the problems of the society; promotes professionalism and lastly creates a common platform for everyone.

Social audit is very much different from other forms of audits. In a social audit the people are the one who conduct the audit while in other forms of audits the auditors are from outside. The scope in a social audit is broader while in other forms of audits the scope is very limited. Social audit promotes accountability while other forms of audit focus upon the records that exist in a particular organization. Social audit follows the parameters and issues that are decided by the society while in other forms of audits, the parameters and issues are of fixed nature. The stakeholders in a social audit include the people, government officials and bodies, civil society etc.; while in other forms of audit the stakeholders are usually the professional people and employees of a particular organization.

Conclusion

In spite of many benefits, there are several issues and challenges that are faced by the social audit units. Not following proper rules of engagement, non-institutionalization of the social audit units, indifference on the basis of the implementing agency, lack of individuality and cognizance, lack of a proper

information system, absence of participation from the people etc., are some of the challenges faced by the civil society while executing social audit.

In order to make the role of civil society more robust in the social audit process, there are certain measures that need to be followed. These measures include providing financial support, free of political control, provision of various resources, providing legal support, increasing the regularity of social audit, making the members of the civil society and the social audit unit responsible for their actions, transmission of knowledge, increase in people participation and increasing awareness among the people through the use of media.

To conclude, social audit helps one to recognize the impact of the institution's effort in increasing the welfare of the community, society and the state itself. Nowadays, one of the main objectives of the institution/department is to provide benefits to various sections of the society by sharing with them the prospects of advancement and progress. The rise of accountability within all aspects of the society has further led to the growth of social audit and has made many understand its importance when it comes to the civil society and the state itself. The rise in technology and the ease of accessing information has further increased the scope of audit within the organization/ a government department and the state itself.

For social audits to be successful, the common man should be aware of the scope, purpose and objectives of the social audit. A team should be created which aims at the dissemination of information related to social audit and this team should be present at the grassroots level as well. In order to further the impact of the social audit, it is very important to implement various training programmes related to the methodology aspect of social audit, how to conduct various social audits and lastly; how to prepare the various social audit reports as well. Monitoring the social audit process should be formal in nature and should be carried out in a processed manner. In order make social audits an important part of the overall governing mechanism, it is important to take proper action on the basis of the information that has been gained via the presence of audit reports and findings.

Check Your Progress

3. When did the concept of social audit emerge in India?
4. List the various principles of social audit.
5. How is the social audit different from other audits?

5.4 ANSWERS TO CHECK YOUR PROGRESS QUESTIONS

1. The Greek term *politike koinonia* was devised by Aristotle.
2. The state is an institution that consists of power which is codified in nature that is created through the social establishment which goes on for a period of time.

3. The concept of social audit emerged in India in the year 1979.

4. The various principles of social audit are the following:

   (i) The first and the foremost principle is that social audit is all encompassing which makes it possible to see things from a varied viewpoint.

   (ii) It has an all-inclusive nature to it.

   (iii) It encourages more involvement in the process.

   (iv) It gives multidirectional feedbacks.

   (v) Last but not the least, other principles upon which the very concept of social audit is based is that it takes place on a regular basis. Social audit promotes comparativeness which is more situation based; cuts back on the vested interests that might be present within the organization/institution and lastly; the very process of social audit puts forth the reports in front of the public so that a transparent system gets created.

5. Social audit is very much different from other forms of audits. In a social audit the people are the one who conduct the audit while in other forms of audits the auditors are from outside. The scope in a social audit is broader while in other forms of audits the scope is very limited. Social audit promotes accountability while other forms of audit focus upon the records that exist in a particular organization.

5.5 SUMMARY

- The term 'civil society' emerged somewhere before 1850 as an important concept in Western Political Thought. Before that, civil society was seen as a synonym of the nation-state. A civil society member is also a citizen of the state and under obligation to act as per the rules, regulations and laws of the land.

- The concept of civil society was introduced in western philosophy through the translation of the Greek term *politike koinonia* which meant having a political community that is also of ethical nature and consists of citizens who are free and equal and are ruled by a legal system that is well-defined in terms of procedures and values.

- Both the state and the society are different from each other as the state exists within a society itself. Society is made of relationships which are also pluralistic in nature and are aimed at creating association among the individuals.

- The concept of the civil society came into existence due to the intellectual prowess that prevailed in the western society and thought. As the western

society evolved through the decades, the concept of civil society has also evolved simultaneously.

- Social audit is a process through which the nitty-gritty details of a particular project are looked into and scrutinized. Through a social audit, one can measure, understand, report and improve an organizations performance both socially and ethically.

- The very nature of social audit is open to interpretations. From a common perspective, social audit can be said as being an assessment process that looks into the inner workings of an organization/institution when it comes to the fulfilment of various obligations that are necessary to be carried out in a society.

- Social audit in India was looked into in the year 1979 and gained further momentum after the 73rd amendment. The 9th Five Year Plan promoted the idea of social audit being important for the proper functioning of the local governmental bodies such as Panchayati Raj, Gram Sabha's and other local bodies.

- Most of the time, social audit is seen as another form of audit when clearly it is not the case. Most of the various forms of audits are not that comprehensive as social audit and this in tun increases its scope of work.

- For a democratic country such as India, social audit is an important tool as it provides the necessary inputs when it comes to correctly assessing the impact of various activities of the government on the lives of the people.

- Increases character via the information generated. When social audits are conducted, then the information that is generated helps the public decide how to perceive the various services that are provided by the government bodies.

- Social audit is very much different from other forms of audits. In a social audit the people are the one who conduct the audit while in other forms of audits the auditors are from outside. The scope in a social audit is broader while in other forms of audits the scope is very limited.

- For social audits to be successful, the common man should be aware of the scope, purpose and objectives of the social audit. A team should be created which aims at the dissemination of information related to social audit and this team should be present at the grassroots level as well.

5.6 KEY WORDS

- **Secularism:** It a view that religion and religious considerations should be ignored or excluded from social and political matters.

- **Social audit:** It is a process through which the nitty-gritty details of a particular project are looked into and scrutinized. Through a social audit,

one can measure, understand, report and improve an organizations performance both socially and ethically.

- **Social wealth:** It is the total value of the resources that you have to meet your social or emotional needs. It is one of the three main parts of total wealth.

5.7 SELF ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. What is the difference between society and civil society?
2. Define public sphere.
3. What is the need to conduct social audit?
4. Write a short note on the methods of conducting social audit.
5. What are the challenges faced by social audit units?

Long-Answer Questions

1. Examine the relationship between state and society.
2. Discuss the scope and benefits of social audit.
3. Analyze the need to conduct social audit with special reference to India.
4. Examine the importance of social audit in contemporary scenario.

5.8 FURTHER READINGS

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BLOCK III
OPENNESS AND TRANSPARENCY

UNIT 6   OPENNESS AND RIGHT TO INFORMATION

Structure

6.0   INTRODUCTION

Freedom to access to information is an elementary human right as it leads to people's participation in a democratic set-up. By giving an individual access to information the system of governance becomes open and transparent and leads to the creation of a system which prevents corruption and malpractices in the overall administrative system. An open and transparent system of governance also aids in the enactment and advancement of human rights and various principles of democracy.

'Openness' means the various measures that are implemented to make the activities of the governance system transparent and easy for the general public to participate. In addition, it also increases public trust in various government institutions.

'Openness and the Right to Information' are the medium through which various public authorities make public affairs more transparent in nature. The various means that make an administrative system open and promote the right to gaining access to information are as follows:

The first and foremost way in which openness and right to access information is carried out is by providing access to evidence on their own.

The second way in which openness and right to access information is promoted is by providing information via various means of access.

The third way is the process of carrying out meeting, hearings, campaigns etc., with the general public.

The last way is that of making the system more open and providing access to information by making the general public participate in the policy formulation and implementation process via various committees etc.

6.1 OBJECTIVES

After going through this unit, you will be able to:

- Examine the importance of openness in the contemporary scenario
- Define Right to Information
- State the significance of Right to Information
- Discuss the history of RTI Act, 2005
- List the significant features of the RTI Act, 2005

6.2 IMPORTANCE OF OPENNESS AND RIGHT TO INFORMATION

The various authorities that work on behalf of the general public not only provide information to the general public and to other institutions but also at times have the ability to acquire information from various other institutions as well. This in turn creates a more transparent and robust system of governance. This methodology of disseminating and acquiring information also applies to various institutions such as the institution of the Ombudsman that exists in various democratic nations such as India.

The ability to access information that is held by the various gatekeepers is an integral part of the human rights umbrella and is important for the general public to exercise their human rights and liberty. The need to access information is important especially for the marginalized groups that are present throughout the country and also in those developing nations where the transfer of information does not take place in a proper manner. From an idealist perspective, the right to gain access to information that is held by various institutionalized structures also promotes the right to know which makes information more accessible to the general public and transparency in the overall administrative structure.

However, the need to make the government system transparent and providing access to information is a complex process and is akin to walking on a tightrope. On one hand, interest of the public is to be served and on the other hand, there is the question of maintaining loyalty towards those in the employment sector. This kind of situation is faced by the workforce and as well their proprietors from a community and specialized perspective. This in turn creates a situation wherein it

is very important for the institution to interact with the public to create an image that shows the institution to be accountable and transparent in nature. Public participation in the system is of paramount importance to create and maintain a democratic society that is ever evolving and dynamic in nature. This leads to the creation of an environment that promotes economic growth and the overall improvement of the public sector as well.

For good administrative machinery to exist, it is necessary that those working in various public institutions should have proper knowledge to take apt decisions, and at the same time, increase cooperation among the various institutions so that information that was earlier held by the gatekeepers can now be easily disseminated across the institutions.

The presence of various institutions in the public sector is very important for the democratic practices to exist and be followed in a dynamic and continuous manner. The presence of various institutions promotes the need for administering various public funds which enable the overall development of the society and the state itself.

With the presence of many public institutions, the need for people's participation also increases which makes the public institutions competent to take decisions that are informative in nature and are also accountable for their actions and decisions as well. The free flow of information creates an environment wherein elections take place in a democratic manner. In the aforementioned situation, most of the time such a situation does not occur much, as the general public is mostly unaware of its basic rights and duties. Also, sometimes the general public might feel that what will they get even if they have the right to access information.

But if the nation and the society have to progress on the same scale then it becomes very important that the general public should have an interest in the overall allocation of resources and funds which makes the people working in the administrative sector more open and transparent during the process of making decisions and various budgets. Therefore, the right to gaining access to information is of paramount importance so that the people are able to hold those in power accountable for their actions. Giving and gaining access to previously held back information creates a dialogue between the people and the government. This further provides an opportunity to the policy makers in the parliament to know the performance level of various authorities in the public sector, which then leads to the creation of a situation wherein the government has an upper-hand that makes them come up with corrective actions and measures.

No matter how much one is in the favour of openness and the right to accessing information, there is one thing that we should know that there is a price for everything. In order to use full version of a particular software one has to pay the full price; similarly, in order to promote and use openness and the right to access information, the general public also has to pay a price for it. First and foremost, it is to be noted here is that not everything can be divulged under the

right to giving access to information and openness. Keeping the privacy of the individual and protecting the nation's secrets makes the scope of openness and the right to accessing information very limited. This in turn leads to the creation of a balancing act between those wanting to gain access to information and those withholding sensitive data and information.

In order to make the organization/institution embrace openness and enable the people to access information that it is holding, there is a need to create a strong leadership within the organization and outside the institution as well. This leads to a role model situation wherein both external and internal leadership learn from each other and at the same time influence each other. If a strong and dedicated leadership is present then those working in the administrative sector find the very concept of openness and right to accessing information complicated and complex by nature, and feel it impedes the process of policy formulation and implementation.

From a global perspective, however, in spite of the many aforementioned issues associated with openness in the governance system and the right to access information, many nations are adopting policies that enable the public to gain access to information that was earlier withheld. Almost all the major developing nations have seen the implementation of various acts and policies that promote openness in the system and make the individual aware that they have the right to gain access to plethora of information that the government deems to be of non-sensitive nature. Many experts suggest that such a rise in policies that promotes openness in the system and enables the implementation of Right to Information has occurred due to the fact that many nations, globally, have made amendments to their existing constitutions or might be undergoing political upheaval and turmoil wherein they are slowly and steadily inching towards a more democratic set-up. In many nations, one can witness the emergence of various movements that have made the government come up with a slew of legislative measures to deal with corruption and various other malpractices that are rampant throughout the society and the nation. However, one should note that there is difference between formulation and implementation of such policies. The policies that enable the growth of openness in the system should be within the boundaries of law itself. It becomes vital to make the people aware of their right which in this case is related to the Right to Information. The administration should work in tandem with the general public to help them in understanding the basics of law and thus creating awareness about it.

With the rise of Internet and Information and Communication Technology (ICT), there is an increase in extraction and access to information that was previously withheld by various institutions. With the use of ICT and the Internet, information can be repossessed in a much faster manner and that too in bulk quantities. Technology does not fully implement openness with the system but creates a condition wherein it becomes possible for creating favourable conditions for increasing the range and scope of openness with the system.

With the rise in Internet-based technologies, there might be openness in the system. And yet, they present, both the administrator and the general public, a new set of challenges/issues/problems etc. In order to use the applications that are provided by the Internet, one knows that it is necessary to input one's personal details into the system to gain access to the information. Now this information is prone to various forms of digital malpractices and therefore needs to be kept in a secure format. Secondly, many subject experts have stated that the rise in Internet-based technologies can lead to a new form of divide among individuals in the society. This type of divide is known as 'Digital Divide' and can create some form of gap between the rural and urban population in countries, such as India, for instance.

The foundation of an open and transparent system lies in the connections that get forged between the various public institutions and the general public through the use of public trust. However, the problem arises that many nations that are becoming a part of an open system become highly vulnerable to various illegal actions and threats. The level of education among the general public also creates various hinderances in the system. Openness is also prevented from being implemented due to the ability of various public organizations to curb the availability of information which is further increased due to the restrictions placed on the various mass media outlets by numerous authorities.

Globally, the occurrence of openness and the need to provide people with access to information has taken place at the end of the eighteenth century with nations such as France and the United States of America etc., coming up with important legislations pertaining to the Right to Information. In addition, several international legislations pertaining to openness and the right to accessing information have been revised.

Many nations have created a system wherein the individual is able to demand information from various public bodies. These systems, which are legal in nature, are different in different nations. For instance, in India there is the Right to Information Act, 2005.

Information is crucial when it comes to democracy. The general public needs to be made aware about what is happening within and outside the nation with reference to various fields such as politics, society, culture, economic etc., to name a few. Information is also necessary for the free flow of ideas and holding debates among the various sections of the society. With rapid expansion and advancement taking place globally, information plays an important role in the socio-cultural, socio-economic and socio-political development of a nation. In a developing nation like India, getting access to information is of paramount importance. This is because of the fact that every process in the sphere of development is heavily dependent upon access to information.

Thus, being able to access information is necessary and can only be carried forward via the enactment of proper legislation. It falls upon the government to do

everything within its limits in order to come up with a law that brings forth transparency in the governance mechanism and in turn promotes democracy throughout the nation.

Being denied information curtails the overall development of the society. Personalities, identities and capabilities of the individual and the political, social and economic spheres revolve around the dissemination of information among the general public and the society. When information is withheld from the general public, then the individual is not seen as a citizen of a nation but rather is seen as a subject of those who are in power. This very fact is a core aspect of the Universal Declaration of Human Rights, 1946. The declaration states that 'freedom of information is the basis for all types of freedoms and is in itself an important fundamental right as well'.

Check Your Progress

1. How has access to information become faster in the contemporary scenario?

2. Mention one core aspect of the Universal Declaration of Human Rights, 1946.

6.3 EMERGENCE OF THE RTI ACT IN INDIA: KEY CONTENTS

Right to Information is very much related to other rights such as right to speech, right to free expression etc., and at the same time, the Right to Information is an important aspect of liberty as well. Thus, it can be stated that the information in itself is an important asset/resource and enabling access to information is of paramount importance. By enabling the general public to gain access to information, the government in turn creates an ecosystem wherein transparency prevails and corruption is weeded out. Whenever, any barrier is erected in the society that does not allow people to get access to information, then corruption and various malpractices only increase.

Therefore, it is of paramount importance that the administrative mechanism creates a balancing act wherein apart from state secrets, most of the information can be disseminated among the general public. Areas that are important from the national security perspective should be kept outside the scope of the information that is to be given to the general public. The Right to Information is necessary for national development and therefore in India has garnered support from the judiciary as well.

The term 'information' has Latin roots which means giving an outline to some degree/establishing a form. By gaining access to information, we augment something new to our overall responsiveness and thus remove indistinctness from the system. In the Indian Constitution, Article 19(1) (a) pledges the fundamental rights of free speech and expression. In order to get the maximum benefits of the

right to free speech and expression, one needs to have access to information and knowledge. Without any trustworthy information available, the general public will indulge in rumours and will fall prey to misinformation with regard to other people and organizations. Thus, it can be stated here that the Right to Information is granted by the Constitution of India and enables the Indian citizens to collect and receive information simultaneously. An Indian citizen who has the right to access information will only be more able when it comes to carrying out his duties and obligations to the state and the nation itself.

In India the need to provide information started in 1989 when the Late Prime Minister of India, Shri VP Singh stated the need for having a governance system which promotes the Right to Information and transparency in the administrative machinery. According to him, for democracy to reach its highest potential, it is necessary for the nation to have an administrative system that is open in nature. The ability to freely access information will create a society that values knowledge and the same will make those in the administrative machinery more responsive and accountable.

The need to have the Right to Information was seen at grassroots level throughout the country. Mass movements were initiated for the upliftment of people living in backward and desolate parts of India and they were made to proclaim their Right to Information by asking the concerned authorities the proof for all the developmental work that was to be carried out in their respective areas/regions.

In 1996, Justice PB Sawant, who at that time was the Chairman of the Press Council of India came up with a draft bill which stated that every Indian citizen has the Right to Information from any and every public body and it is the duty of every public body to maintain a set of records that categorized and indexed properly. The draft bill was submitted to the Indian government in the year 1996. According to the draft bill, information was defined as facts pertaining to the various affairs of a public body which included the records in relation to the affairs of the public body. According to the draft bill, public body included the state itself, various public undertakings and other institutions that are non-constitutional in nature and lastly those institutions that were either controlled by the Government of India or by private individuals/institutions.

The draft bill has clearly stated that state secrets; information that can hamper national security; personal information of an individual; medical information of the people; investigations that are being carried out in relation to particular problems and issues; trade secrets etc., are not covered under the various provisions that are covered by the draft bill itself. The draft bill also stated that within its provisions for the enforcement of the right itself; the information should be provided within 30 days and that the officer who refuses to do so will be held responsible and accountable for his actions.

In the year 2000, The Freedom of Information Bill was presented in the Lok Sabha which had the following provisions in it:

According to the Bill that was introduced in the Lok Sabha, information pertaining to the administrative machinery covered the various decisions that were taken by the concerned authority which was working on the behalf of the general public. The Bill clearly defined public authority as a body that was created as per the guidelines of the Indian Constitution and the Indian Law System. The Bill, in simple words, implied freedom of information which further alluded to obtaining information from any public authority via a legal manner.

However, after a 2002 national level working group, The Freedom of Information Bill was never implemented. But there were Indian states who had implemented their own version of the Right to Information Act as well. In Tamil Nadu the bill was passed in 1997; in Goa it was implemented in 1997; in Karnataka and Rajasthan the law came into effect in 2000; in Delhi the law came in force in 2001; in Maharashtra and Assam the law was implemented in 2003 while in Madhya Pradesh and Jammu and Kashmir the law came to power in 2003 and 2004 respectively.

In 2005, the legislation concerning the freedom of information was finally implemented. The Right to Information Act, 2005 (RTI) is an Act that was created and implemented by the Indian Parliament. The RTI Act applies to all Indian States and Union Territories including the Jammu and Kashmir (from 2019 onwards). As per the provisions of the Act, all the public authorities are expected to have their records stored electronically so that the dissemination of information takes place in a seamless manner. The RTI Act was passed by the Indian Parliament on June 2005 and came into force on October 2005.

The RTI Act, 2005 was implemented by the Indian Parliament to create a governance system that provides the Indian citizens the right to access to information that was previously under the control of the administrative bureaucracy and thus promote accountability and transparency in the system.

The RTI Act, 2005 enables the Indian citizens to partake in the Indian democratic set-up in the following manner:

First and foremost, The RTI Act, 2005 has enabled the creation of a transparent government that is accountable to the people. The RTI Act, 2005 has made sure that the general public has access to information in relation to the overall working of the governance system which has created a transparent and accountable decision-making process which is also uniform in nature.

Secondly, the Act is a connecting link between the Indian citizens and the administrative machinery of the country. The Act has ensured openness and the sharing of information between the government machinery and the general public. It makes the people participate in the overall decision-making process and at the same time, keeps a check over the process as well and in turn empowers the citizens as well.

Thirdly, the Act has made the citizens take well-informed decisions. By gaining access to information, the citizens have gained the ability to find information about the functioning and performance of various governmental agencies.

Fourth, the Act promotes the ability to tackle corruption as the government is open to public scrutiny and thus makes the government machinery unable to get away with their corrupt practices.

Last, but not the least, the Act has provided better monitoring of the services that are provided by the various governmental agencies through the implementation of this Act.

6.3.1 Scope of the RTI Act

The RTI Act, 2005 covers the right to go through various works, papers and chronicles; take notes, extract copies of documents; take proficient material samples and lastly obtain information in electronic format as well. The Act has also provided important definitions that form an important part of the Act itself:

First and foremost, the Act has given a proper definition of what it deems to be information. As per the Act, information consists of various records, documents, emails, opinions, press releases, circulars, electronic material and information about various private bodies and therefore can be accessed by the public as per the laws of the state.

Secondly, the Act defines public authority as being an institution of self-governance that has been established by/under the provisions mentioned in the Indian Constitution or by the Indian Parliament/State Legislature and also includes any other non-governmental organization that is controlled/financed by the government.

Thirdly, as per the provisions of the Act, record means any document/manuscript/reproduction of documents and images/electronic material in a computer or in any other electronic device.

Fourthly, the Act provides for the creation of the post of Central Public Information Officer and State Public Information Officer who are given the task of providing information at both the central and state level and also have to provide judicious assistance to those seeking to do so.

Last, but not the least, the Act also has various provisions pertaining to the creation of an appellate authority, Central and State Information Commission, Public Information Officers etc., as well.

The Indian government, via the Right to Information Act 2005, has stated the various procedures by which the general public can obtain information from the concerned authorities. These are as follows:

The person interested in obtaining information from the concerned authority is expected to contact the concerned Public Information Officer (PIO) either by writing a letter/email which can either be in English, Hindi or in any of the official

Indian languages. The person who is seeking the information does not have to provide any reason as to why they are seeking the information. During the filing of the application, the person filing the RTI form has to pay a prescribed fee and if the individual who is seeking information is below poverty line then they do not have to pay any fees. Information has to be provided within 30 days by the PIO. However, as per Section 8 and 9 of the RTI Act, the PIO has the ability to reject the application if the information being sought comes under the category of confidential information or if it violates copyright infringement. Information that cannot be disclosed includes information that can harm the sovereignty and integrity of the state; information that the Indian courts have stated explicitly from being published; information that can cause breach of honour of the Indian Parliament or the State Legislature; information that consists of intellectual property secrets which has the ability to harm the position of a third party in terms of competition in the market; confidence information received from foreign governments; information that can endanger the life or safety of an individual; information that can hamper the process of investigation etc.

The RTI Act also provides an all-inclusive role for the Central and State governments and mentions that the government at both the central and state levels should educate the people on RTI, encourage various authorities in the public sector to partake in the overall development and promotion of programmes that help the people know about RTI, disseminate information among the general public, train and develop various officers for RTI to be properly integrated within the system, create user guides in local languages and lastly provide all the details of the concerned PIO for the public in order to access information.

6.3.2 Shortcomings of the RTI Act

In spite of the several benefits of the RTI Act, the Act suffers from several shortcomings as well. The RTI Act covers a variety of bodies and officials who are in the Central, State and Local government bodies and NGOs that are under the purview of the government. The Act also ensures that private bodies are under its purview which enables the government to collect information from them as well.

The gaps in the Act with reference to the civil society include the following:

First and foremost, one has to pay to gain access to information. However, many in the civil society feel that the need to pay defeats the overall purpose of this Act.

Secondly, the information that is being disclosed is less and more should be disclosed by the government authorities according to many RTI activists.

Third, the setting up of Information Commissioners is not autonomous and independent and instead consists of government officials. Many feel that is against the nature of the RTI Act itself.

Fourth, the penalties that are imposed upon the PIO is not a deterrent in itself.

Sixth, the need to bring more of the private sector within the purview of this law is also the need of the hour as most of the information in today's time period lies in the hands of the private sector.

Lastly, the need to train the officials, employees and the general public needs to be undertaken in order to make them aware as well.

In short, the RTI Act 2005 is the most comprehensive legislation ever created with regard to accessing information. For the Act to function in a proper manner, it is necessary to have a governance system that is transparent by nature and is ready to be held accountable for its actions. In order to do so, the general public and the government officials need to be made aware of this legislation. Implementation of the RTI Act in all the parts of India needs to be carried out in a proper manner by the Central government. The Act should help preserve the democratic nature of the Indian states. Areas such as relationship between the Centre and the State, having a set of same rules through the land, coming up with a common training strategy for the Centre and the State and lastly, the implementation of the Act by all public authorities need to be carried out in an efficient manner.

Conclusion

To conclude, the Right to Information, 2005 was a much-needed legislation in the Indian political landscape and based upon its implementation it will only make the government more accountable and transparent. The task, however, is herculean in nature and can only be carried out if the general public begins to come out of their comfort zone and becomes aware of this Act; as it will only benefit them the most. This in turn will make the government more efficient and thus create an ecosystem that is monitored in a proficient manner.

Check Your Progress

3. In which year was The Freedom of Information Bill introduced in the Indian Parliament?

4. When was the RTI Act passed by the Indian Parliament?

6.4 ANSWERS TO CHECK YOUR PROGRESS QUESTIONS

1. With the rise of Internet and Information and Communication Technology (ICT), there is an increase in extraction and access to information that was previously held by various institutions. With the use of ICT and the Internet, information can be repossessed in a much faster manner and that too in bulk quantities.

2. When information is withheld from the general public, then the individual is not seen as a citizen of a nation but rather is seen as a subject of those who are in power. This very fact is a core aspect of the Universal Declaration of Human Rights, 1946. The declaration states that 'freedom of information is the basis for all types of freedoms and is in itself an important fundamental right as well'.

3. The Freedom of Information Bill was introduced in the Indian Parliament in the year 2000.

4. The RTI Act was passed by the Indian Parliament on June 2005 and came into force on October 2005.

6.5 SUMMARY

- The various authorities that work on behalf of the general public not only provide information to the general public and to other institutions but also at times have the ability to acquire information from various other institutions as well.

- The presence of various institutions in the public sector is very important for the democratic practices to exist and be followed in a dynamic and continuous manner. The presence of various institutions promotes the need for administering various public funds which enable the overall development of the society and the state itself.

- In order to make the organization/institution embrace openness and enable the people to access information that it is holding, there is a need to create a strong leadership within the organization and outside the institution as well.

- With the rise of Internet and Information and Communication Technology (ICT), there is an increase in extraction and access to information that was previously withheld by various institutions.

- The foundation of an open and transparent system lies in the connections that get forged between the various public institutions and the general public through the use of public trust. However, the problem arises that many nations that are becoming a part of an open system become highly vulnerable to various illegal actions and threats.

- Many nations have created a system wherein the individual is able to demand information from various public bodies. These systems, which are legal in nature, are different in different nations. For instance, in India there is the Right to Information Act, 2005.

- Being denied information curtails the overall development of the society. Personalities, identities and capabilities of the individual and the political,

social and economic spheres revolve around the dissemination of information among the general public and the society.

- By enabling the general public to gain access to information, the government in turn creates an ecosystem wherein transparency prevails and corruption is weeded out. Whenever, any barrier is erected in the society that does not allow people to get access to information, then corruption and various malpractices only increase.

- In India the need to provide information started in 1989 when the Late Prime Minister of India, Shri VP Singh stated the need for having a governance system which promotes the Right to Information and transparency in the administrative machinery.

- In 1996, Justice PB Sawant, who at that time was the Chairman of the Press Council of India came up with a draft bill which stated that every Indian citizen has the Right to Information from any and every public body and it is the duty of every public body to maintain a set of records that categorized and indexed properly.

- In the year 2000, The Freedom of Information Bill was presented in the Lok Sabha.

- The RTI Act, 2005 was implemented by the Indian Parliament to create a governance system that provides the Indian citizens the right to access to information that was previously under the control of the administrative bureaucracy and thus promote accountability and transparency in the system.

- The RTI Act, 2005 covers the right to go through various works, papers and chronicles; take notes, extract copies of documents; take proficient material samples and lastly obtain information in electronic format as well.

- The person interested in obtaining information from the concerned authority is expected to contact the concerned Public Information Officer (PIO) either by writing a letter/email which can either be in English, Hindi or in any of the official Indian languages.

- In spite of the several benefits of the RTI Act, the Act suffers from several shortcomings as well. The RTI Act covers a variety of bodies and officials who are in the Central, State and Local government bodies and NGOs that are under the purview of the government. The Act also ensures that private bodies are under its purview which enables the government to collect information from them as well.

- Areas such as relationship between the Centre and the State, having a set of same rules through the land, coming up with a common training strategy for the Centre and the State and lastly, the implementation of the Act by all public authorities need to be carried out in an efficient manner.

6.6 KEY WORDS

- **Digital divide:** This term refers to the disparity which exists between people who have access to Information and Communication Technology and those who do not have such access.

- **Universal Declaration of Human Rights:** It is an international document adopted by the United Nations General Assembly that enshrines the rights and freedoms of all human beings.

- **Press Council of India:** This was established in 1966 with the objective of maintaining the freedom of the press and improving its standards in India.

- **Public Information Officer (PIO):** This term alludes to a government employee who is responsible for communication between the government, media and the general public.

6.7 SELF ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. Write a short note on the importance of openness.

2. Why is the Right to Information considered significant in a democracy like India?

3. Briefly mention the shortcoming of the RTI Act, 2005.

Long-Answer Questions

1. 'Information is crucial when it comes to democracy.' Elucidate the statement.

2. Discuss the history of the emergence of RTI in India.

3. Examine the salient features of the RTI Act, 2005.

6.8 FURTHER READINGS

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NOTES

UNIT 7   CITIZEN'S CHARTER: EVOLUTION AND EXPERIENCE IN INDIA

Structure

7.0   INTRODUCTION

The rules and regulations that existed in colonial India have found their way into the modern administrative structure as well. The rules and regulations of the past only promoted privacy and concealment and kind of privacy and concealment in today's time period makes it impossible to run a modern, democratic and developing country like India. In order to administer modern India, the government machinery needs to be approachable, transparent and should be accountable to the people. The need to be transparent and be held responsible for one's actions is an integral part of the overall democratic structure which has become a reality in the present scenario.

India is the largest democracy in the world. India, to a large extent, has failed to capitalize its large swaths of human resources in order to fully realize its economic capabilities and improve the Indian society to a large extent. Keeping this in mind, new economic policies were introduced under the rule of various governments that in turn have created a 360 degree change in the overall functioning of the States and Union Territories and increase the level of transparency and accountability throughout the government machinery.

Improving the linkages between the common man and the government machinery is one of the areas where the government has to work hard. This is because for decades the citizens of India have been mere passive participants of the services that were given to them irrespective of their quality, time and money.

With this aim in mind, many came together and started an initiative wherein a Citizen's Charter be created to establish a connection between the government and the citizenry and thereby create an ecosystem that promotes accountability, transparency in the government and the society as well.

Citizen's Charter is an important part of the democratic set-up in a developing country like India. The government that comes to power represents the people through its elected representatives. For instance, the Indian people democratically elect the Indian government and the elected representatives represent the Indian people at every level of the political spectrum which makes the government accountable to the Indian people. However, the aforementioned reasons are more idealistic in nature and, in fact, in a democratic country like India, the general public suffers a lot to get their job done from the administrative machinery. This does not mean that the government machinery is inherently lazy. On the contrary, the governance system, on a regular basis, doles comes out with various programmes that aim to improve the quality of life of the general public. The government appears to be unfriendly to the general public due to the lack of transparency and accountability on one hand and on the other hand, the lack of people's participation in the overall administrative process. Another reason as to why the government might appear unfriendly towards the general public is that the general public is inert by nature and is unable to overcome the fear and disparagement; they have towards the government machinery. Due to the inert nature of the general public, the individual feels that they do not have the power and knowledge to make the government more transparent and hold them accountable for their actions.

7.1 OBJECTIVES

After going through this unit, you will be able to:

- State the main principles of the Citizen's Charter
- Examine the need of implementing the Citizen's Charter
- Identify the shortcomings of the Citizen's Charter
- Discuss the process of implementation of the Citizen's Charter
- Analyse the significance of the Citizen's Charter

7.2 CITIZEN'S CHARTER: AN INTERNATIONAL PERSPECTIVE

Citizen's Charter has gained international recognition when many countries starting implementing it. Initially, the concept of Citizen's Charter was articulated and implemented in the United Kingdom (UK) by the government of John Major, who belonged to the Conservative Party, in 1991. The UK version of the Citizen's

Charter was run as a national programme and had one prime objective of improving the quality of public services for the people so that the services fulfill the needs of the people. In 1998, under Tony Blair's government, the programme was restarted with the new name 'Services First'.

The basic objectives of the Citizen's Charter in the UK are as follows:

First and foremost, the charter aims to improve the quality of the existing services.

Secondly, it gives the general public a plethora of choices for them to select as per their liking.

Thirdly, specifying the standards of service and how to react if the specified set of standards are not met.

Fourthly, services that are being provided should value the taxpayer's money.

Fifthly, holding the individuals and organizations accountable for their actions.

Sixthly, promoting transparency in the overall system.

In 1998, the Citizen's Charter was renamed as 'Services First' and consisted of the following nine principles:

   (i) Set proper standards of service

  (ii) Promote openness and provide full information

 (iii) Consult with the people and the same time increase people's participation

 (iv) Increase access to more services by giving the general public more choices

  (v) Fair treatment be given to all

 (vi) Correcting the things that have gone wrong

(vii) Effective use of resources

(viii) Promote innovation and improve existing services

 (ix) Working with all the service providers

With the implementation of Citizen's Charter in the United Kingdom, many other nations also followed suit. Several nations have implemented their own version of the Citizen's Charter as well. For instance, in Australia in 1997 the Service charter was implemented; in Belgium in 1992 the Public Service User's Charter was implemented; in Canada in 1995 the Service Standards Initiative was implemented; in France in 1992 the Service Charter was implemented; in Jamaica in 1994 the Citizen's Charter was implemented; in Malaysia in 1993 the Client Charter was implemented; in Portugal in 1993 the Quality Charter in Public Services was implemented and so forth.

An important point that is to be noted here is that some of the Citizen's Charter that have been implemented throughout the world have either followed

the UK version of Citizen's Charter or they have embraced the concept of Total Quality Management. Some of the nations have followed a mixture of both the worlds in relation to the implementation of their own version of the Citizen's Charter.

In order to overcome this inert nature, the general public needs to carry out a systematized attempt at building public opinion that aims to bring the citizens together on various issues to make the government bodies take notice of the various requirements of the citizens. Therefore, in order to make the government and its machinery really work for the upliftment of the people, the need to create a 'Citizens Charter' is of paramount importance.

7.2.1 Need for Citizen's Charter

The basic objective of a 'Citizens Charter' is to overcome the various issues that plague the daily lives of the general public and thus, bring about a change in the government machinery. Citizen's Charter is dynamic and practical in nature. It aims at involving both the government officials and the general public together to create an organizational structure that is responsive, accountable, transparent and considerate to the people.

The government exists for the people and serves them. All the services that are available in the public domain are generally procured through the taxes paid by the public. As a result, citizens expect more from the services they are being provided which are responsive to their needs and are provided in a cost-efficient manner. When the nation-state executes its duty of taxing the general public, then it becomes important for the government to provide services in an impartial and well-organized manner. In order to do so, it becomes important to change the way in which the government machinery functions and bring a change throughout the system to increase the level of people's participation in the overall decision-making process.

In order to formulate the Citizen's Charter, it becomes necessary to appraise the various objectives of the government machinery. As the government is made up of various ministries, departments, institutions which in turn should be analysed and evaluated in an all-inclusive manner via the creation of a programme that involves the general public and the institutions and organizations that provide these services.

The Citizen's Charter is a compilation of the various perspectives of the general public who are constantly using the public services provided to them. It consists of various inventiveness and ideas that aim to raise the level of performance of all the public services in an appropriate manner. It aims at increasing people's participation in the system by providing them with more power and does not call for more state action.

The Citizen's Charter revolves around the concept of having the right to be informed and therefore having the ability to choose what is right for them. It aims at bringing aptitude, liveliness, attention and assurance in the public services that used by the general public on a daily basis. The Citizen's Charter aims to do so

which in turn makes the general public have confidence in the services they are being provided and the public servants have pride in the services they are providing to the people.

7.2.2 Objectives of the Citizen's Charter

The core objective of a Citizens Charter is to develop and put forth a code of comportment for the public conveniences, innumerable facility providers and other constitutional officialdoms that intermingle with the general public on a day-to-day basis, so that when the document is made available it can assist as a 'Charter'. The core aspects of a Citizen's Charter are as follows:

Firstly, the Citizen's Charter stands for improving the quality of the available public services.

Secondly, the Charter provides for choice which in turn leads to further improvisation in the quality of a particular service that is made available to the general public.

Thirdly, setting up a standard of service for various public services and making the general public aware of these standards; so that they have the ability not to accept a particular service, if it is below the set standards.

Fourthly, the service should be value for money as it is the right of the taxpayer to have access to a particular public service that values the taxpayer's money and at the same time is within the budget that is affordable by both the individual and the state.

Fifthly, the Charter aims to promote accountability by holding both the individual and associated organization responsible for the actions they have been committed in relation to a particular public service.

Last, but not the least, promoting transparency by making the service provider to provide relevant information as per the laws of the land and also giving the individual an easy way to access the information.

The general public should know the guidelines and procedures that are behind the various services that are made available to them, charges that are levied on them when they are provided with various services, information about those who are in-charge and also about the various targets that are achieved by the service providers, accessing public servants should be carried out publicly and not secretly, accurate information should be provided to the people and lastly services should be provided on time.

When it comes to accessing public services, the general public has the freedom to do so and should be given the opportunity to choose as well. This is so because due to the presence of a competitive market much better services are made available to attract the general public and at same time increase public trust in the system as well. However, when such services are rendered to the general public, they should be done on the basis of consultation with the general public. In

order to attract more people towards their services, it is necessary to create a feedback mechanism as well. The end users provide regular feedback to the service providers on the services, what should be provided in the future and how they should be provided. Discrimination should not be carried out on the basis of one's social, cultural, religious and political background. Service providers should also pass on the information regarding their services in various Indian languages that are in vogue in the country. The general public should also be able to access these services easily. Services should be made available as per the convenience of the general public which should include flexible operation time and provision of knowledge via individuals who are well versed in the knowledge system with regard to various services that are being provided to them. Dissemination of information should be done through the electronic medium in a seamless manner.

Currently, the political landscapes across the globe lack the system of being accountable for their actions. Fixing the onus of responsibility is far from being reasonable in the Indian political system. The belief prevalent among the general public is that there is proper allocation of responsibility in the system and at the same time there is no appropriate punishment given out in case a lapse occurs in the system. This aforementioned cause in turn creates an ecosystem wherein the organization/institution and its employees show an unsympathetic attitude towards the grievances that are lodged by the general public with regard to the services provided.

Therefore, with the implementation of a Citizen's Charter, the general public is empowered and is given the right to expect from service providers that their grievances will be looked into and those who create lapses in the system will be held accountable for their actions as well. Also, as the grievances are being addressed, then it becomes important that the general public should be informed about the actions that have been taken in connection with the complaints lodged by them. By doing so, accountability and transparency become an integral part of the overall government apparatus.

Accountability, in the Indian political scenario, applies to the Central, State, District and Local bodies that aid in carrying out the day-to-day administrative activities alongside various other institutions that provide services to the general public.

7.2.3 Process of Implementation of the Citizen's Charter

In order to implement the Citizen's Charter in a proper manner, some other steps need to be taken which are as follows:

Firstly, increase people's participation, transparency and autonomy for the various institutions and create a responsive ecosystem via the legal parameters.

Secondly, increasing competition between the public and the private sector through deregulation, granting permissions and giving services on contractual basis, and securing pathways in order to ensure consumer safety.

Thirdly, making all the stakeholders participate in the conception, designing, employment and assessment of the various objectives that aim at improving collective accountability to the public.

Fourthly, the creation of surveys should be carried out to understand the level of satisfaction felt by the general public in relation to a particular service that is being provided and thereby create a feedback mechanism that improves the overall performance and functioning of the agency in picture.

Fifthly, annual plans regarding the performance of various services should be prepared and be disseminated among the stakeholders to increase accountability in the system.

Sixthly, setting up of regulatory bodies that are legal in nature which can hold various levels of public hearings pertaining to important issues in order to increase people's participation in the overall system and thus, improve transparency and accountability.

Lastly, making the general public more informed is of paramount importance for the Citizen's Charter to be successfully implemented and promoted. Adequate awareness on behalf of the general public will only aid in the development of accountability in the system.

Grievance redressal is an important feature of the Citizen's Charter as it makes the service provider aware of the grievances and issues that are faced by the general public and simultaneously provides an outlet that can be used to provide the citizen a proper explanation as to why a particular service/standard of service was compromised. In order to redress grievances, there is the need to have a proper procedure to register one's grievances, listening and then redressing them as well. In order to get their grievances redressed, the general public should not be harassed. In the case, when an individual submits a written complaint, then it becomes the immediate duty of the concerned authority to give out, preferably, an acknowledgment slip, which states that the grievance of the individual has been noted and at the same the grievance should be electronically registered on the portal so that it is visible to all sections of the organization. In case, the individual does not accept the action that was taken by the concerned authority, then his complaint should be directed towards a higher authority that provides a satisfactory solution to his grievance within stipulated period. The delay in reply or replies from the concerned institution should immediately end. In case, no reply is given to the individual, then it should be sure that the citizen has access to legal mechanisms in order to get his grievances redressed.

7.2.4 Shortcomings of the Citizen's Charter

In 1997, when the Citizen's Charter was implemented in India, there were many challenges. These challenges are mentioned as follows:

The first challenge faced in the execution and implementation of the Citizen's Charter was the fact that the opinion of the general public was not taken into

consideration. The formulation and implementation of the Citizen's Charter was merely seen as a routine job to be done by the senior authorities.

The second challenge faced was the fact that the officials who were to be a part of the formulation and implementation of the Charter lacked specialized training and orientation which made the commitments of the Charter null and void, as without specialized staff how one could realize the objectives of the Charter.

The third challenge was the constant reshuffling of officials during the crucial planning and implementation stages which hampered the progress of the Charter's formulation and implementation.

The fourth challenge was the ineffectiveness of the awareness campaigns that were directed towards the general public.

The fifth challenge was the laxity shown in relation to the standards that were mentioned in the Charter itself. Many of the standards were also very rigid and this led to the creation of an image which made the general public refrain from the Charter itself.

The last and final challenge was that the idea behind the concept was not understood properly and was only implemented for the sake of being carried out.

In overcoming the aforementioned challenges, the Indian version of the Citizen's Charter has come up with the following measures:

The very first measure is to create an awareness programme that aims to remove scepticism from the minds of the bureaucracy and the general public in an innovative and effective manner.

The second measure is to keep nudging the government staff and the general public in the correct direction in order to obtain the benefits of the Charter.

The third measure is involving and consulting the concerned staff and the general public at all levels in order to bring the level of resistance against the Charter.

The fourth measure consists of reforming the overall service sector in a gradual and step-by-step manner.

The last measure is to have an in-built mechanism that monitors, evaluates and reviews the working of the Charter.

Conclusion

To conclude, the Citizen's Charter is a document that puts forth a service provider's commitment towards the fulfilment of the needs of the citizen/consumer. It also consists of ways in which the citizen/consumer can get their grievance redressed, gives information about the services provided by the service provider, and lastly serves as an important link between the citizen/consumer and the service provider.

The initiation of the Citizen's Charter was done by the British government, under the leadership of Former Prime Minister John Major, in 1991. It was initiated on a national level in order to improve the existing qualities of various public services.

The Charter is based upon the following principles: Quality, Choice, Standards, Value, Accountability and Transparency. After the implementation of the Charter in UK, every other nation began implementing it under different names.

In India, the concept of Citizen's Charter was introduced in 1997 in a 'Conference of Chief Ministers of various State and Union Territories'. The Central and State Governments were given the task of implementing the Citizen's Charter which comprised of standard services, a time frame for delivery of services, redressing grievances and providing scrutiny by citizen groups. The Charter was initially expected to cover various public sectors such as railways, telecommunication, postal services, public distribution systems etc. The Department of Administrative Reforms and Public Grievances (DARPG) was given the task of coordination, formulation and implementation of the Charter.

In the Indian version of the Charter, citizens do not mean only the citizens of the state/nation but also the stakeholders. The Indian version is an adaptation of the UK version and also includes a portion that deals with the expectations of the client. In 2011, The Right of Citizens for Time Bound Delivery of Goods and Service and Redressal of their Grievances Bill was introduced in the Lok Sabha and was referred to a Standing Committee which submitted its report in 2012. However, the bill lapsed as in 2014 the Lok Sabha was dissolved. An important point to be noted here is that the Charter is not a legally enforceable document and only contains guidelines to promote and increase the delivery of services to the citizens.

When it comes to the implementation of the Charter in India, there are certain problems that need to be addressed. These problems are as follows: Lesser involvement is seen on the behalf of the involved personnel and the citizens themselves, it can overburden the already overburdened infrastructure, lack of proper training methodology, unrealistic expectations, not a legally enforceable Charter, no feedback mechanism when it comes to the drafting of the Charter, lack of proper infrastructure and team effort, no periodical revision of formulated Charter, needs to take into account the views of different sections of the society, complicated rules and procedures, lack of awareness, non-measurable and ineffective standards, unwillingness to implement the Charter, customization of the Charter as per the needs of a particular organization need to be there.

The Citizen's Charter is an amalgamation of the various viewpoints of the general public who regularly use the public services on a day-to-day basis. The core objective of the Charter is to come up with methods that aim at reducing the undesirable characteristics of the available public services and thus, bring change in the way the system of governance at the various levels.

All services that are used by the general public are in turn paid by the citizens themselves who pay taxes. The citizens, as they are paying for the services, expect high quality of services which are responsive to the needs of the people and at the same time are provided to them in an efficient manner and at a reasonable sum.

The main objective of the Citizen's Charter is to advance and put forth a code of conduct for the community conveniences, various facility providers and various other governmental establishments that have an interface with the public, so that when made available on paper, it can serve as a 'Charter'. The main aspects of a Citizen Charter are excellence, coming up with proper levels of standard, value, accountability and transparency. Continuous efforts need to be taken to improve the quality of services

The public service sector should be transparent in nature and should provide accurate information to the general public. Moreover, the information should be provided in language which comprehensible to the general public. It can also be provided via the electronic format.

The general public is to given more choices when it comes to choosing from a plethora of service providers which further increases the standard of the service provided to the general public. Also, discrimination, on the basis of one's social, cultural, political and economic background, is to be prohibited and the services are to be made available to everyone.

The service provider is accountable for his actions. They have to redress the grievances of the general public and at the same time be held responsible for the lapses that emerge in the system and simultaneously provide information regarding the complaints issued against them by the individual/citizen. Accountability is to be part of the administrative set-up and by doing so it promotes people's participation in the system and makes it more accountable to the public.

When it comes to the redressal of grievances, it should be noted here that the procedure for lodging complaints should be told to the general public beforehand so that the individual does get harassed. The procedure for lodging complaints should be made readily available to the general public. Service providers need to have a set of standards, display them at all times and publish them whenever possible and at the same time adhere to these set standards of service to the letter.

With the implementation of a Citizen's Charter, it becomes possible for the citizens to gain confidence so that their voice is heard. This ensures the creation of an efficient service system. Thus, making the individual raise their voice against mal-administrative practices and inefficiency.

In order to for India to embrace the Citizen's Charter fully, it necessary to follow the UK model to a certain extent. In the UK, after the implementation of the Citizen's Charter, the then government in the year 1992 introduced the Charter Mark which consisted of a set of standards based upon which a scheme was created that recognized and reinvigorated distinction in public service. The UK version of the Charter Mark consists of the following parameters: standards of performance; access to information and openness; provision of choice and carrying out consultation process on a regular basis; being courteous to the general public and being helpful in the redressal of their grievances; doing the right thing; coming up with services that value the taxpayers money; promote satisfaction among the

general public in relation to the service being provided; improving the quality of the existing services and lastly introducing improvements and innovations that are carried out in a planned manner.

In India, the DARPG has consulted various agencies to come up with its own version of the Charter Mark scheme which will, in the long run, encourage the growth of the public service sector and reward those who improve their existing service standards. This will create a sense of achievement on one hand, and on the other, will further strengthen the spirit of competitiveness among the public service providers.

The implementation of the Citizen's Charter is an on-going process due to its extensive and dynamic nature and also due to the huge number of changes it undergoes. The Government of India is continuously working hard to serve the Indian citizenry in an effective and efficient manner so that they are able to meet and, in some cases, exceed the expectations of the general public.

Check Your Progress

1. List the basic objectives of the Citizen's Charter which was implemented in the United Kingdom.

2. State one significant feature of the Citizen's Charter.

3. When was the Citizen's Charter implemented in India?

7.3 ANSWERS TO CHECK YOUR PROGRESS QUESTIONS

1. The basic objectives of the Citizen's Charter which was implemented in the United Kingdom are the following:

   - First and foremost, the charter aims to improve the quality of the existing services.

   - Secondly, it gives the general public a plethora of choices for them to select as per their liking.

   - Thirdly, specifying the standards of service and how to react if the specified set of standards are not met.

   - Fourthly, services that are being provided should value the taxpayer's money.

   - Fifthly, holding the individuals and organizations accountable for their actions.

   - Sixthly, promoting transparency in the overall system.

2. Grievance redressal is an important feature of the Citizen's Charter as it makes the service provider aware of the grievances and issues that are faced by the general public and simultaneously provides an outlet that can

be used to provide the citizen a proper explanation as to why a particular service/standard of service was compromised.

3. The Citizen's Charter was implemented in India in the year 1997.

7.4   SUMMARY

- Citizen's Charter has gained international recognition when many countries starting implementing it. Initially, the concept of Citizen's Charter was articulated and implemented in the United Kingdom (UK) by the government of John Major, who belonged to the Conservative Party, in 1991.

- An important point that is to be noted here is that some of the Citizen's Charter that have been implemented throughout the world have either followed the UK version of Citizen's Charter or they have embraced the concept of Total Quality Management.

- In order to overcome this inert nature, the general public needs to carry out a systematized attempt at building public opinion that aims to bring the citizens together on various issues to make the government bodies take notice of the various requirements of the citizens.

- The basic objective of a 'Citizens Charter' is to overcome the various issues that plague the daily lives of the general public and thus, bring about a change in the government machinery. Citizen's Charter is dynamic and practical in nature.

- In order to formulate the Citizen's Charter, it becomes necessary to appraise the various objectives of the government machinery. As the government is made up of various ministries, departments, institutions which in turn should be analysed and evaluated in an all-inclusive manner via the creation of a programme that involves the general public and the institutions and organizations that provide these services.

- The Citizen's Charter revolves around the concept of having the right to be informed and therefore having the ability to choose what is right for them. It aims at bringing aptitude, liveliness, attention and assurance in the public services that used by the general public on a daily basis.

- The core objective of a Citizens Charter is to develop and put forth a code of comportment for the public conveniences, innumerable facility providers and other constitutional officialdoms that intermingle with the general public on a day-to-day basis, so that when the document is made available it can assist as a 'Charter'.

- Accountability, in the Indian political scenario, applies to the Central, State, District and Local bodies that aid in carrying out the day-to-day administrative activities alongside various other institutions that provide services to the general public.

- Grievance redressal is an important feature of the Citizen's Charter as it makes the service provider aware of the grievances and issues that are faced by the general public and simultaneously provides an outlet that can be used to provide the citizen a proper explanation as to why a particular service/standard of service was compromised.

- In 1997, when the Citizen's Charter was implemented in India, there were many challenges.

- To conclude, the Citizen's Charter is a document that puts forth a service provider's commitment towards the fulfilment of the needs of the citizen/consumer.

- The initiation of the Citizen's Charter was done by the British government, under the leadership of Former Prime Minister John Major, in 1991. It was initiated on a national level in order to improve the existing qualities of various public services.

- In India, the concept of Citizen's Charter was introduced in 1997 in a 'Conference of Chief Ministers of various State and Union Territories'. The Central and State Governments were given the task of implementing the Citizen's Charter which comprised of standard services, a time frame for delivery of services, redressing grievances and providing scrutiny by citizen groups.

- The Citizen's Charter is an amalgamation of the various viewpoints of the general public who regularly use the public services on a day-to-day basis. The core objective of the Charter is to come up with methods that aim at reducing the undesirable characteristics of the available public services and thus, bring change in the way the system of governance at the various levels.

7.5 KEY WORDS

- **Total Quality Management**: It is a people-oriented management system, wherein all the members of the organization, make continuous efforts to maintain high work standards, in all the operations of the organization.

- **DARPG:** It stands for the Department of Administrative Reforms and Public Grievances (India). It was set up in 1964 with a view to facilitate the pursuit of excellence in Governance through promotion of improvements in Government structures and processes etc.

- **Transparency:** It refers to the ability to see through things.

- **Accountability:** It refers to the fact of being responsible for what you do and able to give a satisfactory reason for it.

7.6 SELF ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. List the basic principles of the Citizen's Charter when implemented in 1998 as 'Services First'.

2. What do you think is the basic necessity of implementing the Citizen's Charter?

3. Write a short note on the significance of the Citizen's Charter.

Long-Answer Questions

1. Discuss the major objectives of the Citizen's Charter.

2. Describe the process of implementation of the Citizen's Charter.

3. What are the shortcomings of the Citizen's Charter implemented in India? Mention the ways of overcoming the shortcomings.

7.7 FURTHER READINGS

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UNIT 8   PRESSURE AND INTEREST GROUPS

Structure

8.0   INTRODUCTION

In a country wherein democracy has to flourish, it is of integral importance that systematized groups of people come together and form political parties to govern the nation. In the Indian democratic set-up, political parties consistently compete with each other to be voted to power and thereafter run the government. However, there many groups who do not fight any sort of election in India and yet at the same time try to influence the government to do as per their bidding. These groups are known as Pressure and Interest groups and the tactic they use to get their job done is known as 'Lobbying'. Pressure and interest groups are made up of a group of individuals that have common social, cultural and economic interests. When it comes to the membership of a political party, an individual at any given time can be a member of only one political party, while on the other hand, an individual can be at any given time, be a member of multiple groups. Pressure and interest groups are political in nature and at the same time they can support a political party or influence the decision-making process in the legislative and executive circles of the governance machinery to further their interests and objectives.

As mentioned before, pressure and interest groups influence the government machinery via the process of lobbying. Lobbying is a process wherein the pressure and interest groups pressurize the various legislative members in the parliament. The term originated in the United States of America and has been accepted as an integral part of the American government. In American politics, lobbyists plays a

pivotal role by accepting financial assistance which is used to influence the legislators and officials to turn the tide in the favour of certain groups. In contemporary politics, pressure and interest groups play an important role as they do not contest elections on their own, do not seek a position in the governmental structure or want to become part of the legislature which leads them being an integral part of the decision-making process.

In a democratic set-up, pressure and interest groups are those institutions that try to influence the government whenever possible. These groups represent the various interest of the different levels of the society. Pressure groups are also very advanced and specialized and based upon their specialization they represent particular sections of the society that includes the likes of farmers, business class, employees in the private and public sector, students and others. Their main aim is to seek better circumstances for their associates through their systematized exertions. They do so by influencing the legislature, the executive and various members of the overall decision-making process to have decision that favour them and their cause.

Pressure groups are very prominent in American politics and play a significant role in it as well. In American politics, it has been revealed in the past few decades that a majority of the legislative members of the American politics have been influenced by these pressure groups in one or another instance. In the democratic process, the role of the pressure groups in the political sphere is increasing on a daily basis. With the political parties having a weak moral and value-base foundation, it is natural that the pressure groups will only rise in power and vice versa. When it comes to the American politics, it should be noted that the American Constitution is more or less rigid in nature, there is difficulty in the redressal of grievances etc., which have led to the mushrooming of various pressure groups throughout the American political landscape. Pressure groups in developed nations such as America and the UK play a prominent role in the day-to-day politics of the nation. Meanwhile, in India, the political parties are weak or strong based upon their performance and support from the general public. In this case, one can witnsess the rise of pressure groups throughout the Indian political landscape.

8.1   OBJECTIVES

After going through this unit, you will be able to:

- Define pressure groups and interest groups
- Identify the main objectives of pressure groups and interest groups
- Explain the classification of pressure groups and interest groups
- Analyze the role of pressure groups and interest groups

8.2 MEANING AND DEFINITION OF PRESSURE GROUPS

NOTES

Pressure groups are made up of a group of individuals who have common interest and objectives. Thus, it can be stated here that the activities that are carried out by a group of individuals offer a much better result than individual activities. Because of this, pressure groups play a pivotal role in democratic politics as they influence the government is a much better manner to get their objectives promoted and fulfilled. Pressure groups survive on their capability of influencing the government machinery/legislature/executive, as by doing so, a pressure group has better control over those who are involved in the overall decision-making process. Pressure groups are closely related to the political sphere due to the need to access the various levels of political power. In democratic nations, like India, pressure groups have gained importance over a certain time period because a particular pressure groups aims to influence the government to make the government focus on a particular issue/policy at hand.

Pressure groups do not partake in the democratic election process and also, they do not have any political programmes as well. They influence the government in an indirect and informal manner in regards to an issue/policy that is faced by a particular section of the society. Pressure groups exist more so in democratic nations due to the freedom of association. When the general public has the right and ability to associate with any one of their choice, then this leads to the creation of various pressure groups, as the pressure group is there because the general public has the freedom to form association based upon their mutual interests or objectives. Thus, it can be stated here that the pressure group comes into existence due to the mutual interests amongst like-minded individuals. Pressure groups serve as a connecting link between the general public and the government as they try to create a balance between the interests of the public and the interests of the nation. Pressure groups give a structure to the unorganized interests of the general public which further aids in development and accumulation. The pressure groups work in favour of the general public by pushing their difficulties/complications/ objections in front of the government. Formation of interests is carried out by the pressure groups by making the people provide response to important issues. Aggregation of interest takes place when the demands of the people are put forth as alternatives to the existing policy. Therefore, it can be stated here that the pressure groups play a prominent role in coming up with alternate policy options to the existing policy programmes. Pressure groups also educate the general public by telling them about the various benefits and shortcomings of the various policy programmes and thereby make the process of policy formulation and implementation more democratic in nature.

When the party that has been elected by the general public in a democratic manner is unable to fulfil the needs of the people and look for solutions to the

issues and problems that plague the general public, then the pressure groups work hard to uphold democracy as they act as the medium where the objectives of the general public are represented to a large extent. With the expansion of the political landscape, it sometimes becomes impossible for the democratic government to respond to the needs of the general public. In such a scenario, it is the pressure groups that make the political elite realize their duties.

Pressure groups employ a plethora of techniques to get their job done. These techniques include the management of existing public judgement, coaxing the representatives and overseers etc. These techniques are employed when government projects are to be implemented in some part of the country like India and would affect the existing power structure of a particular region, then the pressure groups spring into action and promote awareness amongst the general public by enabling them to access crucial pieces of information. The main goal of a pressure group is to change the attitude of the general public towards a particular policy/issue. A pressure group can influence the government only when it garners enough public support and opinion. Because of this, most of the times, pressure groups are called as manipulators of public opinion.

In the case of the American and Indian political landscape, over decades, various pressure groups have made inroads into the legislative machinery by having powerful political allies and legislators on their side. By having some powerful legislators and political allies on their side, pressure groups have been successful to a large extent when it comes to implementing specific provisions within a policy or deletion from the policy itself. This is carried out via the process of lobbying and has been prominent in the American political circles.

Pressure groups also try to influence the government through the use of judiciary and various other judicial implements as well. The government is influenced through the issuance of public interest litigation (PILs) in the court of law. Especially in India, the Indian judicial set-up has succumbed to the influence of the pressure groups through their use of PILs many a times and has ordered the Indian government to work and implement policies that benefit the people. A point to be noted here is that the pressure groups in India are a newly emerging political concept and therefore, the way in which they organize the members of the public is at times seen as being ineffective and crude. Therefore, the pressure groups in India especially are working hard to be an effective connecting link between the government, the administrative set-up and the general public as well.

Both the pressure groups and the political parties, in India, are important for democracy to function at its fullest as they both are extra-constitutional in nature i.e., they both are created as per the provisions of the Indian Constitution. Because of this, both of them are an integral part of the overall political process. Sometimes, especially in the India scenario, it has been seen that many of the political parties of today were at a point in time the pressure groups of yesterday. Post-Independence, the Indian political landscape has seen the rise of many political parties which at

one point in time were pressure groups of sorts that were either representing the social/cultural/economic necessities of the Indian public. A political party in India that has either national or regional level of influence in India is naturally large when compared to the small but strong stature of a pressure group. Political parties fight elections to remain or come into power while pressure groups influence the government to promote their needs and interests. Political parties are political by nature because they represent a plethora of diversities when they contest elections while pressure groups, on the other hand, are non-political as they revolve around one particular issue at any point in time. However, political parties and pressure groups are under the influence of a particular ideology that serves their needs and fulfils their interest.

Check Your Progress

1. State one significant feature of a pressure group.
2. What is the role of pressure groups in a democratic country like India?

8.3 CLASSIFICATION AND FEATURES OF PRESSURE GROUPS

A pressure group is an organization that seeks to influence elected officials to take action or make a change on a specific issue. Pressure groups exist throughout the world and the way in which they execute their functions is not so different. Therefore, such a generalized statement in turn helps in the proper understanding of the inner workings of various pressure groups from a global perspective. When it comes to their point of origin, it is not possible to do so, as they protect and promote plethora of interests that might be social/cultural/economic in nature. Based upon the diverse nature of the pressure groups, they can be classified into the following:

The first and foremost type of pressure group is the one that looks after the business interests of the people. These pressure groups are made up of businessmen who look after each other's business interests which includes the production and distribution of goods and services, import and export of various items and lastly the price of various commodities. The Federation of Indian Chambers of Commerce and Industry (FICCI) is one such example of business-oriented pressure group in India.

Next type of pressure group is concerned with looking after the interest of the trade unions. These groups are more oriented towards getting the worker paid the proper amount and other entitlements, proper working hours and service conditions, compensation in case of accidents etc. In India, there are many labour-oriented groups which also have political links as well.

The third type of pressure group is related to the plight of the farmers. These groups, as the name suggest, are oriented towards protecting the rights of

those involved in the farming community. In India, we have a lot of farmer pressure groups.

Fourth type of pressure group is related to those working in various professions such as teacher, doctors, engineers etc. In India, also various such profession-based pressure groups exist.

Last but not the least, there is the pressure group that protects the interest of particular religions and faith-based system. In India, there are many associations that are religious pressure groups and in today's time period are gaining political prominence.

On the other hand, interest groups are association wherein individuals come on a voluntary basis to guard and endorse their common interests. The interests can range from social to economical to political to cultural etc., to name a few. In today's contemporary world, every nation has its own number of interest groups. An individual, at any given point in time, can be the member of various interest groups based upon his individual preferences. Interest groups can either be permanent or temporary in nature. They can also be either private or public in nature as well. Interest groups, just like the pressure groups, pressurize the legislators to come up with policy that helps in the promotion of their specific interests. In order to get their job done, interest groups heavily rely on the use of pressure.

8.4 MEANING, DEFINITION, CLASSIFICATION AND FEATURES OF INTEREST GROUPS

An interest group is a group of people that seeks to influence public policy on the basis of a particular common interest. Interests groups can be classified into the following types:

First and foremost is the Institutional Interest Groups. These groups consist of individuals who are work in the professional sector. They are more or less part of the governance system and thereby try their best to exert maximum pressure on the government in order to come up with policies that favour their interests.

Second type of interest groups is Associational Interest Groups which are specialized groups that aim at the enunciation of various interests and yet at the same time they have limited goals to pursue. These groups consist of various trade unions, business-oriented organizations, civic groups etc., to name a few.

Third type is the Non-Associational Interest Groups which are oriented towards the enunciation of interests based upon various socio-cultural and socio-political markers such as ethnicity, religious head, linguistics etc.

The final type of interest group is Anomic Interest Groups. These are the groups that are formed while several movements, demonstrations, processions, campaigns, riots etc., are taking place either throughout the nation or in certain parts of the country.

8.4.1 Techniques Adopted by Pressure Groups and Interest Groups

Interest groups and pressure groups adopt a plethora of tactics in order to get the job done which includes the fulfilment of their goals and objectives. These range from having allies in the governmental to downright riots and demonstrations. Sometimes, it has also been seen that many of the political parties garner support from the various interest and pressure groups during elections. One of the ways, in which the interest groups and pressure groups support a political party of their choice, is by supplying them with the necessary funds required to run their party and at the same time compete in the election process. By doing so, the interest and pressure groups have become an ally in the political and administrative machinery, and at the same time, the political party cannot also shy away from the interest group due to the financial assistance provided to them. Many believe that there is a close nexus between the political elite and the industrial elite.

On one hand, the various interest groups and pressure groups control the political landscape and on the other hand, they also have the ability to shape the administrative landscape as well. This is because the various interest groups and pressure groups maintain positive rapport with the civil servants. By having bureaucrats as their contacts, the interest group and pressure group might benefit from a short-term perspective but in the long run, this only creates more problems for the state; as the state has to encounter corruption and various other malpractices in the administrative set-up.

8.4.2 Difference between Pressure and Interest Groups

Even though the methodology of the interest groups might match that of the pressure groups, the interest groups are sometimes more effective than the pressure groups. This is because of the following reasons:

The very first reason is that the interest groups have a strong leadership base. This is important as a strong leader works harder in order to further the various interests of the group. It is the leadership that stays in constant touch with the political and administrative sectors of the government and as well as the public which in itself is very important. When a strong leader is able to balance the three entities, then the interests of the concerned group is addressed by the government and supported by the people as well.

The second reason is the presence of a robust organizational set-up. Given the length and breadth of a democratic nation such as India, the presence of many organizational units in different parts of the nation, will only help further the articulation of the interests and their promotion as well. The presence of various organizational units serves as a point of consolidation on one hand, and on the other, acts as a medium for communicating various objectives and goals that need to be achieved.

The third reason is that various interest groups are heavily involved in using mass media for their own benefit. In contemporary India, mass media and social

media are important, when it comes to the dissemination of information throughout a nation as massive as India. Mass media and especially social media are dominating the social and political landscape in nations like India, and with each passing day are becoming more influential. The media outlets act as watchdogs and in the same way keep a check over the government and bureaucracy. They promote various interests which in turn has an ever-lasting impact on the policy-formulation and implementation process.

The fourth reason is that these interest groups are financial powerhouses as they have the ability to change the fate of the nation by financing political party of their choice and thereby getting the gears of fate to favour them the most.

Last and final reason, is that the interest groups, to get their job done, use various mobilization techniques that enables the creation of public opinion and at the same time, makes people agitate against the government to get their interest fulfilled.

However, in spite of being hailed as effective instruments to fulfil the demands and interests of the general public from the government and administrative machinery, there are many times, these pressure and interest groups are unable to function in an effective manner, due to their many limitations. In a democratic nation such as India, the pressure groups and interest groups are more oriented towards bringing change in the overall administrative process rather than changing the very policy itself. This in turn, has led to the creation of a gap between the formulation and implementation of policy. In India, most of the pressure groups and interests groups revolve around the issue of ethnicity, religion, caste and region. Instead of changing the existing socio-economic situation, these groups most of the time, serve their own needs and interests which makes them narrow-minded. This in turn, makes these groups last only for a limited period of time.

Conclusion

To conclude, in a democratic set-up everyone has the right to voice their opinions to get their needs and interests fulfilled. Sine man is a social animal; therefore, it becomes very likely for like-minded individuals to forms groups that enables the fulfilment of their cultural, social and economic needs and interests. Unlike political parties wherein an individual can be the member of one political party at a given time, individual can be members of several groups that serve their various interests. These groups do not partake in the democratic form of governance i.e., they do not partake in elections and thus, do not directly influence the outcome of the nations. They indirectly influence the government legislature to pass laws that are aimed at the fulfilment of their interests. The process of influence is carried out by either pressurizing the government or by supporting one political party. These groups are neither political parties nor are they a part of the legislature and yet they play a pivotal role in influencing the politics of every nation. These groups are known Interest and Pressure groups.

Individuals who have common interests and come together in order to protect and promote their interest via an organizational structure are known Interest groups. Interest groups are concerned with the enunciation of interests in a society and present forth these interests in front of the concerned policy makers. The demands/interests can either be long-term or short-term interests/demands. The organizational structure of these groups can either be permanent or can be intermittent. Therefore, it can be said that interest groups are a group of individuals who have come together to achieve specific objectives and in order to do so can put pressure of various state institutions as well.

Pressure groups, on the other hand, are groups who attempt to bring forth changes in public policy by exerting pressure on the government. They are different from political parties as they do not contest elections to capture political power. They are mostly concerned with specific issues and programmes and thus carry out their activities in relation to those activities only. They influence the policy making and formulation process through the use of various techniques such as lobbying wherein public officers are influenced to adopt policies in their interest; in elections wherein favourable public officers are placed in positions to promote the interests of a particular pressure group; propagandizing wherein public opinion is influenced to put pressure on the government in a democratic set-up.

Both pressure groups and interest groups possess the same characteristics; they use various modern as well as traditional means of getting their interests/objective fulfilled/promoted; are in existence due to the increasing demands of people and issues in the society; are a result of the inadequate functioning of the political parties; they promote a change in public opinion and consciousness.

Pressure and interest groups can be classified on the following basis:

The first and foremost are the Institutionalized Groups which consist of individuals who are employed professionally. They are a part of the administrative set-up and thereby try to exert their influence as well. These groups raise their protests in a constitutional manner, in accordance with the rules and regulations of the nation.

Next, are the Associational Institutionalized Groups which are specialized groups that are formed for the enunciation of interests which in turn are pursued in a limited manner. These groups are made of trade unions, business organizations and various civic groups.

The third type of pressure/interest group is the Anomic Group which come into existence when the normal means of bringing forth expressing discontent proves to be ineffective. They are mostly concerned with creating religious/linguistic/ethnic demonstrations/disturbances and even sometimes can cause assassinations and hijackings. They follow unconventional and violent means to achieve their objectives which is influencing the government policy by any means possible.

The last type of pressure/interest group is the Non-Associational Group which mainly revolves around kinship, lineage, ethnic, regional, class groups etc.

Interests are of informal and irregular nature and they do not have a permanent organization.

Pressure groups and interest groups help forwarding the demands and needs of the people to the administration, promote and propagate socialization at the political level, aid in the implementation of various rules and regulations, are involved in the process of administration, formulate public opinion, enable the progress of the society, improve accountability etc.

Pressure groups and interest groups have some disadvantages as well which are that they promote extremism, instability, cause misuse of power, and lastly, are based on interests that are, for most times, narrow-minded and selfish.

Pressure groups and interest groups are an integral part of the overall democratic process. They are necessary due to the complex nature of society wherein the individual is unable to promote his needs and thus needs the support and strength of his fellow beings who have common interests. Pressure and interest groups help in furthering the scope of democracy in a nation. Because of the complex nature of the society, it becomes impossible for the general public to look after all their interests and needs. In order to so, the individual receives support from his fellow individuals so that they get access to greater negotiating power. This need for gaining access to be able to negotiate with the government has led to the creation of pressure groups and interests groups throughout the world. Initially, they were seen as a disadvantage to the overall democratic process and because of this they were not noticed for very long. And now, with the rise of globalization and the use of Information And Communication Technology (ICT), these groups are being seen as an integral part of the administrative and democratic process of the nation. These groups enable in the creation of a front through which the general public is able to negotiate and participate in the democratic process. It has become important for the government to consult these groups before, during and after policy formulation and implementation.

Pressure groups and interest groups protect and promote the various aspirations that reside with the general public. Pressure groups and interest groups can mostly exist in a democratic set-up as democracy guarantees the freedom to speech and expression and these groups serve as mouthpiece to the disgruntled voices of the general public. The importance of these groups is directly related to the type of political parties that exists, the type of governance system that is followed throughout the nation, the boldness of the people towards governance and administration and lastly the leadership that exists within these groups. These groups are different from the political party because unlike a political party which is always hungry for power, these groups work towards the fulfilment of their vested interests and thus try to influence the overall decision-making process.

Both pressure groups and interests groups influence the decision-making process through the use of lobbying. The use of lobbying was originally seen in the United States of America and has later migrated to other countries of the world. In

lobbying, pressure is applied on the legislators by hook or crook for the interests of these groups to be fulfilled. Under lobbying, bribery, securing jobs for the many relatives of the legislators, giving a VIP treatment to them etc., are carried out in order to get the job done.

Check Your Progress

3. What are Non-Associational Interest Groups?
4. Define interest groups.

8.5 ANSWERS TO CHECK YOUR PROGRESS QUESTIONS

1. Pressure groups do not partake in the democratic election process and also, they do not have any political programmes as well. They influence the government in an indirect and informal manner in regards to an issue/policy that is faced by a particular section of the society.

2. In democratic nations, like India, pressure groups have gained importance over a certain time period because a particular pressure groups aims to influence the government to make the government focus on a particular issue/policy at hand. Pressure groups serve as a connecting link between the general public and the government as they try to create a balance between the interests of the public and the interests of the nation.

3. The Non-Associational Interest Groups are oriented towards the enunciation of interests based upon various socio-cultural and socio-political markers such as ethnicity, religious head, linguistics etc.

4. Individuals who have common interests and come together in order to protect and promote their interest via an organizational structure are known interest groups.

8.6 SUMMARY

- Pressure groups are made up of a group of individuals who have common interest and objectives. Thus, it can be stated here that the activities that are carried out by a group of individuals offer a much better result than individual activities.

- Pressure groups do not partake in the democratic election process and also, they do not have any political programmes as well. They influence the government in an indirect and informal manner in regards to an issue/policy that is faced by a particular section of the society.

- When the party that has been elected by the general public in a democratic manner is unable to fulfil the needs of the people and look for solutions to the issues and problems that plague the general public, then the pressure groups work hard to uphold democracy as they act as the medium where the objectives of the general public are represented to a large extent.

- The main goal of a pressure group is to change the attitude of the general public towards a particular policy/issue. A pressure group can influence the government only when it garners enough public support and opinion. Because of this, most of the times, pressure groups are called as manipulators of public opinion.

- Pressure groups also try to influence the government through the use of judiciary and various other judicial implements as well. The government is influenced through the issuance of public interest litigation (PILs) in the court of law.

- Both the pressure groups and the political parties, in India, are important for democracy to function at its fullest as they both are extra-constitutional in nature i.e., they both are created as per the provisions of the Indian Constitution.

- Pressure groups exist throughout the world and the way in which they execute their functions is not so different. Therefore, such a generalized statement in turn helps in the proper understanding of the inner workings of various pressure groups from a global perspective.

- Interest groups and pressure groups adopt a plethora of tactics in order to get the job done which includes the fulfilment of their goals and objectives. These range from having allies in the governmental to downright riots and demonstrations.

- On one hand, the various interest groups and pressure groups control the political landscape and on the other hand, they also have the ability to shape the administrative landscape as well.

- Individuals who have common interests and come together in order to protect and promote their interest via an organizational structure are known Interest groups. Interest groups are concerned with the enunciation of interests in a society and present forth these interests in front of the concerned policy makers.

- Both pressure groups and interest groups possess the same characteristics; they use various modern as well as traditional means of getting their interests/ objective fulfilled/promoted; are in existence due to the increasing demands of people and issues in the society; are a result of the inadequate functioning of the political parties; they promote a change in public opinion and consciousness.

- Pressure groups and interest groups have some disadvantages as well which are that they promote extremism, instability, cause misuse of power, and lastly, are based on interests that are, for most times, narrow-minded and selfish.

8.7 KEY WORDS

- **Lobbying:** It is a process wherein the pressure and interest groups pressurize the various legislative members in the parliament. The term originated in the United States of America.

- **Public Interest Litigation (PILs): It implies** litigation filed in a court of law, for the protection of 'Public Interest', such as pollution, terrorism, road safety, constructional hazards etc.

- **Federation of Indian Chambers of Commerce and Industry (FICCI):** It is a non-governmental trade association and advocacy group based in India. It was established in the year 1927.

8.8 SELF ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. What is a pressure group?
2. Briefly mention the significant features of a pressure group.
3. What are the differences between a pressure group and an interest group?

Long-Answer Questions

1. Analyze the significant role of interest groups in the democratic countries of the world.
2. Discuss the classification of pressure groups.
3. Explain the different categories of interest groups.

8.9 FURTHER READINGS

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NOTES

BLOCK IV
GOOD GOVERNANCE

UNIT 9   INTRODUCTION TO GOOD GOVERNANCE

Structure

9.0   INTRODUCTION

One of the most widely talked about terms in todays globalized world is 'governance'. The general public is in regular touch with this term, and therefore, continuously reads and listens to anything related to governance. In a democratic nation, such as India, the general public is heavily into good governance, wherein, Indian states are compared on the basis of their performance in various areas of development. As per the United Nations, good governance is of paramount importance when it comes to eradication of poverty and thereby bringing in overall development in the society. Thus, it can be stated here that to promote development one must know about the very concept of governance. The main characteristics of good governance are transparency, accountability, people's participation, and efficiency. Good governance enables the advancement of overall development and ensures its sustainability. Good governance helps in the creation of financial policies and institutions that are democratic in nature and are thereby responsive to the needs and interests of the general public. This leads to the creation of an ecosystem that is made up of a sustainable financial model and removes poverty and promotes advancement.

In a nation-state, the very concept of governance takes a central place in the discussion that is based upon politics and administration. In order for the nation-state to survive, it needs a government to look after the needs of the people. The government is created by the Constitution of the nation-state and therefore, is responsible for the administration of the nation-state via various institutions that aim at the upliftment of the society and the overall lifestyle of the general public.

With the government helming the administrative set-up a linkage is created between various government institutions and the general public. This linkage is also based upon the very nature of the state, i.e., whether the state is democratic, authoritarian, etc. In contemporary times, the relationship between the nation-state and the general public has undergone change and this has led everyone to recognize the concept of 'Governance' as an important concept, both nationally and internationally. In India, the concept of governance gained prominence when liberalization, privatization and globalization (LPG) were introduced in 1991. With the opening of the Indian economy, one could witness the rise in market forces which have had a greater impact on the governance. This changes the definition of governance which now includes the promotion of market activities and simultaneously brings about decline in the role of the state when it comes to the regulation of the market. In India, the very concept of governance has changed the nature of the state. Now, governance has left a state-centric approach and has, to a large extent, embraced a market-centric approach. The market includes various institutions that provide large sums of financial assistance which in turn has made these institutions powerful global players. According to the various global financial institutions, governance is seen as a benchmark for the nation-state to apply and get financial assistance which in turn, as per the guidelines of these global financial institutions, is to be used only for the overall development of the society. This also leads to the creation of a framework that improves the existing process of policy formulation and implementation. With the rise of the forces of globalization, the world has seen the emergence of a new definition for the term governance which now includes the relationship that exists between the market forces, administration and the citizens.

9.1 OBJECTIVES

After going through this unit, you will be able to:

- State the meaning and definition of good governance
- Examine the importance of good governance

9.2 CONCEPTS, FEATURES AND CHARACTERISTICS OF GOOD GOVERNANCE

The term governance is of Greek origin and comes from the Greek word '*kubernao*' which means 'to steer'. In short, governance provides proper direction to the day-to-day affairs of the state. In ancient times, the term was much in prominence in the ancient Greek society where many Greek philosophers such Plato, Aristotle etc., emphasized on its importance and need in the society.

In modern times, the term was used for the first time in 1989. In the report of the World Bank on Sub Saharan Africa, the term 'governance' started to gain

international prominence and thus, started to scale new heights. The 1989 report published by the World Bank stated that due to the presence of weak institutions and nation-state, necessary development activities have not taken place and therefore, there is a 'predicament of governance'. The World Bank also stated that there is a need to improve the process of governance which can only be done when the various administrative proficiencies that exist in the system are removed. This has been further stated in the 1992 World Bank document wherein it talks about the need for having an effective and efficient form of administration which manages, keeps things in check and simultaneously does not interfere too much in various other activities of the state. Thus, the system of governance consists of the following features:

First and foremost, the governance mechanism consists of various institutions that are complex in nature and functional at both national and international level.

Secondly, it serves as a bridge between various institutions when it comes to the distribution of power.

Thirdly, it is in constant touch with the society and therefore, sees the rise of various economic and social problems.

Fourthly, it promotes self-governing units that are autonomous in nature and therefore, aid the development of democracy at the grassroot level.

Lastly, the system of governance also brings forth various new tools, techniques and methodologies that are used by the existing government institutions in the overall development of the society as well.

Thus, it can be stated that the system of governance is heavily invested in the society and is therefore, interested in the changes that take place in the society. Moreover, the system of governance is in a process of constant change when it comes to maintaining a stable relationship between the various aspects of the society. It is a political authority that uses the available resources to solve the problems and issues that persist in the society at any given point in time. According to many international organizations, the system of governance works from an institutional perspective that aims to provide the general public various goods and services in an effective, transparent and accountable manner.

Governance involves the decision-making process which consists of policy formulation and implementation. In the last few decades, the nature and concept of governance has undergone tremendous transformation and has started to incorporate within itself various important concepts such as accountability, transparency, people's participation, etc. This in turn has led to the emergence of a new type of governance which is known as 'Good Governance'. Good governance, therefore, consists of the public and private sector working together to bring development within the nation-state; rule of law is followed everywhere and especially in the case of wealth creation and distribution; presence of various institutions that have the ability to hold the government accountable for its actions; promoting transparency and the right to access information.

Therefore, it can be said that good governance is an authority in itself which uses various other authorities such as political, economic, societal, administrative etc., in order to manage the affairs of the nation-state at various levels which in turn leads to the creation of a society that is together in all situations and ultimately aims at the overall development of the society. It delves into all the available methodologies that enable the creation of an ecosystem that works towards decentralization of power and simultaneously effectively manage the resources present in the society. It provides a stable foundation upon which various apparatus, developments and establishments for the overall benefit of the civil society are built. Good governance also aims at the removal of corruption from within the society as corruption is a major obstacle to development.

9.3 IMPORTANCE AND APPLICATIONS OF GOOD GOVERNANCE IN INDIA

Good governance is of great importance to the democratic set-up and therefore, it becomes necessary to evaluate its performance over a period of time. Good governance can be measured in the following ways:

Firstly, giving a platform to the members of the civil society to voice their opinions and simultaneously holding the government accountable for its actions and also promoting equality and inclusiveness.

Secondly, the presence of hazards and risks in the society and their extent of presence.

Thirdly, by evaluating the performance of the present government in power.

Fourthly, to assess that the policies implemented by the government are proving to be useful to the general public and encouraging people's participation in the decision-making process.

Fifthly, the implementation of rule of law within the national boundaries of the nation-state.

Lastly, trying to control various malpractices of the administration.

Governance and development go hand in hand as both are interdependent upon each other for their survival. For a nation-state to grow, it is important come up with a plethora of developmental activities that raise the level of the society in terms of its economy and standard of living of the citizens. However, it is to be noted here that the benefits that the government delivers in favour of the citizens most of the time never reaches them fully. This has raised many questions in the minds of the people which has resulted in the rise of many alternatives that aim at the overall dissemination of benefits throughout the society. One of those alternatives is the concept of good governance.

According to many international institutions, good governance is necessary for the establishment and promotion of sustainable development at the national

level. Good governance promotes the establishment of institutions that work as per the changing norms of the state and international scenario, and simultaneously come up with good policies that work towards the upliftment of the society, removal of poverty and creation of more job opportunities.

Good governance also leads to the preservation of freedom, peace and security via the creation of a stable society which revolves around the protection and promotion of human rights; which creates a democratic ecosystem wherein everyone is represented and has the freedom to voice their opinions as well. Governance and development can occur only when there is accountability, people's participation, expectedness and transparency within the system.

Both, development and governance are important as they aim to deliver the maximum benefit to the citizens. Consequently, both the concepts are interrelated to each other. Development can only flourish in the presence of good governance and vice-versa. Due to good governance practices, the citizens are able to participate in the decision-making process which promotes the overall development of the society and the nation-state and thus, is a good indicator of the general public being empowered.

In today's scenario, the nature of development has also changed to a great extent. Initially, development meant economic growth and financial transformation. But with the progress of time, academicians and members of the civil society have shown that development is more that economic growth. In fact, development nowadays encompasses the arenas of health, education, employment etc., and therefore, has become more value-oriented. The citizens are able to pursue their own objectives and values and this has led to the expansion of various capabilities within an individual. Similarly, when it comes to governance, the general public is playing a constructive role when it comes to the inclusive development of the society, and thereby reduces the various socio-economic inequalities that prevail in the society.

Good governance has become an integral part of the democratic set-up and has acquired immense significance as a concept as well. The citizens expect the government to disburse effective management practices which raise the standard of life. The main objective of a government is to fulfil the material, moral, cultural and non-material interests of the general public. In order to do so, good governance should have the following features:

Good governance promotes people's participation. People's participation is necessary when it comes to the choosing of the governance mechanism at every level of the nation-state. People's participation, is important for democracy to flourish. In order for good governance to work, there is a need for having a good electoral system which can be used by the citizens to choose their representatives without any fear or favour. Moreover, this will help in creating a welfare system wherein the government works for the benefit of the general public. People participating in the decision-making and implementation process is very much in

the favor of good governance. This participation can take place directly wherein the citizens contest the elections either from a political party or independently or indirectly wherein the citizens participates via institutions, chosen representatives or through the civil society itself.

Good governance is based upon taking consensus. In order for a democratic set-up to function properly in a nation-state, it is important to have a robust decision-making process which relies on all the stakeholders that exist within a nation and outside its borders. The very system of good governance serves as a point of linkage between various points of interest that co-exist in the society and thereafter come to a relevant point of interest via debate and discussion on one hand, and on the other, it serves as a platform for coming up with various mechanisms that help promote such an ecosystem. Good governance enables the creation of a pathway wherein 'what is in the best interest of the society' is looked into wherein everyone has a say and not just the rich and political elite.

Good governance promotes accountability. Accountability means being held responsible for one's action or inaction. The presence of accountability in the government machinery is a sign of good governance being followed within a nation-state. Apart from public sector institutions, it is important that all public sector institutions and various other professions be held accountable for their actions as well as their inactions and are therefore, accountable to the general public and their stakeholders as well. Being accountable also makes the individual able to access the information that was earlier hidden from them, which then creates a two system wherein information is transferred between the general public and the various government institutions and helps in bringing down the level of corruption and various other administrative malpractices via the implementation of various policies like the Citizen's Charter that aims to provide various services to the public and thereby makes the system more responsive to the needs and interests of the public.

Good governance is also transparent in nature. Transparency within a system means that the system is open and accountable. The government machinery is transparent when its decision-making process is open to public scrutiny and discussion. Information is to be provided to all the stakeholders in a proper format that is directly accessible. By doing so corruption goes down and the level of people's participation increases in the decision-making process as well which leads to the implementation of democratic practices at all levels of the nation-state including the grassroots levels as well.

Good governance enables the creation of an approachable form of governance. Good governance aims for the system of governance to be more centred towards the needs and aspirations of the people wherein with a select period of time, the administrative system is able redress the grievances of the general public, and at the same time, look for solutions to the problems and issues that plague the general public. By making the government approachable, the trust

of public increases in the government and leads to a decrease in various malpractices of the administration.

Good governance ensures that all the members of a community have access to equal opportunities and at the same time are treated equally. By providing equal opportunities and making sure everyone is treated equally, the government tries to improve the overall well-being of an individual which leads to their all-round development through which they can earn money that provides them dignity and the required level of freedom because of which they can then participate in various community-oriented events. Thus, providing direction to their community members. By doing so, everyone will feel that they are a part of the overall community.

Good governance promotes efficiency and effectiveness. The government set-up, in its fullest, tries meet the expectations of the citizens through the setting up of various organizations in both the public as well as the private sector. These organizations try to speed up the development process to provide a sort of security in the society. The process of development can be increased by using various resources that are scattered throughout the nation and the world alike. In the process of using these scattered resources, the natural environment gets damaged to a certain extent, which in turn metamorphizes into a trickle-down effect wherein the lives of the people are also impacted. The need of the hour, therefore, is the efficient use of resources in a sustainable manner that does not harm the lives of the people, and at the same time, the needs of the people are also meet.

Good governance promotes the implementation of good legal framework that is enforced in a stringent and unbiassed manner when it comes to the protection of human rights of every section of the society, including that of the minorities. Everyone should be seen equally from the perspective of law and nobody is above the law. With the presence of a legal framework that works in fair manner will create a security force that cannot be corrupted, is efficient and is impartial, when it comes to the implementation of its duties, and will also create a judicial system that is independent by nature and is away from corruption. The ability to freely access the judicial system is to be there wherein the dispensation of justice takes place at an immediate pace.

Good governance works on the behalf of the people. A nation-state is a sovereign entity wherein the sovereignty lies in the hands of the people and the state works through the instrument of the government which in turn is elected by the people of the nation-state, and thus, exercises power on the behalf of the people. The people follow the pathway that is shown to them by the government in charge. The government on behalf of the general public takes all these decisions and actions that range from the utilization of various resources to the mobilization and utilization of various financial resources to the policy formulation and implementation of various programmes as well.

The aforementioned aspects of good governance can help bring forth a society where various administrative malpractices do not occur and that is seen as

an equal and treated equally as well. This also makes good governance very difficult to achieve as it is very idealistic by nature. Many nations have tried their best when it comes to the implementation of good governance practices and yet only very few have tried to achieve something very close that resembles good governance but not totally good governance. In spite of this, it is important to remember that good governance is of paramount importance as good governance ensures and enables sustainable human development practices to be formulated and implemented. This is done because there is a certain lack of awareness among the citizens which makes the existing government set-up less transparent and less accountable as well. This is further increased due to the presence of corruption in the system and the proper will to control it, which can be attributed to the presence of weak civil society that lacks various institutions of governance.

Conclusion

To conclude, in today's contemporary scenario, governance is gaining a lot of importance. According to the United Nations, good governance is necessary for the removal of poverty and promotion of development. Thus, it can be said that governance has become an important part of the development process. Good governance can be characterized by transparency, accountability, people's participation etc. to name a few. Good governance promotes development through the creation of economic policies and democratic institutions that change and evolve as per the needs of the people. Good governance is a term of high quality and only gets further strengthened when the people start to participate in the overall decision-making process that helps in the permeation of transparency and accountability throughout the system. With the presence of rule of law, good governance is only further ensured. With the rise of globalization and its forces such as Information and Communication Technology (ICT), the system of governance has been changed and transfigured which has changed the nature of governance itself and therefore, has only brought the people closer in the overall process of governance which makes the role of governance very important in the development process.

When it comes to the concept of governance, it is important to note that governance is only possible in the presence of a state. Therefore, it can be said that the state is an integral part of politics as well as the administrative machinery. In order for the state to successfully integrate itself with the lives of its citizens, it needs to have various institutions that serve as a link between the citizens and the state. These institutions, therefore, become an integral part of the governance. With the global community undergoing changes, the administrative machinery working at various levels of the state has undergone a variety of transformations. In developing nations such as India, the concept of governance has undergone dynamic change. In 1991, when India introduced various economic policies that were aimed at the liberalization of the economy, the concept of good governance started to gain prominence in our country. Since the very nature of governance is changing on a daily basis, therefore, it becomes impossible to come up with a

precise definition. However, the reformation of the policy formulation and implementation process, capacity building of various state/public institutions, enabling people's participation etc., can be stated as the core attributes of good governance. With the rise in liberalization in India, one could also see the rise of economics wherein the state played a minimal role in the governing mechanism.

With the role of the Indian state being redefined, governance has also undergone many changes. With globalization bringing in global changes, the role of the state in governance has been changed with the inclusion of many new players such as transnational agencies, international organizations, NGOs etc. The rise of these new players has transformed the very concept of governance and has led to the creation of an alternative with regard to policy making and implementation. From the perspective of globalization, good governance can be defined as the relationship between state and non-state actors.

Governance is a process of giving direction to the various affairs of the state. Since the late 1980s and the early 1990s, it has been stated in many global reports that there has been a crisis of governance and that in order to implement good governance practices there needs to be revamping of managerial and administrative machinery. Various reports, time and again, have stated that the role of the state needs to be looked into again to promote and propagate effective and efficient form of administration. In short, governance in modern times is a balance of public and private institutions. Based upon this, various feature of good governance can be identified: including accountability by giving the people the right to voice their concerns; effectiveness of the policies; rule of law; controlling corruption and various other evils in the administrative machinery; enabling people's participation; promoting transparency, sustainability which means that the policies that are being formulated and implemented will be having a positive impact for a long period of time, etc.

The characteristics of good governance are as follows: giving the common man a platform to voice their opinions through organizations/representatives that represent every section of the society; promoting and creating a legal framework that looks after the rights of every individual irrespective of their social/cultural/religious backgrounds; working on the principle of creating a consensus; promotion of equity and inclusiveness; working on making the overall system more efficient and effective; bringing forth accountability, transparency and responsiveness in the system of governance.

Good governance has been implemented in India in various forms and measures. For instance, the Right to Information gives access to information that in turn can be used to remind the government machinery that it needs to work in tandem with the needs of the individual. RTI Act, 2005 promotes openness, transparency and accountability in the Indian administrative machinery and thus makes the government more open to public accountability and scrutiny and increases people's participation in the decision-making process.

Economics have become an integral part of the good governance measures. In India, importance is given to the ease of doing business. The government has introduced various steps to improve the existing conditions in the business sector. These steps include the introduction of various legislations that have tried to improve the financial environment.

Next step introduced in India is the freedom given to states so that they can formulate their own schemes that in turn, are according to their needs and demands. This is important, in regards to good governance practices, as it introduces the further decentralization of the Indian political and administrative landscape.

Check Your Progress

1. Where did the term 'governance' originate from?
2. What are the characteristics of good governance?

9.4 ANSWERS TO CHECK YOUR PROGRESS QUESTIONS

1. The term governance is of Greek origin and comes from the Greek word '*kubernao*' which means 'to steer'. In short, governance provides proper direction to the day-to-day affairs of the state.

2. The characteristics of good governance are as follows: giving the common man a platform to voice their opinions through organizations/representatives that represent every section of the society; promoting and creating a legal framework that looks after the rights of every individual irrespective of their social/cultural/religious backgrounds; working on the principle of creating a consensus; promotion of equity and inclusiveness; working on making the overall system more efficient and effective; bringing forth accountability, transparency and responsiveness in the system of governance.

9.5 SUMMARY

- The term governance is of Greek origin and comes from the Greek word '*kubernao*' which means 'to steer'. In short, governance provides proper direction to the day-to-day affairs of the state.

- Governance involves the decision-making process which consists of policy formulation and implementation. In the last few decades, the nature and concept of governance has undergone tremendous transformation and has started to incorporate within itself various important concepts such as accountability, transparency, people's participation, etc.

- Good governance also aims at the removal of corruption from within the society as corruption is a major obstacle to development.

- Good governance also leads to the preservation of freedom, peace and security via the creation of a stable society which revolves around the protection and promotion of human rights; which creates a democratic ecosystem wherein everyone is represented and has the freedom to voice their opinions as well.

- Good governance has become an integral part of the democratic set-up and has acquired immense significance as a concept as well. The citizens expect the government to disburse effective management practices which raise the standard of life.

- Good governance promotes people's participation. People's participation is necessary when it comes to the choosing of the governance mechanism at every level of the nation-state.

- Good governance is also transparent in nature. Transparency within a system means that the system is open and accountable. The government machinery is transparent when its decision-making process is open to public scrutiny and discussion.

- Good governance promotes efficiency and effectiveness. The government set-up, in its fullest, tries meet the expectations of the citizens through the setting up of various organizations in both the public as well as the private sector.

- Good governance works on the behalf of the people. A nation-state is a sovereign entity wherein the sovereignty lies in the hands of the people and the state works through the instrument of the government which in turn is elected by the people of the nation-state, and thus, exercises power on the behalf of the people.

- When it comes to the concept of governance, it is important to note that governance is only possible in the presence of a state. Therefore, it can be said that the state is an integral part of politics as well as the administrative machinery.

- Good governance has been implemented in India in various forms and measures. For instance, the Right to Information gives access to information that in turn can be used to remind the government machinery that it needs to work in tandem with the needs of the individual.

9.6 KEY WORDS

- **Liberalization:** It refers to the relaxation of the government's control over the economic policies of the country so that foreign companies can enter the country and establish their offices; thus, generating employment.

- **Globalization:** It is a process of interaction and integration among the people, companies, and governments of different nations, a process driven by international trade and investment and aided by information technology.

9.7 SELF ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. What is the significance of the concept of governance in a nation-state?
2. How is governance and development interdependent?
3. Give examples of good governance implemented in India.

Long-Answer Questions

1. 'Good governance promotes accountability.' Elucidate the statement.
2. Do you think good governance is extremely vital in the present scenario? Give reasons for your answer.

9.8 FURTHER READINGS

Fadia, B.L.Fadia and Fadia Kuldeep. 2011. *Public Administration*. Agra: Sahitya Bhawan.

Arora, Ramesh K.Arora and Goyal Rajni. 2014. *Indian Public Administration: Institutions and Issues*. New Delhi: New Age International Publishers.

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UNIT 10 CONCEPT AND APPLICATION OF GOOD GOVERNANCE

Structure

10.0 Introduction
10.1 Objectives
10.2 Concept of Good Governance
10.3 Applications of Good Governance
10.4 Parameters of Good Governance
10.5 Answers to Check Your Progress Questions
10.6 Summary
10.7 Key Words
10.8 Self Assessment Questions and Exercises
10.9 Further Readings

10.0 INTRODUCTION

Since the 1990s when the world began to witness the forces of globalization, privatization and liberalization, there emerged the need for having a system of governance that aims to bring forth a sustainable form of development and reduce the levels of poverty in every country. This form of governance is known as 'Good Governance' and has gained prominence across the globe.

The national notion of what 'good governance' has been around for many decades. However, from an international perspective during the First and Second World War, and during Cold War, the very concept of 'good governance' had taken the backseat. However, now in the post-Cold War era, there has been a resurgence of the concept itself. With the end of the Cold War, it was felt that the financial assistance that was being given to many nations was being used for the purpose of national development and was, in fact, leading to the prevalence of such a system that rewarded administrative malpractices. With the presence of bad socio-economic policies and worst governance practices being followed, many international institutions felt that the nations were responsible for their issues and problems at hand. Thus, the need to have good governance became an important criterion for various financial institutions and international actors, when it came to providing assistance for the overall development of the world.

10.1 OBJECTIVES

After going through this unit, you will be able to:

- Define the concept of good governance
- Discuss the application of good governance
- Identify the parameters of good governance

10.2 CONCEPT OF GOOD GOVERNANCE

Governance can be defined as the administration of civilization by the people. It is also termed as an exercise of authority when it comes to the supervision of a nation's activities. However, one should note here that there is no consensus on the proper definition of the term itself. This lack of meaning has a historical connotation to it. After the end of the Cold War, the concept of governance gained prominence globally and was used by the World Bank as a condition for providing financial assistance. Initially, the concept was geared towards the improvement of the public sector and its overall management. With the passage of time, the concept of good governance came to include the concepts of transparency, accountability and people's participation. These and many other concepts were introduced in the overall concept of good governance to improve the system of governance and bring forth stability into the markets, both at international and national levels.

Therefore, the very concept of good governance can be defined in the following ways:

Firstly, the concept of good governance is based upon relationships that are sympathetic and accommodating and exist between the government, the civil society and the private sector. The existence of relationship between these actors is of paramount importance and therefore, is critically important in order to carry out interactions between the three entities.

Secondly, good governance consists of people's participation, promotion of transparency in the overall decision-making process, bring forth accountability into the system, implementing the rule of law etc., and therefore, can be considered as a proprietorship for all.

Thirdly, good governance is based upon various norms and values and is therefore standardizing by nature.

Therefore, good governance is an authority in itself which utilizes different specialists, for example, political, financial, cultural, managerial and so on, to deal with the issues of the country- state itself at different levels. All this prompts the making of a general public that remains united and at last focuses on the general advancement of the general public. It investigates into all the accessible procedures that empower the formation of an environment that runs after decentralization of

intensity and at the equivalent oversees viably the assets that are there in the general public. Good governance, likewise, focuses on the expulsion of debasement from inside the framework as defilement is a significant detour in the way to advancement.

10.3 APPLICATIONS OF GOOD GOVERNANCE

Good governance is vital for every country and that too especially a democratic country like India. Good governance can be useful in the following manners:

Firstly, giving a stage to the individuals from the society to voice their assessments and simultaneously considering the public authority responsible for its activities, and furthermore, advances uniformity and comprehensiveness.

Furthermore, the presence of dangers in the general public and how much they exist.

Thirdly, regarding if the current government structure is productive.

Fourthly, to assess and investigate whether the approaches that are passed by the public authority in control or not.

Fifthly, the usage of rules of law inside the public limits of the country or not.

Finally, attempting to control different managerial shades of malice and acts of neglect.

Good governance is invariably linked with advancement. For a country to develop, from a positive viewpoint, it is significant for the country's government to raise awareness among the general public and the standard of living of the citizens. Notwithstanding, it is to be noted here that the benefits of government authority seldom reach the general public.

As per numerous worldwide organizations good administration and governance is important for the foundation and advancement for improvement at the public level. Great administration advances the foundation of organizations that fill in according to the changing standards of the state and worldwide situations and simultaneously align with the enhancement of the country's economy. Great administration additionally prompts the safeguarding of opportunity, harmony and security by means of making a steady society which revolve around the assurance and advancement of basic liberties which makes a popularity-based environment wherein everybody has the opportunity to voice their perspective. Administration and improvement can happen just when there is answerability, individuals' interest, expectedness and straightforwardness inside the framework. Both, advancement and administration, are significant as they expect to convey the greatest advantage to the populace. Due to this, both the ideas are interrelated with one another. Advancement can just thrive within the sight of good administration and the other way around.

In today's contemporary scenario, the very idea of advancement has likewise changed by and large. At first, improvement implied monetary development and

monetary change. Yet, with the advancement of time, academicians and individuals from the common society have demonstrated that improvement is more that monetary development. Indeed, improvement these days includes well-being, instruction, and business and consequently has become more situations centric. The populace can seek their own targets and qualities and this has prompted the development of different abilities within a person. Also, with regards to administration, the overall population is assuming a helpful job with reference to the comprehensive improvement of the general public, and consequently decrease the different financial imbalances that win in the general public.

As previously mentioned, great administration has become a vital piece of the majority rule arrangement and has in this way a significant role too. The populace anticipates from the public authority to convey successful administration rehearses which raise the prominence of life. The principal goal of the administration is to satisfy the material, good, social and non-material interests of the overall population. To do so, great administration ought to have the accompanying highlights to it:

Good governance advances the individuals' interest. The individuals' cooperation is fundamental with regards to the picking of the administration system at any and each degree of the country. Individuals' investment, regardless of their socio-social foundations and markers, is significant with the end goal for vote based system to thrive. All together for good administration to work at its top, there is the requirement for having a decent constituent framework which can be utilized by the populace to pick their agent with no dread or favour and by doing so making a government assistance framework wherein the public authority works to assist the overall population. Individuals partaking in the dynamic and usage measure is particularly in the kindness of good administration. This cooperation can happen straightforward wherein the populace challenges the races either from an ideological group or autonomously or by implication wherein the populace takes an interest by means of foundations, picked delegates or through the common society itself.

Good governance depends on taking consent. All together for a vote-based arrangement to work appropriately in a country, it is essential to have a powerful dynamic cycle which depends on all the partners that exist inside a country and outside its fringes. The very arrangement of good administration fills in as a state of linkage between different focal points that exist together in the general public and from there on go to an applicable focal point through discussion and conversation on one hand and, on the other, it fills in as a stage for coming up with different instruments that help advance such a biological system. Great administration empowers the production of a pathway wherein 'what is to the greatest advantage of the general public' is investigated wherein everybody has a state and not simply the rich and political tip top.

Good governance advances responsibility. Responsibility implies being considered answerable for one's activity or inaction. The presence of responsibility

in the public authority is an indication of good administration being followed inside a country. Aside from public area foundations, it is significant that all open area organizations and different callings be considered responsible for their activities just as their inactions and, are along these lines responsible to the overall population and their partners also. Being responsible additionally, makes the individual ready to get to the data that was before stowed away from them which at that point makes a two-way framework wherein data is shifted between the overall population and the different government establishments and helps in cutting down the degree of defilement and different other regulatory acts of neglect through the usage of different strategies like the Citizen's Charter that expects to offer different types of assistance to people in general and, subsequently make the framework more receptive to the necessities and interests of the general society.

Additionally, good governance is commonly straightforward. Straightforwardness inside a framework implies that the framework is open and responsible. The public authority is straightforward when its dynamic cycle is available for public examination and conversation. Data is to be given to all the partners in a legitimate organization that is openly available. By doing so, defilement goes down and the degree of individuals' support increases in the dynamic cycle. This prompts the execution of vote-based practices at all levels of the country including the very grassroots levels too.

Good governance empowers the production of a congenial type of administration system. Great administration focuses on the arrangement of administration to be more focused towards the requirements and desires of the individuals wherein within a selected timeframe, the regulatory framework is capable of reviewing the complaints of the overall population and, simultaneously search for answers for the issues constantly that plague the overall population. By making the public authority congenial to the trust of public expansions in the public authority and bringing about a decrease in the misconduct of various public service officers.

Good governance ensures that all individuals receive equal chances and simultaneously are dealt in an equal manner. By giving equivalent chances and ensuring everybody is dealt with; the public authority attempts to improve the general well-being of a person.

Good governance advances productivity and adequacy. The public authority, in its fullest, attempts to meet the expectations of the public through the setting up of different associations. These associations attempt to provide improvement to give security and agreeableness to the general public. The cycle of improvement can be accelerated by utilizing different assets that are dispersed throughout the country and the world. During the time spent utilizing these dissipated assets, the regular habitat gets partly harmed, which thusly metamorphizes into a stream down impact wherein the lives of individuals get affected. The need of great importance, in this way, is the productive utilization of assets in a way that does not hurt the lives of individuals and simultaneously the requirements of individuals are additionally meet.

Good governance advances the execution of good legitimate structure that is upheld in a rigid and unbiased manner with regards to the assurance of basic liberties of the general public and that of the minorities. Each should be seen similarly from the viewpoint of law and nobody is exempt from the rules that everyone else follows. With the presence of a lawful structure that works in reasonable way will make security power that cannot be ruined, is proficient and is fair-minded with regards to the execution of its obligations and will like-wise make a legal framework that is free naturally and is away from the very handle of debasement.

Good governance is concerned with imparting benefits to the general public. In a democratic country, the government is elected by the people and is thus, accountable to the people. The public authority, tries to ensure the benefit of all by making use of the available resources that are required for the execution of different projects.

The previously mentioned features of good governance can help to deliver benefits to the general public. This likewise makes great administration exceptionally hard to accomplish as it is extremely optimistic. Numerous countries have made an honest effort with regards to the execution of good administration rehearses but then truth be told, not many have attempted to accomplish something close that looks like great administration yet not absolutely great administration. It is to be noted that great administration is of vital significance as great administration guarantees and empowers human advancement practices to be executed. The general public needs to be vigilant to ensure that the government in power functions in a straightforward and accountable manner towards the society.

Check Your Progress

1. Define the concept of good governance.
2. Mention one significant application of good governance.
3. Give one benefit of good governance.

10.4 PARAMETERS OF GOOD GOVERNANCE

In the present contemporary scenario, administration has acquired immense significance. As per the United Nations (UN), great administration is vital for the eradication of poverty and improving the standard of living of the general public. Hence, it needs to be said that good administration has become vital for improving the quality of life. Good governance can be defined by straightforwardness, responsibility, individuals' cooperation and so forth to give some examples. Good governance advances improvement through the making of financial strategies and popularity-based establishments that change and develop according to the necessities of the individuals. Great administration is a term of high calibre and possibly gets additionally reinforced when individuals begin to take an interest in

the general dynamic cycle that helps in the pervasion of straightforwardness and responsibility all through the framework also. With the presence of rule of law, great administration is additionally guaranteed.

The idea of administration is just conceivable within the sight of a state. In agriculture dominant countries, for example, India, the idea of administration has gone through drastic change. In 1991, when India presented different financial arrangements that were focused on the progression of the economy, the idea of good administration began to pick up gradually in our country. Since the very idea of administration has been changing consistently, it becomes difficult to provide an exact definition. In any case, the renewal of the approach plan and execution measure, limits the working of different states/public foundations, empowering individuals' cooperation and so forth can be expressed as the centre ascribes of good administration.

With the job of the Indian state being reclassified, administration has additionally gone through numerous changes. Globalization has brought about several changes worldwide, the job of the state in administration has been changed with the consideration of numerous new players, for example, transnational offices, global associations, NGOs and so forth. The arrival of these new players has changed the very idea of administration and has prompted the making of an option with reference to strategy making and its execution. From the point of view of globalization, great administration can be characterized as the connection among state and non-state entities.

Governance is about providing guidance to different undertakings of the state. Since the last part of the 1980s and the mid-1990s, it has been expressed in numerous worldwide reports that there is an urgent need to revamp the concept of administration. Different reports, consistently, have expressed that the very job of the state should be investigated again to advance and proliferate viable and productive type of organizations. Hence, administration in the present scenario requires the support of public and private foundations to function smoothly. In this perspective, different elements of good administration can be recognized: including responsibility by giving the individuals the option to voice his interests; adequacy of arrangements; rule of law; controlling debasement and different disasters in the authoritative machinery; empowering individuals' cooperation; advancing straightforwardness, maintainability which implies that the approaches that are being detailed and actualized will have a positive effect for a significant stretch of time and so forth.

The qualities of good governance are as per the following: giving the average person a stage to voice his sentiments through associations/delegates that allude to every segment of the general public; advancing and making a legitimate structure that takes care of the privileges of each individual independent of his social/social/ strict foundations; dealing with the standard of making an agreement; advancement of values and comprehensiveness; chipping away at making the general framework

more productive and powerful; delivering responsibility, straightforwardness and responsiveness in the arrangement of administration.

Good governance has been executed in India in different structures and measures. For example, the Right to Information offers access to data that thus can be utilized to remind the public authority that it needs to supply information to the person seeking it. RTI Act, 2005 advances receptiveness, straightforwardness and responsibility in the Indian authoritative scenario and in this manner makes the public authority more transparent to the public.

E-Governance in India is additionally a basic part of good administration. According to the National E-Governance Plan, all the taxpayer driven organizations are to be made available to an individual regardless of their area.

Good governance likewise incorporates the expulsion of obsolete laws, transformation of the criminal equity framework and so forth. In India, the Central Government has taken out 1,500 laws that were considered to be outdated. By doing so the Indian government has introduced effectiveness and straightforwardness in the present system of administration.

Financial aspects have become an integral part of the administration. In India, significance is being given to simplicity of working together.

The very next step in India is the opportunity given to states so they can define their own plans . This is significant; concerning acceptable administration rehearses, as it presents the further decentralization of the Indian political and authoritative scenario. Another territory wherein we can say that great administration rehearses have been presented in India is the policing area. The Indian Police Force is going through changes which incorporates the usage of the Model Police Act of 2015 and the modernization of the police powers. Changes have been made in connection with the housing of the First Information Report (FIR) which likewise incorporates the filling of E-FIR for offenses that are ordinarily minor. Another significant highlight to be noted here is the dispatch of a typical crisis number for the entire country with regards to the security of the Indian residents in the midst of the crises.

The implementation of the Aspirational Development Programmes (ADP) in 2018 by the Indian government is another part of the great administration set-up that are existing in our country. The ADPs empower the advancement of the Indian residents who are living in immature and in reverse locale and regions of our country. The ADPs have been started by the NITI Aayog after conducting talks in territories identified with medication, well-being, nourishment, schooling, farming, expertise advancement and so forth.

On the event of Good Governance Day (25th Dec 2019), the Good Governance Index was dispatched by the Indian government. The file gives a bunch of instruments to Indian states to survey the status of administration in their respective state and hence, comprehend the effect of different arrangements and

mediations that the Indian States and UTs have thought of. The fundamental goal of this list is to give information that can be confirmed and evaluated and shows the way with regard to the correct execution of strategies in different Indian States and UTs.

Conclusion

To conclude, the very concept of good governance is an integral part of the subject of social sciences and more importantly becomes much more necessary to study and understand when it comes to the inner working of political/financial/administrative machineries. Speaking from a global perspective, the subject of governance, in general, has gained prominence and has become an important part of many national and international debates and discussions. Good governance is basically used to highlight the positive aspects of the governance mechanism. The concept of good governance is seen as one stop solution to all issues and problems that plague the civil society. The very nature of good governance is dynamic for being in constant demand. As the needs of the individual/citizen evolve, so does the need for good governance too.

In 1989, the concept of good governance was introduced by the World Bank which aimed at the removal of corrupt practices among its member nations via the introduction of various accomplishment oriented programmes. However, the very concept is as old as the human society. Kautilya, in his most famous work *The Arthashashtra*, has stated that the ruler is the servant of the people and in their happiness lies his happiness. This also meant the rule of law wherein even the actions of the king were also judged as per rules of the law/kingdom. In short, according to Kautilya good governance meant the rule of law with equality before law and giving equal protection to everyone under the law.

The contemporary concept of good governance has emerged under the auspices of international organizations such as the World Bank and others. This modern concept of good governance was developed in the context of developing nations and is geared towards the promotion of an efficient administrative machinery that works as per the tenants of democracy and is centered around the constitution of the land. In order to achieve the objectives and goals of good governance, cooperation needs to take place between the citizens and the various institutions that are there within the state and outside the boundaries of the state.

Application of good governance measures in India include the formulation and implementation of the RTI Act, 2005; the Second Administrative Reforms Commission which has submitted reports on areas such as RTI, need for ethics in governance, importance of local government, impact of terrorism, need for robust measures in public administration, implementation of E-Governance measures etc. to government in 2005, implementation of the Citizen's Charter and lastly, the formulation and implementation of the nationwide Unique Identification Number (UID).

Parameters of good governance include being participatory in nature, working within the directives of rule of law, being transparent and responsive, mediation of different interests, promoting equity and inclusiveness at levels of the system via proper administrative polices, be effective and efficient at the same time and lastly, being accountability for the actions taken.

Check Your Progress

4. What are the qualities of good governance?

5. Mention the parameters of good governance.

10.5 ANSWERS TO CHECK YOUR PROGRESS QUESTIONS

1. The concept of good governance is based upon relationships that are sympathetic and accommodating and exist between the government, the civil society and the private sector. The existence of relationship between these actors is of paramount importance and therefore, is critically important in order to carry out interactions between the three entities.

2. One application of good governance is that it helps to assess whether the present government structure is productive or not.

3. Good governance is concerned with imparting benefits to the general public. In a democratic country, the government is elected by the people and is thus, accountable to the people. The public authority, tries to ensure the benefit of all by making use of the available resources that are required for the execution of different projects.

4. The qualities of good governance are as per the following: giving the average person a stage to voice his sentiments through associations/delegates that allude to every segment of the general public; advancing and making a legitimate structure that takes care of the privileges of each individual independent of his social/social/strict foundations; dealing with the standard of making an agreement; advancement of values and comprehensiveness; chipping away at making the general framework more productive and powerful; delivering responsibility, straightforwardness and responsiveness in the arrangement of administration.

5. The parameters of good governance include being participatory in nature, working within the directives of rule of law, being transparent and responsive, mediation of different interests, promoting equity and inclusiveness at levels of the system via proper administrative polices, be effective and efficient at the same time and lastly, being accountability for the actions taken.

10.6 SUMMARY

- Governance can be defined as the administration of civilization by the people. It is also termed as an exercise of authority when it comes to the supervision of a nation's activities. However, one should note here that there is no consensus on the proper definition of the term itself. This lack of meaning has a historical connotation to it.

- Good governance is invariably linked with advancement. For a country to develop, from a positive viewpoint, it is significant for the country's government to raise awareness among the general public and the standard of living of the citizens. Notwithstanding, it is to be noted here that the benefits of government authority seldom reach the general public.

- In today's contemporary scenario, the very idea of advancement has likewise changed by and large. At first, improvement implied monetary development and monetary change.

- Good governance advances the individuals' interest. The individuals' cooperation is fundamental with regards to the picking of the administration system at any and each degree of the country.

- Good governance depends on taking consent. All together for a vote-based arrangement to work appropriately in a country, it is essential to have a powerful dynamic cycle which depends on all the partners that exist inside a country and outside its fringes.

- Good governance advances responsibility. Responsibility implies being considered answerable for one's activity or inaction. The presence of responsibility in the public authority is an indication of good administration being followed inside a country.

- Additionally, good governance is commonly straightforward. Straightforwardness inside a framework implies that the framework is open and responsible. The public authority is straightforward when its dynamic cycle is available for public examination and conversation.

- Good governance advances productivity and adequacy. The public authority, in its fullest, attempts to meet the expectations of the public through the setting up of different associations. These associations attempt to provide improvement to give security and agreeableness to the general public.

- Good governance is concerned with imparting benefits to the general public. In a democratic country, the government is elected by the people and is thus, accountable to the people. The public authority, tries to ensure the benefit of all by making use of the available resources that are required for the execution of different projects.

- In the present contemporary scenario, administration has acquired immense significance. As per the United Nations (UN), great administration is vital for the eradication of poverty and improving the standard of living of the general public.

- Governance is about providing guidance to different undertakings of the state. Since the last part of the 1980s and the mid-1990s, it has been expressed in numerous worldwide reports that there is an urgent need to revamp the concept of administration.

- RTI Act, 2005 advances receptiveness, straightforwardness and responsibility in the Indian authoritative scenario and in this manner makes the public authority more transparent to the public.

- The implementation of the Aspirational Development Programmes (ADP) in 2018 by the Indian government is another part of the great administration set-up that are existing in our country. The ADPs empower the advancement of the Indian residents who are living in immature and in reverse locale and regions of our country.

- Parameters of good governance include being participatory in nature, working within the directives of rule of law, being transparent and responsive, mediation of different interests, promoting equity and inclusiveness at levels of the system via proper administrative polices, be effective and efficient at the same time and lastly, being accountability for the actions taken.

10.7 KEY WORDS

- **E-governance:** This term refers to the inclusion of Information and Communication Technology (ICT) in the functioning of the government to ensure efficient discharge of government duties to the public.

- **First Information Report (FIR):** It refers to the information recorded by a police officer on duty given either by the aggrieved person or any other person to the commission of an alleged offence.

- **Unique Identification Number (UID):** This is a programme started by the Department of Defense. It is a character string, number, or sequence of bits assigned to a discrete entity or its associated attribute which serves to uniquely distinguish it from other like and unlike entities.

10.8 SELF ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. Define the concept of good governance in your own words.

2. What is the significant role of good governance in a democratic country like India?

3. List the benefits of good governance.

Long-Answer Questions

1. Examine the application of good governance in the contemporary scenario.

2. Discuss the significance of E-governance in India.

3. When is Good Governance Day celebrated? What does the Good Governance Index denote?

10.9 FURTHER READINGS

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UNIT 11 E-GOVERNANCE: CONCEPTS AND SUCCESS STORY IN INDIA

Structure

11.0 INTRODUCTION

Before democracy was followed on a global scale, governance was seen as an instrument of control and rule over people and resources. Nowadays, governance works as being an instrument of coordination and is seen as a benefactor. The government machinery is accountable when it comes to providing various services to the citizenry and is therefore, very similar to an organization/institution. In the corporate sector, it has been seen that the use of Information and Communication Technology (ICT) has proved to be a boon in disguise as it makes the overall organization more efficient and thereby brings forth improvements in the quality of various services. Thus, it brings savings that is beneficial to the institution on a long-term basis. The same is happening in the government sector with the government embracing ICT with open hands to provide the general public with various efficient and transparent services leading to beneficial cost-cuts in the system, and therefore, makes the overall machinery more efficient.

The rise of ICT has enabled an increase in faster and better communication measures, creation of storage systems that are more efficient, efficient ways to retrieve and process existing stacks of data, and thus, increasing the utilization of information by many. ICT has enabled faster processing and tabulation of data to improve the decision-making process. With the rise of computerization technology and Internet connectivity, the very process of digitally passing around information

has grown to a such an extent; wherein the users are changing the way in which ICT is being used to gain the maximum benefits. From the perspective of the government machinery, computerization and Internet connectivity has brought in faster and efficient processing of information that has increased and improved the decision-making process, made the system more accountable, created proper utilization of the already existing resources and thereby leading to a good governance system. From the point of the citizens, the use of ICT has only enhanced the way in which information is being accessed, and thus, has brought transparency in the service delivery system that are used by government and non-governmental institutions.

With the rise in awareness amongst the citizens in relation to their rights and expectations from government has changed the way in which the government machinery used to work earlier. In contemporary times, the government is being urged to conduct dealings in a transparent manner, be accountable for the actions taken or not taken and ultimately being faster when it comes to being responsive. Therefore, this has made ICT an integral part of the process of good governance. This has also led to the people believing that the use of technology will aid in the achievement of various objectives in a faster manner and increasing the very scope of development due to an increase in reach of the government machinery.

11.1 OBJECTIVES

After going through this unit, you will be able to:

- Differentiate between e-government and e-governance
- State the methods of implementing e-governance
- Give examples of success stories of implementation of e-governance in India

11.2 DIFFERENCE BETWEEN E-GOVERNMENT AND E-GOVERNANCE

E-governance has gained prominence in recent decades and yet there is no proper definition for the term. Different national and international organizations and institutions have their own versions of what e-governance is all about. According to some, 'e-governance' is equivalent to 'e-government'. However, the needs arise to differentiate between 'e-governance' and 'e-government'. As per various international institutions, e-government is a much more industrious variety of the government itself. It means the use of various information technologies by numerous governmental institutions to change the existing relationships between the citizens and the government institutions and various other sectors. The use of various

technologies creates efficient way of delivering government services to the citizens, improving interaction between different sections and levels of the society, empowering the citizens, and thus, leads to efficient management of the existing government services. This results in the creation of an ecosystem that is free from corruption to a certain extent, has an increase in transparency levels, provides convenience to the people, and increases revenue.

On the other hand, governance is the use of political, economic and administrative authorities to manage the various affairs of the citizens. Therefore, e-governance can be stated as the increase of performance in the aforementioned areas through the use of technology to create a system wherein information is disseminated in an efficient and transparent manner to the public and various other administrative institutions.

Therefore, it can be stated that e-governance is the use of ICT in all government levels so as to provide various services to the citizens, increasing the level of interactions between various business enterprises, transfer information between various government agencies in a seamless, efficient and a transparent manner.

11.2.1 Methods to Implement to E-Governance

E-Governance is directly related with the level of development in the field of technology and in developing nations various technologies take a lot of time to be made available to the general public when compared with the developed nations. Therefore, when it comes to the implementation of E-Governance, it takes the following route:

Firstly, government institutions are equipped with computers and various other technological devices that data processing begins to take place.

Secondly, the government institutions are attached to network hub that involves the dissemination of information and the transmission of data between different government institutions.

Thirdly, in order to maintain connectivity with the various governmental institutions and the general public; it was felt by the government that it should maintain websites that provide information about the various government policies and give details of the government officials for the citizens to contact them.

Lastly, after commencing various websites the need arose to increase online interactivity between the government institutions and the general public. This was carried out by providing the people the ability to download forms directly onto their system of choice. The government has further diversified by providing the people nowadays the ability to fill forms online as well which has reduced the cost and save time involved in manual work.

11.2.2 Types of Relations between E-Governance and the General Public

After discussing the various steps in which e-governance is implemented, it is now important to know and understand the various types of communication that take between different stakeholders via the use of e-governance. These communications are as follows:

The first type of interaction is Government to Government or more commonly known as 'G2G'. ICT is used to give a new shape to the existing governmental processes so as to increase the information flow between different agencies that can be at the national, state and local levels and between different levels that co-exist within an organization. By doing so, competence, presentation and productivity gets increased.

The second type of interaction is between the citizens and the government which is also known as 'G2C'. In this type of interaction, an interface is created between the government and the general public to create, innovate and improvise the existing delivery services which increase availability and accessibility of government services on a daily basis. This also provides the people the freedom when to interact with the government, how to interact with the government and where to interact with the government. By doing so, the government aims to create a citizen-friendly image for itself.

The third type of interaction is the one that takes between the government and the business sector. It is also known as 'G2B'. In this, the government provides various e-governance tools that are used by the commercial sector for their overall development, and thus, interact with the government machinery in a fair and efficient manner. By doing so, a business environment is created that is transparent in nature and thereby facilitates in the setting up of more business initiatives.

The final type of interaction is the one that takes place between the government and its employees and is known as 'G2E'. It is to be mentioned here that the biggest job provider in any nation is the government itself, and therefore, it is of paramount importance that the government regularly interacts with its employees. By using the various tools provided by ICT, the government creates a two-way communication system, wherein both the parties are regularly interacting with each other, to increase efficiency in the system and satisfaction among the people.

Therefore, e-governance is a form of governance that tries to bring reform in the overall governance system through the use of ICT and tries to bring to the citizens better ways of accessing information and simultaneously improve the services that are made available to them. It also aims to bring forth accountability into the system, and thereby tries to make the system efficient and simple at the same time; thereby increasing the scope and reach of the governance system itself.

Check Your Progress

1. Define e-governance.
2. What is 'G2G' communication?

11.3 E-GOVERNANCE: DEFINITION AND MEANING

From a global perspective, many nations have heavily invested in ICT and especially its benefits in the field of good governance. The rise of ICT has brought a paradigm shift in the field of governance. Electronic Governance or as more widely known as 'E-Governance', has changed the existing model of governance and in its place has created the 'Simple, Moral, Accountable, Responsive and Transparent' (SMART) of governance. This SMART governance has increased people's participation in various affairs pertaining to the public. The main objective of E-Governance is to improve the existing process of the governance and come with desirable outcomes which improve the dissemination of public services to the general public making the general public an important stakeholder in the E-Governance process.

E-Governance is based upon the same expertise, substructure and computer hardware that is used by various E-Business outlets. The point to be noted here is that E-Governance is very different from other E-Business outlets. The definition of E-Governance is widely centered around the objectives of the process which are the maintenance of cooperative safekeeping; management of justice; improving organizational set-up in terms of the setting up of various establishments which can lead to the betterment of the economy and thereby, helping in the creation of social wealth by bringing much needed changes in various sectors such as health, education, strong familial and community structures. Therefore, it can be stated that E-Governance helps in transforming various aspects of the ways in which the government machinery carries out the delivery of various services to the general public leading to the protection and promotion of democracy. The process of E-Governance results in cost reduction; increase in transparency, and at the same time, a decrease in corruption leading to the creation of an ecosystem wherein the citizens are satisfied by the services of the government. As mentioned before, E-Governance is also known as SMART governance. SMART governance stands for the following:

S is for Simple which means generalization of rubrics, guidelines and progressions of government through the use of ICT which enables the creation of a user-friendly government.

M is for Moral which means the creation of a system that introduces various ethical and moral values into the political and administrative machinery to decrease the level of corruption and increase the efficiency of various departments as well.

A is for Accountability which as the name suggests is holding those in the government and administrative machinery accountable for their actions so that information is properly managed and disseminated among the general public.

R stands for Responsive which means the creation of such a process wherein services are distributed to the general public in an efficient and responsive manner.

T stands for Transparent so that the information that was earlier withheld by the administrative and bureaucratic forces is now freely distributed amongst the general public.

Therefore, the implementation of various E-Governance measures helps in the improvement of processes that exists within the government structure which leads to the creation of much better information dissemination and delivery of services that will only increase transparency of the system in return. Therefore, it leads to a decrease in the level of corruption in the overall system and bring forth trustworthiness and accountability in the political landscape. and thus, increases the scope and reach of democracy via more people's participation and discussion.

11.3.1 E-Governance in India

Globally speaking, many nations have embraced the use of ICT and e-governance in their day-to-day governance and administrative process to make their government more transparent, efficient and responsive. Nations like the USA, the UK, New Zealand and international institutions like the UN have been using ICT and e-governance to carry out their day-to-day affairs in a seamless manner. However, it is important to note here that E-Governance is not about the use of technology for development and communication purposes only but it is also about improving the various facets of the governance system. In order for the government and the people to benefit the most from E-Governance, it is important to adopt an approach that is holistic in nature and which understands the needs of the people, the capabilities of the existing government structure and thereby coming up with a plan that is more suited to the overall development process of the government and the people themselves.

In India, the government was quick enough to realize the importance of the growing field of technology, and therefore, came up with the Department of Electronics in 1970 and thereafter the government has been actively using ICT since 1976. In 1977, the Indian government established the National Informatics Centre (NIC). This was recognized as the first step taken by the government to bring forth E-Governance into the overall governance architecture. Even in the 1980s, the government was using a limited number of computers in most of its organizations. Initially, ICT was used for data concentrated submissions like the

census, elections, and administrative measures in the relation to taxation of various goods and services, surveys etc. In 1987, the Planning Commission came up with the introduction of a network system in India known as the 'NICNET' which connected the various governmental bodies at the district and state level to the central government bodies and vice-versa through the use of District Information System of the National Informatics Centre (DISNIC).

In the NICNET system, information was shared digitally between the concerned government bodies. However, it is to be noted here that the information sharing network was used only by the government bodies and the citizens were to use traditional methods to communicate with the government institutions. It was only in 1998 that concrete work was carried out for the implementation of E-Governance throughout India. A National Task Force on IT was constituted and based upon its recommendations; all government institutions were made to adopt IT by spending at least 2-3 per cent of their pre-arranged budget. In the year 2000, a High Powered Committee, chaired by the Cabinet Secretary, stated that all central government ministries/departments should have a senior officer as the IT manager to promote the importance and use of IT throughout the government machinery. As time progressed, the Department of Administrative Reforms and Public Grievances (DARPG) came out with an agenda geared towards the promotion of IT throughout every government department. As per the agenda, there were 12 points in it which stated the need to create an IT infrastructure wherein the employees are to be trained to use ICT so that the internal and external mechanisms of the government are improved. Apart from this, it was necessary for each government ministry/department to prepare a 5 year 'IT Vision' and various annual 'Action Plans' that furthered the implementation of ICT which the government machinery. In it hurry to implement ICT throughout the government machinery, the government failed to overcome the various technical problems associated with the issue at hand which ranged from standardization to interoperability etc. When it came to the implementation of E-Governance throughout the government, there was a lack of centralized plan, and in fact, everything was left to the sole discretion of the departments.

In the 11th report of the Second Administrative Reforms Commission (ARC) titled as 'Promoting e-governance-The Smart Way Forward' stated that there was need to expand e-government in India. Keeping this in mind, the Indian government launched the National e-Governance Plan (NeGP) which was articulated by the Department of Information Technology (DIT) and the Department of Administrative Reforms and Public Grievances (DARPG) in 2006 and was approved by the Central government in the same year. The vision statement of the NeGP was to improve the existing delivery mechanisms of the various government services to the Indian citizens. The plan aims to make all government services accessible to the common man so as to make these services more efficient, transparent, reliable and affordable to fulfill the basic needs of the common man.

The NeGP is made of the following components:

Firstly, in order to implement the NeGP it is very important to have common IT support system that is made up of the State Wide Area Networks (SWANs), State Data Centers (SDCs), Common Service Centers (CSCs) and Electronic Service Delivery Gateways (ESDGs).

Secondly, proper arrangements have been created for the overall monitoring and coordination of the implementation of the NeGP via various experienced authorities who will also lay down the various standards and policy guidelines that will be evolved in the coming times. All this will help to increase the technical capabilities, improve capacity building, increasing research and development.

Thirdly, the NeGP is a plan that has been created by the central government but has spread throughout the country thereby making the plan more decentralized in nature. This has been carried out to make the plan more citizen-centric and thereby making the ICT infrastructure and tools be used in an optimal manner.

Fourthly, the plan also provides for the use of a Private-Public Partnership (PPP) model in order to increase the existing resource pool without compromising on the security of the system.

Fifth, the plan aims at integration via the adoption of various codes for the general public, business and property.

Sixth, the NeGP was implemented in the form of a programme to reduce the chaos between the Union and State level institutions and organizations.

Seventh, the plan gives a facilitatory role to the Department of Information Technology (DIT) in the overall implementation of the NeGP.

Therefore, e-governance has transformed the way in which governance in India is executed. This is true with the implementation of the Digital India Initiative in 2015 which in fact strengthens the NeGP as well. The Digital India Initiative's prime objective is to ensure that the various services of the government are made available to the general public via an improvised online infrastructure that is based on the use of Internet connectivity. The initiative aims to connect the rural Indian populace with the aid of high-speed Internet networks. Digital India has the following three objectives: create a stable digital infrastructure, digital deliverance of various government services and the promotion of digital literacy among the Indian populace.

E-Governance has further intensified in India with the creation of the e-cabinet in the Indian state of Andhra Pradesh wherein the ministers became a part of the e-cabinet by becoming accessing via the app or through the use of an electronic device that is connected to the Internet. Similarly, there is the E-Pragati initiative that was launched by the Government of Andhra Pradesh which aims to computerize all the government department and government services throughout the state so that the people of Andhra Pradesh can access information online without having the need to visit the office premises in person. Then there is Bhudhaar

which is a e-governance project that addresses the problems faced with the management of land in the state by assigning a 11-digit number to every land parcel in the state. Other e-governance initiatives include E-Crop Booking also locally known as e-Panta which is a platform designed to know various details of a crop in the state of Andhra Pradesh; creation of the Loan change creation project curtails counterfeit and numerous mortgages issued to the farmers.

11.3.2 Implications of E-Governance

The implementation of e-governance has had wide implications for the government and administrative machinery.

With the implementation of ICT, many administrative reforms have been introduced such as the computerization of various administrative processes which is basically a e-governance system that has minimum human intervention and would be driven via the system itself. Nowadays, all the government institutions are connected to the network, are computerized, use specially designed software as per the needs of the particular institution; thus, increasing efficiency in the government structure. Computerization has also reduced the paperwork as information and communication is carried out via electronic channels, and at the same time, its storage is carried out in an electronic manner. Improvement of existing services is another area wherein administrative reforms have been carried out due to the implementation of e-governance measures which have made it possible to deliver services to the citizens in an accountable and responsive manner, and has the changed the process of redressal of grievances from offline to online. There is an overall reduction in the level of hierarchy as well due to the seamless transfer of information between various government departments. This has made the system more efficient and has increased the involvement of people in the decision-making process. Changes have been witnessed in the overall nature and structure of the bureaucracy as due to e-governance the various actions that are taken by the public officers are under scrutiny of the general public, which has made the administration more efficient, responsive, accountable, open, responsible and oriented towards delivering justice.

Other areas where ICT and e-governance have brought forth change is the area of dissemination of information and discharge of duties and responsibilities in a transparent manner. E-governance and ICT also promote the growth of social and economic development in the society as the cost of disseminating information has reduced to a large extent. This has empowered the citizens by providing them a platform which they can join to voice their opinions in front of the government itself.

Conclusion

To conclude, government and various other actors, depending upon their position in the overall system, play an important role in the governance mechanism. The use of technology has brought about dynamic changes in the government's decision-

making process. Technology has become the part and parcel of every individual's life including those in the government as well. Initially, technology was used by a niche group of people. However, with the passage of time, the use of technology became widespread in all sectors of the economy. This in turn revolutionized the public and private sectors and led to the creation of a new segment of business and institutions that use various technologies to speed up their decision-making process and help the people be aware of their surroundings.

Technology being used in the governance systems is called e-governance. In e-governance, Information and Communication Technology (ICT) is used to disseminate knowledge among the masses, help in operating various government services, and at the same time, and maintain them as well. The use of ICT has increased cooperation between various government institutions, has made government service more transparent and accountable, increased the efficiency and effectiveness of various government services, has reduced the costs that are associated with paperwork, and in turn has led to the government making more informed decisions.

E-governance can be defined as the use of ICT to provide services to the citizen/individual that are based on providing the necessary environment. E-governance also aims at setting up ICT in various departments and levels of the government which in turn further improves the already existing public services and thus aids in the promotion of democracy. E-government also promotes the development of various public services that are integrated with each other thus making them seamless; socio-economic development; enables in the creation of a smart government system that serves as an interface for various government, and business systems. In a nutshell, e-governance can be stated as a system that uses ICT at each and every level. E-governance improves various mechanisms that are associated with the delivery of various services, increase efficiency, promote greater access to information, enable better management practices and lastly promote accountability and transparency in the system.

E-governance has been gaining a lot of importance. With the global cities developing at a rapid pace, issues pertaining to urban areas have been rapidly rising as well. The use of E-Governance is immense when it comes to addressing the urban issues. Modern technological advancements have created a new form of urban management wherein the delivery and management of services such as collection of various taxes, tracking vehicles, promoting efficient transportation services etc., can be done through various e-governance portals. From a global perspective, e-governance has a pivotal role to play in the functioning of the government in many nations. For instance, in Singapore e-governance has revolutionized the business sector and has led to the creation of an e-business initiative wherein information regarding various aspects of the business sector are provided; while at the same time, tax filling and various other forms regarding financial activities are available online. This reduces burden on both the individual

and the administrative machinery. Similarly, in various European nations, E-Governance has helped in the creation of smart and energy efficient grids, work centres that promote urban management. Simultaneously, in the USA and Asia many benefits of E-Governance are being witnessed such as tracking greenhouse gases and providing smarter and sustainable forms of decisions regarding travelling across the globe.

When it comes to India, the use of technology in governance can be traced back to the 73rd and 74th amendments wherein local bodies at urban and rural level became constitutional entities of local governance in structure. In 2005, the Central Government came up with the Jawaharlal Nehru National Urban Renewal Mission (JNNURM) which aimed at bringing various reforms in the governance mechanism. The Indian Government has also launched the National e-Governance Plan (NeGP) that aims to promote the growth of E-Governance within the nation. Other impacts of E-Governance can be observed at a large scale. For example, in Andhra Pradesh, E-Governance is used to register deeds and stamp duties in the state's revenue department. By doing so, properties across the state can be registered in a seamless manner and brings forth transparency in the existing system through the storage of data in a scientific manner. Similarly, in Karnataka various E-Governance initiatives have been taken by the state government, when it comes to the various aspects that are associated with the registration of various documents. When it comes to rural India, E-Governance has played an important role, there too. In rural parts of Karnataka, gaining access to land titles has become easier through the use of various ICT tools. Another important area where E-Governance has played an important role in rural India is the Gyandoot project which has created community-owned rural Internet stalls that provide marginalized citizens easy access to knowledge via minimum investment. Gram Samprak is another E-Governance programme that has been implemented in the villages of rural Madhya Pradesh while in Chennai, Tamil Nadu there is the MS Swaminathan Research Foundation (MSSRF) which has brought various government facilities to the doorsteps of the rural people via the use of ICT.

ICT and E-Governance together are playing an indispensable role in the development of countries. However, here few suggestions need to be given in order to more effectively implement E-Governance and ICT. These suggestions are as follows: More infrastructure needs to be created for the implementation of ICT and E-Governance; increase the rate of investment to increase digital economy; increasing access to information to rural India; interesting, beneficial and appealing information needs to be given to the people; need to increase manpower in the IT market; increase capacity building; a change needs to be brought forth in the minds of the service providers; ICT and E-Governance can be more successful if they use the local languages of the people which in the case of India is very much the need of the hour due to the diverse linguistic fabric of our society; increase in grievance redressal mechanisms; strengthening of existing cyber laws that further strengthen E-Governance and the use of ICT as well.

Thus, it can be said E-Governance has had a tremendous impact on the public administrative practices that are followed in the world and in India alike. E-Governance has brought speed and transparency into the system which has made it more responsive and effective.

Check Your Progress

3. In which year was the Department of Electronics established in India?

4. What are the three main objectives of Digital India?

5. Give one example of e-governance implemented in India.

11.4 ANSWERS TO CHECK YOUR PROGRESS QUESTIONS

1. E-governance is the use of ICT in all government levels so as to provide various services to the citizens, increasing the level of interactions between various business enterprises, transfer information between various government agencies in a seamless, efficient and a transparent manner.

2. The type of communication from Government to Government is commonly known as 'G2G'. ICT is used to give a new shape to the existing governmental processes so as to increase the information flow between different agencies that can be at the national, state and local levels and between different levels that co-exist within an organization. By doing so, competence, presentation and productivity gets increased.

3. The Department of Electronics was established in India in the year 1970.

4. Digital India has the following three objectives: create a stable digital infrastructure, digital deliverance of various government services and the promotion of digital literacy among the Indian populace.

5. E-Crop Booking facility has been launched in the state of Andhra Pradesh. It is locally known as E-Panta which is a platform designed to know various details of a crop in the state of Andhra Pradesh.

11.5 SUMMARY

- E-governance has gained prominence in recent decades and yet there is no proper definition for the term. Different national and international organizations and institutions have their own versions of what E-Governance is all about. According to some, 'E-Governance' is equivalent to 'E-Government'.

- E-Governance is the use of ICT in all government levels so as to provide various services to the citizens, increasing the level of interactions between

various business enterprises, transfer information between various government agencies in a seamless, efficient and a transparent manner.

- E-Governance is directly related with the level of development in the field of technology and in developing nations various technologies take a lot of time to be made available to the general public when compared with the developed nations.

- The rise of ICT has brought a paradigm shift in the field of governance. Electronic Governance or as more widely known as 'E-Governance', has changed the existing model of governance and in its place has created the 'Simple, Moral, Accountable, Responsive and Transparent' (SMART) of governance.

- E-Governance is based upon the same expertise, substructure and computer hardware that is used by various E-Business outlets. The point to be noted here is that E-Governance is very different from other E-Business outlets.

- Globally speaking, many nations have embraced the use of ICT and E-Governance in their day-to-day governance and administrative process to make their government more transparent, efficient and responsive. Nations like the USA, the UK, New Zealand and international institutions like the UN have been using ICT and E-Governance to carry out their day-to-day affairs in a seamless manner.

- In the NICNET system, information was shared digitally between the concerned government bodies. However, it is to be noted here that the information sharing network was used only by the government bodies and the citizens were to use traditional methods to communicate with the government institutions.

- In the 11th report of the Second Administrative Reforms Commission (ARC) titled as 'Promoting e-governance-The Smart Way Forward' stated that there was need to expand e-government in India.

- E-Governance has further intensified in India with the creation of the e-cabinet in the Indian state of Andhra Pradesh wherein the ministers became a part of the e-cabinet by becoming accessing via the app or through the use of an electronic device that is connected to the Internet.

- With the implementation of ICT, many administrative reforms have been introduced such as the computerization of various administrative processes which is basically a e-governance system that has minimum human intervention and would be driven via the system itself.

- Technology being used in the governance systems is called E-Governance. In E-Governance, Information and Communication Technology (ICT) is used to disseminate knowledge among the masses, help in operating various government services, and at the same time, and maintain them as well.

- E-Governance has been gaining a lot of importance. With the global cities developing at a rapid pace, issues pertaining to urban areas have been rapidly rising as well. The use of E-Governance is immense when it comes to addressing the urban issues.

11.6 KEY WORDS

- **The National Informatics Centre (NIC):** It is an attached office under the Ministry of Electronics and Information Technology (MeitY) in the Indian government. The NIC provides infrastructure to help support the delivery of government IT services and the delivery of some of the initiatives of Digital India.

- **Gyandoot project:** It was launched on January 1, 2000 with the objective of installing a low cost rural Intranet covering 20 village information kiosks in five Blocks of the district.

- **Jawaharlal Nehru National Urban Renewal Mission (JNNURM):** This mission was launched in 2005 with the objective of city-modernization by the Government of India under the Ministry of Urban Development. It envisaged a total investment of over $20 billion over seven years.

11.7 SELF ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. What are the differences between e-government and e-governance?
2. Write a short note on the types of relations between e-governance and general public.
3. List the benefits of implementing e-governance.

Long-Answer Questions

1. Discuss the methods which assist in the implementation of e-governance.
2. Explain the (SMART) model of governance.
3. Describe the successful implementation of e-governance in India. Give examples in support of your answer.
4. Discuss the history of the commencement and implementation of e-governance in India.

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BLOCK V
ANTI-CORRUPTION AND REDRESSAL MECHANISM

UNIT 12 LEGAL AND INSTITUTIONAL FRAMEWORK TO CHECK CORRUPTION IN INDIA

Structure

12.0 INTRODUCTION

Corruption in the administration is a problem being faced by every nation of this world irrespective of the type of governance system being followed in the respective country. The issue of corruption is being faced by every nation and its extent varies from nation to nation. The various types of corruption, its scope and reach are heavily dependent upon the politically aware and commercial structure, and the rate of expansion within the nation itself. With prevalent of corruption in a nation's administrative sphere, it can be seen that there is policy misuse and exploitation of natural resources. All this has reduced the overall efficiency of the government, when it comes to running the day-to-day affairs of the state. Because of inefficiency creeping into the overall system, there is reduced trust of the general public in the functioning of the government, which thus, leads to the creation of incompetence and meaninglessness in the society.

The prevalence of corruption leads to a decline in morals and values in the whole nation. This hampers the overall growth of the society and nation alike.

With the rise of corruption in the administrative and financial sectors, the issue of corruption is now being seen as an international challenge. Nations around the world are becoming more and more aware of the problem of corruption and know that the very limits of corruption are unfathomable. It is agreed, internationally, that corruption has the ability to cripple the economy of a nation, undermine development and creates obstacles in the implementation of the rule of law. The rise in corruption in various administrative and financial circles has had an impact on the very nature and concept of integrity as well. The application of bribery and the unlawful use of one's position to carry out the embezzlement of funds, execution of fraudulent activities, promoting favouritism throughout the system, injustice, blackmailing, making the stakeholders dissatisfied etc., are in fact, crimes that can either be carried out by a single individual or by group of like-minded individuals.

12.1 OBJECTIVES

After going through this unit, you will be able to:

- State the meaning of corruption
- Explain the reasons for the rise of corruption in India
- Identify the steps taken by the Government of India to prevent corruption
- Examine the need to curb corruption

12.2 MEANING AND DEFINITION OF CORRUPTION

Corruption has Latin roots. It is derived from the Latin words '*com*' which means 'with, together' and '*rumpere*' which means 'to break'. Therefore, it can be stated that corruption takes place when rules and regulations, that are ethical and moral by nature, are broken. According to many international institutions, corruption is the abuse of power enjoyed by an individual. With the rise of societies and governments, corruption has been spreading more rampantly than ever before. It has now become a major irritant in the daily life of the individual and has demolished, ruined or damaged societies and nations alike. Corruption leads to the creation of a society that does not depend on morals and values and therefore, does not respect the rule of the law in the society and nation alike. A corrupt individual abuses power only for his personal gain and not for the overall development of the society. There is no consensus on the definition of the term 'corruption'. However, all the definitions centre on a common theme which is the abuse of power for personal gain and benefit.

12.3 CORRUPTION IN INDIA

In India, corruption has seeped into every sphere whether it is administrative or financial. As per the report generated by the Transparency International, India's ranking in the Corruption Perception Index (CPI-2019) is 80th when earlier it was 78th rank and in 2012 it was 94th. Therefore, it is to be said that corruption has permeated to all levels of the administrative and financial sectors of the Indian government. Initially, when modern Indian economy was created in the post-independence period, the Indian society was socialist in nature. At that time, the economy was controlled via regulation protectionism that was widespread in nature, public ownership was rampant which led to corruption and sluggish development. In 1991, the central government introduced liberalization, privatization and globalization which opened the economy and reduced red-tapism and bureaucracy, and changed the very nature of the Indian economy which spurred the economy to grow at a high rate. In spite of growing economic rate, the success of the overall growth rate has not reached every social and economic stratum of the Indian society and poverty has only increased. It is to be noted that many of the social and political pitfalls occur in the society due to widespread and deeply entrenched corruption in the society itself. Corruption is a threat to the socio-economic development of the nation which also affects the socio-political fabric of the nation as well.

After the nation gained independence in 1947, corruption has spread throughout the bureaucratic and political system. As per many reports, many foreign banks that serve as tax havens for the rich and powerful Indians have a lot of Indian black money stored in them. There is nothing surprising that the nation has seen scams from 1948 onwards. In 1948, the Indian state saw its very first scam which was known as the 'Jeep scandal case' wherein the then Indian High Commissioner to UK, VK Krishna Menon, had signed a contract worth Rs. 80 lakhs, after ignoring the official protocols, to purchase army jeeps from a foreign company. From the 1950s till the present times, India has been riddled with scams and corrupt practices.

The Indian system of governance is Parliamentary Democracy and consists of the legislature, the executive and the judiciary. The members of the various legislative assemblies throughout the country are elected by the Indian citizens by democratic elections. Upon being elected, the members in the various legislative assemblies are responsible for the implementation of various rules and regulations that are beneficial to the people. The members of the executive branch of the Indian government comprises of the ministers. The bureaucratic set-up is responsible for the implementation of the rules and regulations that have been created by the members of the legislative assemblies. The judiciary is an important

institution of democratic India and ensures that the Indian general public is governed as per the rule of law and also has the power to interpret the law under the purview of the Indian Constitution. However, it has been lately observed that the reach of corruption has expanded to all spheres of the government machinery leading to a decrease in efficiency and integrity.

Corrupt practices are followed by those in the government and this is very much evident from the fact that there are criminals in the political system. The presence of criminals in a democratic set-up is a proof in itself that corruption has tainted the highest levels of democracy. Similarly, in the executive, the ministers who have been chosen by the people also indulge in various acts of corruption as well and this is evident from the list of scams that range from 2G spectrum scam to Commonwealth Games (CWG) scam, from Fodder scam to Coalgate scam.

Another form of corruption that thrives in India is the bureaucratic form of corruption. The bureaucracy is responsible for the execution of the various policies that are made by the Government of India. The presence of red tape, byzantine measures and the unlimited power etc., are some of the indications of bureaucratic corruption. Many reports have iterated that those in the highest levels of bureaucracy are regularly asking for bribes to get their job done. Lack of transparency when it comes to the rules and misuse of power, position and resources has only aided in the further spread of bureaucratic corruption throughout the Indian administration.

The judicial system of India is independent as per the guidelines of the Indian Constitution and yet many see the judicial system has some form of corruption brewing within it. This is evident from the lack of judges, delay in giving justice to the people and the presence of complex procedures. As per various reports, there is corruption at the lower courts in the Indian judicial set-up. In order to gain favourable decisions, bribes and payments have been done on a regular basis. Another important point to be noted here is that when it comes to prosecution of cases related to corruption by a public servant, it is necessary to take proper authorization from the concerned ministry, thus leading to a tussle between the legislature and the judiciary.

Those in the police and the public services are also under heavy influence of corruption. The security forces are mostly overworked, poorly paid and are under constant political pressure which in turn makes them indulge in various corrupt activities. There is corruption in the public service sector due to the presence of red tape, inconsequential corruption, and bribery in the Indian administrative set-up. In order to get a permit for carrying out construction work on a piece of land, companies have to shell out money and are therefore exposed to corruption in the field of land administration. Corruption is also there in India tax administrative set-up, customs administration, public procurement, use of natural resources (illegal sand mining, for instance).

12.3.1 Reasons for Corruption in India

In India, the reasons for corruption being prevalent in the system are the following:

- Low pay scale;
- lack of effective punishments, public awareness in relation to their rights and duties, transparency in the overall system itself, and accountability;
- Ineffective management and implementation of various policies;
- Presence of unemployment and poverty, and growing population;
- Nexus between the political elite and the industrial elite and the acceptance of corruption by the people themselves.

12.3.2 Consequences of Corruption

There are many consequences of corruption. It leads to rise of unemployment, poverty, decline in economic growth, abuse of power, draining of knowledge base due to brain drain, inability to avail the benefits of various governmental policies and so forth. Other consequences include the distortion of the overall decision-making process and thereby impacting the socio-political and socio-economic fabric of the nation itself. With corruption being rampant, the revenue generation process goes down the drain, which leads to an increase in spending more money by the government and by the people themselves to maintain stability within the nation and the society alike. Corruption leads to income dissimilarity as those who are corrupt take advantage of the system by rigging the system to favour them and those known to them. Corruption leads to improper allocation of resources due to lack of various regulatory mechanisms that reduces the importance of the government and thereby leads to a decline in the public trust.

Corruption degrades the political landscape as well with the rise of injustice and the decline of the rule of law due to which decisions that are taken by either the legislature, the executive or by the judiciary are more or less in the favour of those who are able to influence those in power at the cost of the general public.

12.3.3 Legal Machinery to Check Corruption in India

The removal of corruption should be the prime objective of the general citizens of India. It is of paramount importance for those in the Indian legislature, executive and judiciary that they work together to remove corruption from the nation. And yet, most of the times, people are money-minded and therefore let go of the morals, ethics and values that are important for the overall well-being of the society itself.

In contemporary times, corruption has had a devastating effect on modern trade and commerce. Various international reports have repeatedly thrown light on the corrupt practices that are prevalent in India and this in turn does not make India one of the preferred spots for executing business activities. In the past few decades, India has seen a rise in various scandals pertaining to corruption in the

Indian financial sector. There are many anti-corruption safeguards in India which pertain to a legal and institutional framework.

Let us study about the legal framework to check corrupt practices in India. In order to tackle corruption in India, the government has come with up a set of rules and regulations that aim to decrease level and intensity of corruption within the nation. The Indian Penal Code (IPC) that indicts criminal punishment on public servants who do not obey the law, file incorrect documents, carry out unlawful activities through the abuse of their position. In fact, in India laws, rules and regulations pertaining to corruption have been there from the colonial times. In 1944, the Criminal Law (Amendment) Ordinance was passed in order to put a stop when it came to the disposal or concealment of property that was gained by committing certain offences as per the provisions of the law. In 1947, in the due course of time, the Prevention of Corruption Act was also implemented. Prevention of Corruption Act, 1988 (POCA) is one of the main laws that has been passed to keep a check on the corrupt practices that are prevalent throughout India. POCA aims to curb public servants from accepting bribes when it comes to discharging their official duties. Additionally, those who give bribes and those who act as a middleman are liable under POCA. One negative aspect of POCA is that in order to prosecute, approval needs to come from higher authorities and this in turn limits the scope of the Act. Therefore, in 2013 the POCA (Amendment) Act, was introduced in the Indian Parliament and was passed in both the houses of the Indian legislature and then signed by the President of India in 2018. The amendment to the change brought forth the following changes:

The first change was that those who gave bribe are accountable to be indicted. This has increased the scope of the Act and now covers those who give undue advantage to a public servant when it comes to discharging their duties. Such crimes are now punishable with the period of imprisonment being a maximum of seven years and /or fine.

The second change is that now organizations and institutions that are commercial in nature are now liable to be prosecuted. Power has been granted by the Act to prosecute those private sector officials who give or promise to give more advantage to a public servant. The punishment for such an offence is minimum three years and can be extended to seven years and the individual is also liable to pay a fine.

The third change is that the law enforcement agencies need to proper permission for either the State or the Union government, under whom the civil servant was working, when it comes to carrying out an enquiry on those public servants who are either incumbent or are retired.

The fourth change is that the amendment now allows the power to attach, confiscate and administer property that has been acquired by corrupt means and practices.

The last and the final change the amendment has brought to the Act is that the trials for various offences need to be carried out on a daily basis and should be completed within a time span of 2 years as it will act as restraining those who carry out these offences on a daily basis.

The Prevention of Money Laundering Act, 2002 aims to prevent the laundering of money and properties. The Act mainly targets banks, financial establishments, stock market intermediaries etc. In a later amendment, non-profit organizations were included under the Act as these organizations were being used to carry and fund various terror activities within India.

In order to promote integrity and respect towards their employment, the Union Government has implemented the All India Services Act, 1951 which is also known as the 'Service Act'. With the implementation of the Act, the Union government is empowered to make rules and regulations for the employees who belong to the All India Services. The various restrictions not only cover the public servant but extend to their immediate family as well, and thus, prohibits the family members from accepting jobs in those institutions that deal directly with the Indian government. Similar rules and regulations have also been implemented when it comes to State governments and State government owned entities.

In 2013, in the Indian Parliament, an Act pertaining to the need for regulation when it comes to the lobbying activities was introduced. The act known as The Disclosures of Lobbying Activities Bill, 2013 though aimed at controlling various lobbying activities in the Indian Parliament; did not get passed as making representations to the government or government institutions is not forbidden by the Indian legal system.

Another important point to note here is that the anti-corruption legal framework is further strengthened by the RTI Act, 2005 which reinforces India's fight against corruption. Under the RTI Act, any Indian citizen has the power to request information from a public authority/public servant who in turn has to reply within 30 days. Computerization of records to disseminate them publicly needs to be carried out as per the Act. The Act enables the average Indian citizen to increase people's participation in the democratic process and thus enabling them to control public spending. Many Indian citizens have regularly used the RTI Act to bring down corruption in India. However, in spite of the RTI Act being used to bring down corrupt practices, there are no laws in place that protect the whistle-blowers. Resolutions such as the Public Interest Disclosure Resolution (PIDR) empowers the Central Vigilance Commission (CVC) to take actions against those who harass the whistle-blowers or leak their name, yet many whistle-blowers and RTI activists allege that the number of acts have risen a lot in the few decades. Hence, there needs to be a law in place to protect those who aim to bring down the level of corruption in India.

India has a robust institutional framework that keeps a check on corruption in India. In 2001, the Indian government endorsed the ADB-OECD Anti-

Corruption Action Plan, ratified by the UN Convention Against Corruption (UNCAC) and the UN Convention Against Transnational Organized Crime (UNCATOC) in 2011. Major institutions such as the Supreme Court, the Central Vigilance Commission (CVC), the Central Bureau of Investigation (CBI), the Comptroller and Auditor General of India (CAG), the Chief Information Commission (CIC) etc. that at the top mostly implement anti-corruption policies and also spread awareness on various issues pertaining to corruption. In the various states, there are anti-corruption bureaus as well.

In the last few years, the Supreme Court of India has been active against the corrupt practices that plague India and has in turn challenged the power of state governments on many occasions. From challenging powers of the governor to judges taking a strong position, when it comes to responding to PILs to the 2006 landmark judgement wherein the prosecutor does not require any permission when it comes to proceedings against corrupt politicians to mandating the establishment of a police commission to look after the issues of corruption in the police system, the Supreme Court is going head on against corruption in India.

The CVC which was established in 1964 is the apex watchdog agency in India. The agency was created as per the recommendations of the Santhanam Committee. The Santhanam Committee was created to come up with anti-corruption measures in India. The agency has the power to go after high level corrupt central government officials. Its functions include overseeing and supervising vigilance and anti-corruption in all the central government ministries, departments and PSUs. It has some limitations as well which include being short on staff, the need for prior sanction to prosecute and inability to probe officials below the Joint Secretary Level. The CVC is an investigating body and therefore, it cannot influence or formulate policy.

Apart from the CVC, there is the CBI which is the prime investigation agency in India. It is one most respected and sought-after institutions in India and falls under the Ministry of Personnel, Pensions and Grievances. It has three sections under it: The Anti-Corruption Division, the Special Crimes Division, the Economic Offense Division and can be directed by the Supreme Court and High Courts of India to conduct investigations.

Next, there is CAG which is an apex auditing body and has revealed, through its reports, many financial irregularities, lack of monitoring of public expenses and presence of corrupt practices in the branches of the government. The CAG is constitutionally constituted as per Article 148 of the Indian Constitution. In the past few years, CAG has been in the limelight for many reasons. As per Article 149 of the Indian Constitution, the CAG has to carry out various functions and duties which are specified by the Indian Parliament in the Comptroller Auditor-Generals Act, 1971. As the CAG Act, the body itself is responsible for compiling and keeping accounts in relation to the Indian Union and its states and that these accounts should be made available whenever asked by the President of India or

by any of the Governors of the Indian states. The CAG has the power to carry out audits in relation to expenditure, transactions, profit and loss, etc., in relation to the departments maintained by the Indian Union or by the Indian states. The CAG has a similar list of duties in order to carry out audit on those companies that are public in nature and are financed by the Government of India. In spite of being given so many powers by the Indian Constitution and subsequent acts, the reports of the CAG are insignificant as the Indian Parliament is not compelled to act as per the recommendations of the CAG reports. In this case, the question arises as to why the CAG was created in the very first place?

In India, apart from various institutions and regulatory bodies there are some regulatory mechanisms as well that try to regulate corruption in some form or the other. One such Act is the Competition Act, 2002. The Act keeps a check on various anti-competitive practices and its parent organization, the Competition Commission of India has the power to direct investigation in relation to cases that it considers to be anti-competitive in nature. The Act forbids many anti-competitive behaviour that includes the abuse of a company's ability to dominate in a market of its choice. The companies are also prohibited from implementing unfair terms of sales, purchase of goods and services.

Next, is the Income Tax Act, 1961. It is also known as the 'IT Act'. The Act provides various rules and regulations for deducting in relation to the expenditure experienced by the tax payer and thereby keeps a check on the various corrupt practices that are carried out by giving the public servant financial assistance in order to influence them.

Lastly, there is the Central Information Commission, established in 2005, which delivers instructions for sharing information in the interest of the public.

In India, there are legal and institutional frameworks present to prevent the rise of corruption and yet there is lack of accountability in many areas. Many institutions have taken a stronger stance against corruption. But still, due to the lack of cooperation and due to the overlapping of institutional mandates, there is no consensus in India when it come corruption.

Conclusion

Corruption has become an integral part of the decision-making and developmental process in the past few decades. On a daily basis, policymakers, business owners, civil society institutions and various international organizations have come together and have started to raise their voice to make the people aware of the situation. Simultaneously, the general public is taking cognizance of the issue of corruption that is rampant throughout the society and are trying to understand the problem as well. People are being educated, and at the same time, laws are being formulated and implemented in a timely manner so as to prevent corrupt practices from taking place. The increasing role of the civil society institutions is being treasured for the

formulation and implementation of operative and continuous reforms. This rising need to remove corruption from the society has many reasons behind it which range from the protection and promotion of democracy at the grassroots levels to the citizens being in the favour of democracy and thus choosing their representatives in a democratic manner. From an international perspective, after the end of Cold-War, many international institutions and governments have been focusing on providing financial assistance to those nations whose are more driven towards trade and the development. In developing nations such as India, corruption has been very rampant

Corruption is prevalent in contemporary India and is there at all levels of administration. Corruption was prevalent in colonial India and is present in independent India as well. Collusion of the elite has introduced systemic corruption in India, and therefore, has tainted to a certain extent the democratic form of governance that prevails throughout India. From the time India got independence till now, India has been marked by a series of scams and scandals that have involved top politicians, businessmen etc., which in turn has made the Indian legislation come up with various rules and regulations that have tried to ensure that a sound and transparent administration should be functional. However, this has only become a dream due to the presence of corruption in the political landscape and corruption in the political sphere has extended to all levels of the nation itself. The complexity and cumbersome nature of the administrative set-up on the other hand is another reason as to why corruption prevails in India. The contemporary Indian legal and administrative system has its roots in the colonial past of India and was created to serve the needs of the colonial master. Post-independence only the master has changed while the legal and administrative system is still the same. The lack of punishment has strengthened the rise of corruption throughout India as well, as there is lack lustre, when it comes to carrying out the proper judicial procedures in relation to cases pertaining to corruption.

In order to remove corruption from India various institutional reforms need to take place and support should be mobilized to implement such reforms which enhance people's participation in the decision-making process. By doing so, a balance will be created between prevention and enforcement of various measures to eradicate corruption.

Check Your Progress

1. Mention the first scam of Independent India.

2. List any two reasons for the prevalence of corruption in India.

3. What is the main objective of the Prevention of Money Laundering Act, 2002?

4. Name the three sections of the CBI.

12.4 ANSWERS TO CHECK YOUR PROGRESS QUESTIONS

1. In 1948, the Indian state saw its very first scam which was known as the 'Jeep scandal case' wherein the then Indian High Commissioner to UK, VK Krishna Menon, had signed a contract worth Rs. 80 lakhs, after ignoring the official protocols, to purchase army jeeps from a foreign company.

2. Two reasons for the prevalence of corruption in India are the following:
   - Low pay scale;
   - lack of effective punishments, public awareness in relation to their rights and duties, transparency in the overall system itself, and accountability;

3. The Prevention of Money Laundering Act, 2002 aims to prevent the laundering of money and properties. The Act mainly targets banks, financial establishments, stock market intermediaries etc. In a later amendment, non-profit organizations were included under the Act as these organizations were being used to carry and fund various terror activities within India.

4. The three sections of the CBI are the Anti-Corruption Division, the Special Crimes Division, and the Economic Offense Division.

12.5 SUMMARY

- In India, corruption has seeped into every sphere whether it is administrative or financial. As per the report generated by the Transparency International, India's ranking in the Corruption Perception Index (CPI-2019) is 80th when earlier it was 78th rank and in 2012 it was 94th.

- In 1991, the central government introduced liberalization, privatization and globalization which opened the economy and reduced red-tapism and bureaucracy, and changed the very nature of the Indian economy which spurred the economy to grow at a high rate.

- After the nation gained independence in 1947, corruption has spread throughout the bureaucratic and political system. As per many reports, many foreign banks that serve as tax havens for the rich and powerful Indians have a lot of Indian black money stored in them.

- Corrupt practices are followed by those in the government and this is very much evident from the fact that there are criminals in the political system. The presence of criminals in a democratic set-up is a proof in itself that corruption has tainted the highest levels of democracy.

- Another form of corruption that thrives in India is the bureaucratic form of corruption. The bureaucracy is responsible for the execution of the various policies that are made by the Government of India.

- There are many consequences of corruption. It leads to rise of unemployment, poverty, decline in economic growth, abuse of power, draining of knowledge base due to brain drain, inability to avail the benefits of various governmental policies and so forth.

- The removal of corruption should be the prime objective of the general citizens of India. It is of paramount importance for those in the Indian legislature, executive and judiciary that they work together to remove corruption from the nation.

- The Indian Penal Code (IPC) that enacts criminal punishment on public servants who do not obey the law, file incorrect documents, carry out unlawful activities through the abuse of their position.

- The Prevention of Money Laundering Act 2002 aims to prevent the laundering of money and properties. The Act mainly targets banks, financial establishments, stock market intermediaries etc. In a later amendment, non-profit organizations were included under the Act as these organizations were being used to carry and fund various terror activities within India.

- Corruption has become an integral part of the decision-making and developmental process in the past few decades. On a daily basis, policymakers, business owners, civil society institutions and various international organizations have come together and have started to raise their voice to make the people aware of the situation.

- Corruption is prevalent in contemporary India and is there at all levels of administration. Corruption was prevalent in colonial India and is present in independent India as well. Collusion of the elite has introduced systemic corruption in India, and therefore, has tainted to a certain extent the democratic form of governance that prevails throughout India.

12.6 KEY WORDS

- **Red tape:** It is an idiom that refers to excessive regulation or rigid conformity to formal rules that is considered redundant or bureaucratic and hinders or prevents action or decision-making.

- **Whistle-blower**: This term refers to an employee who brings wrongdoing by an employer or by other employees to the attention of a government or law enforcement agency.

- **Chief Information Commission (CIC):** It is the authorized body established in India in 2005, to act upon complaints received from individuals who have been unable to submit requests of information to a Central or State Public Information Officer.

12.7 SELF ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. Define corruption.
2. What do you think are the reasons for the rise of corruption in India?
3. Write a short note on the consequences of corruption in India.

Long-Answer Questions

1. Discuss the emergence of corruption in India.
2. Explain the various rules and regulations formulated and implemented in India to curb corruption.
3. Analyze the urgency of curbing corruption in the contemporary scenario.

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UNIT 13 CENTRAL VIGILANCE COMMISSION AND CENTRAL BUREAU OF INVESTIGATION

Structure

13.0 INTRODUCTION

When it comes to corruption, governments and people alike have felt the need to minimize it for the society and the nation to function in an effective manner. Many strategies and institutions have been created from time to time which have led to the formulation and implementation of various anti-corruption regulations. However, the thought of creating an anti-corruption agency is a complex problem in itself; also how much authority should such an organization have and what should be the extent of its powers? Whether such an agency should be successful or not is an important problem in itself?

Due to the growing interest in relation to the implementation of anti-corruption practices and measures and the rise of many anti-corruption agencies, many international agencies have further stressed on the overall functioning of these institutions, practices and measures. In the past few years, from a global perspective, many nations have come forward when it comes to the establishment of anti-corruption agencies that are centralized and robust as well. Many other nations have increased anti-corruption capabilities by becoming more decentralized which has led to better functioning of the various government departments and institutions.

Vigilance means keeping an eye over the doings of the officers and the officials who are there in the administrative set-up and thus warrant their truthfulness. Vigilance is necessary for the promotion of efficiency and effectiveness throughout

the administrative set-up and when there is no system of vigilance the society and the nation decline in all aspects.

The presence of corruption in the Indian political and administrative landscape is a serious problem that affects all. The removal of corruption is of paramount importance for the government to retain the trust of the public in various institutions and departments of the government. The Indian Government in order to retain the trust of the general public in its various departments and institutions came up with the creation of the Central Vigilance Commission in the year 1964. The main reasons behind the creation of the CVC were to prevent corruption in the government and enable the maintenance of integrity amongst the public servants and thereby ensure that the various administrative powers that are in the hands of the civil servants are used in a fair and just manner.

13.1 OBJECTIVES

After going through this unit, you will be able to:

- Discuss the powers and functions of the Central Vigilance Commission

- Analyse the role of the Central Bureau of Investigation in India

- State the main objective behind the establishment of the Central Vigilance Commission

13.2 CENTRAL VIGILANCE COMMISSION: A BRIEF INTRODUCTION

The Central Vigilance Commission was created in 1964 and is an apex Indian government body. Its main objective is addressing the corruption that exists in the government. The body is free from any kind of of executive control and is an independent body as well. Its main duty is to monitor all the vigilance activities under the auspices of the Government of India, and at the same time, has the duty to advise various authorities in the Central Government institutions on how to plan, execute, review and reform the vigilance work they carry out. The CVC was set-up by the Government of India based on the recommendations of the Committee on Prevention of Corruption that was headed by Shri. K Santhanam. The main objective of the committee was to recommend and the chaperon the various agencies under the Central Government.

Every year the CVC comes up with its annual report which gives the details of all the activities that carried out by them, and the same time, states the shortcomings of the government departments and institutions that leads to corruption; provides an array of improvements in the existing system; come up with various precautionary measures.

13.2.1 Organizational Structure of the CVC

The Central Vigilance Commission is one of the top government bodies whose jurisdiction and functions can be amended by the order of the government. The institution of the CVC deals with the cases pertaining to corrupt officers of the Central Government, Stat Government and the various national banks. The Central Vigilance Committee is self-determining of government control and is independent as well.

The Central Vigilance Commission is headed by the Central Vigilance Commissioner who is assisted by two Vigilance Commissioners, a Secretariat, Chief Technical Examiners' Wing and Commissioners for Departmental Inquires.

The Secretariat consists of a Secretary, Joint Secretary, Deputy Secretary, Under-Secretary and the Office Staff while the Chief Technical Examiners' Wing consists of Chief and Supporting Engineers and the Commissioners for Departmental Inquires consists of mostly Inquiry officers.

Appointment

The Central Vigilance Commissioner and the Vigilance Commissioners are appointed by the President of India after the recommendations of a committee that is made up of the Prime Minister of India who is also the Chairperson of the committee, the Home Minister of India who is also a member of the committee, the Leader of Opposition in the Lok Sabha who is also the member of the committee.

Before joining the office, the Central Vigilance Commissioner and the Vigilance Commissioner are required to make and subscribe to an oath of affirmation that makes them owe their allegiance to the Indian Constitution and work towards maintaining the sovereignty and integrity of India and simultaneously work and carry out their duties to the best of their abilities.

Removal

When it comes to the removal of the Central Vigilance Commissioner and/or the Vigilance Commissioner, they can be removed from their office only by the orders of the President of India on the grounds of misbehaviour or unable to carry out their duties after the Supreme Court of India, as per the instructions of the President of India, carries out an inquiry and based upon the findings of the inquiry states the Central Vigilance Commissioner and/or the Vigilance Commissioner be removed in relation to the case that was filled against them. The members of the CVC can also be removed for the following reasons as well:

- On the off chance that the member is decreed as a bankrupt.
- On the off chance that the Central Government considers him answerable for an offense including moral turpitude/or he is sentenced for such an offense.
- In the event that he turns into a piece of the workplace of benefit.

- On the off chance that he is proclaimed ill-suited by reason of ailment of psyche or body, by the President.

- On the off chance that he is discovered intrigued by monetarily determined exercises or other such interests which can almost certainly influence preferentially his official capacities.

13.2.2 Power and Functions of the Central Vigilance Commission

The powers and functions of the CVC have been expressed in the various sections of the resolution under which it was established. It has been given the power to practice general control and management in relation to various anti-corruption measures that are being followed in different departments and institutions of the government. It also has the power to lead various investigations wherein the public servant/s are under the suspicion of being associated with various acts of malpractices, neglect, wrongdoing, misdemeanour and so forth and in such cases gains extra help from the CBI itself.

The CVC exercises supervision over the proper functioning of the Delhi Special Police Establishment in relation to the various offences committed, allegedly, under the various provisions of the Prevention of Corruption Act, 1988 or under the provisions of the Code of Criminal Procedure, 1973. The CVC has the authority to give proper direction to the Delhi Special Police Establishment for carrying out its responsibilities ae per the provisions of the Delhi Special Police Establishment Act, 1946. The CVC can also inquire or direct an agency to carry out an inquiry/investigation on a reference made by the Central Government wherein a public servant, being an employee of the Central Government or of a corporation that is established and owned by the Central Government has committed an offence as per the provisions stated in the Prevention of Corruption Act, 1998 or under the Code of Criminal Procedure,1973. The CVC also has the power to review the progress of various investigations that are conducted by the Delhi Special Police Establishment in the offences committed as per the Prevention of Corruption Act, 1998 or under the Code of Criminal Procedure, 1973. The CVC audits the advancement of uses forthcoming with the skilful authorities for authorization of arraignment under the Prevention of Corruption Act, 1988. The CVC has the ability to give counsel to the Central Government, enterprises set-up by/or under any Central Act, government organizations, social orders and neighbourhood authorities owned or constrained by the Central Government on such issues as might be alluded to it by that government, said government organizations, social orders and nearby specialists owned or constrained by the Central Government.

After the CVC gets a complaint, the commission refers the complaint to the CBI or the concerned Ministry. After proper investigation is carried out, an examination report is sent to the CVC for consultation. Thus, it can be stated here that the CVC does not conduct the investigations directly but carries it out via various other agencies/associations which are attached to it. The purview of the

CVC is related to those issues that fall under the purview of the executive powers of the Central Government. As mentioned before, the commission on a timely basis offers guidance in issues related to corruption and the understanding of laws and techniques that are necessary when it comes to the administering of various department procedures.

The CVC also helps in orientation of officers and officials in the various vigilance departments throughout the government and acts as a reviewing agency when it comes to the presence of vigilance preparations that are there in many of the government departments and institutions. The CVC mainly, in short, looks into the issues related to the presence of corruption in the administrative set-up.

However, it should be noted here that sometimes false complaints are also made against various public servants to tarnish their reputation. These false complaints can either be carried out by the citizens or by fellow civil servants. In such cases, the one who has filed a false complaint will be charged under the rule of law.

One of the important institutions that help the CVC to carry out investigations and enquires pertaining to particular cases is the Chief Vigilance Officers (CVOs) of central organizations. The Chief Vigilance Officer is one of the high levels officers who are appointed in each and every department and assist the Head of the Department in all matters pertaining to vigilance.

The Chief Vigilance Officers (CVOs) constitute an important point of connection between various departments and organizations of the CVC and the CBI. In order to appoint the CVOs, the following procedure needs to be followed:

First, the approval of the commission for the appointment of an officer as the CVO.

Second, the CVO should be from outside the organization in which the individual is going to be appointed.

Third, in situations where the size of activity of a specific association does not legitimize formation of a full-time post.

Fourth, the official to be given extra charge of the post of CVO ought not to be one whose ordinary obligations include managing matters touchy from the perspective of sensitivity.

Fifth, the official to be given extra charge of the post of CVO ought not to be one whose typical obligations include managing matters delicate from vigilance. Once an official has functioned as CVO in an association, he ought not return as CVO to a similar association.

Sixth, an official who is named from outside as CVO in Central Public Undertaking will not be for all time retained in a similar association on ending of his tenure or in continuation of his residency as CVO in that association.

Lastly, the 'Cautiousness' and 'Security' work in an association should be isolated as both the exercises are similarly requesting and the release of 'security'

capacities by a Chief Vigilance Officer just prompts weakening of oversight on matters of watchfulness.

The role and functions of the CVO are as follows:

- To analyse in detail the current rules and techniques of the organization so as to limit the degree for debasement or misbehaviour.

- To distinguish the touchy/debasement inclined areas in the organization and watch out for staff posted in such territories.

- To design and implement shock investigations and ordinary assessments to recognize the framework of disappointments and presence of defilement or misbehaviour.

- To keep up appropriate observation on officials of far-fetched respectability.

- To guarantee brief recognition of conduct rules identified with uprightness of the officers.

- To guarantee expedient preparing of carefulness cases at all stages. As to cases requiring conference with the Central Vigilance Commission, a choice concerning whether the case had a carefulness point will for each situation be taken by the CVO who, if all else fails, may allude the issue to his managerial head, for example, the Secretary on account of Ministries/Departments and Chief Executive on account of public area associations.

- To guarantee that chargesheet, articulation of attributions, arrangements of witness and archives and so on are deliberately arranged and duplicates of the multitude of reports depending upon and the assertions of witnesses referred to in the interest of the disciplinary authority are provided any place conceivable to the blamed official along-with the chargesheet.

- To guarantee that all records needed to be sent to the Inquiring Officer are painstakingly figured out and sent instantly.

- To guarantee that there is no deferral in the arrangement of the Inquiring Officer, and that no lazy strategies are received by the blamed official or the Presenting Officer.

- To guarantee that the handling of the Inquiry Officer's Reports for definite requests of the Disciplinary Authority is done appropriately and rapidly.

- To examine last requests passed by the Disciplinary Authorities subordinate to the Ministry/Department, so as to see, if a case for survey is made out.

- To make an appropriate and sufficient move to writ petitions recorded by denounced officials.

- To guarantee that the Central Vigilance Commission is counselled at all stages where it is to be counselled and that beyond what many would consider possible, as far as possible, endorsed in the Vigilance Manual for different stages are clung to.

- To guarantee brief accommodation of profits to the Commission.

- To audit occasionally the current courses of action for watchfulness work in the Ministry/Department for vigilance work subordinate officials to check whether they are satisfactory to guarantee quick and compelling removal of cautiousness work.

- To guarantee that arguments against the community workers very nearly retirement do not pass because of time-limit for reasons, for example, scattering of documents and so on, and that the requests passed in the instances of resigning officials are executed as expected.

- To guarantee that the period from the date of serving a chargesheet in a disciplinary case to the accommodation of the report of the Inquiry Officer, should, commonly, not surpass half year.

Jurisdiction of the CVC

The jurisdiction of the CVC covers the following:

(i) First and foremost are the Union officers/ Group A officers of All India Services.

(ii) Second are the Public Sector Bank officers whose rank is of Scale V and beyond.

(iii) Third are the officers who belong to institutions such as RBI, SIDBI etc., and whose rank is Grade D and above.

(iv) Fourth are the 'Group A' and 'Group B' officers, Chief Executives and Executives of various PSUs.

(v) Fifth are the officers who are at the position of the manager or above and are in General Insurance Companies.

(vi) Sixth are the officers in the various Life Insurance Companies and have the designation of Senior Divisional Manager or above.

13.2.3 Problems of the CVC

The CVC is an important institution of the democratic framework and does its best when it comes to maintaining the sanctity of the democratic set-up. However, there are certain problems that exist within the resolution upon which the CVC was implemented and those problems are as follows:

Firstly, is the issue of transparency when it comes to the appointment of the Chief Vigilance Officer. The selection of the Chief Vigilance Officer is carried out on the basis of a consensus among various members of the selection committee

and these members are from the political set-up of the nation which makes it possible for political interference to occur when it comes to the selection of the officer.

Secondly, the functions of the CVC mostly involve giving advice to various government departments and institutions. The CVC does not have investigative powers of its own. Thus, it has to depend upon various other institutions to carry out the investigative work on its behalf.

Thirdly, emphasis is not given to the reports that were/have been generated by the CVC.

Fourthly, the CVC can be subjected to political interference as it is entangled with the executive.

Fifthly, the overall status and scope of the CVC is much lesser and weaker than the overall status and scope of the Ombudsman.

Sixth, the CVC is not a competent authority when it comes to authorizing criminal examination for the various wrongdoings that are committed by the public bureaucrats.

Seventhly, the various recommendations, pertaining to corruption, are not taken into consideration by the higher institutions.

13.2.4 Necessary Changes for the Current CVC Act

It has been recommended to change certain portions of the CVC Act. This change included the Vice President of India as the director and a candidate of the Chief Justice of India as an individual from the choice advisory group. The change should be by agreement among the individuals, and it needs to be recorded in the board of trustees' procedures. The procedures, alongside full specifics of people considered for the readiness of the board and the reasons dependent on which the last choice was made, should be distributed. This would guarantee that the piece of the council does not give a lion's share to the public authority and that the panel functions in a non-sectarian and straightforward manner.

Disadvantages of CVC

CVC is frequently viewed as a weak office as it is treated only as a warning body with no capacity to enlist criminal body of evidence against government authorities or direct CBI to send requests against any official of the degree of Joint Secretary or more. In spite of the fact that CVC is 'moderately autonomous' in its working, it neither has the assets nor the ability to make a move on objections of debasement.

Conclusion

To conclude, the Central Vigilance Commission is one of the apex institutions in India that is free from executive control and has the power to monitor all vigilance related activities under the Central Government. Further, it can advise various

authorities in the central government institutions when it comes to planning, executing, reviewing, reforming their work related to the vigilance sector.

The CVC was set-up in 1964 as per the recommendations of the Committee on Prevention of Corruption. In 2003, the Indian Parliament enacted the CVC Act. The CVC is responsible to the Indian Parliament only.

The CVC can receive complaints related to corruption, misuse of position and can recommend appropriate action as well. The Central Government, Lokpal, Whistle-blowers can approach the CVC with their complaints. However, the CVC is not an investigating body and only gets investigation done through the CBI or through the Chief Vigilance Officers (CVO) sitting in government offices.

13.2.5 Central Bureau of Investigation Powers and Functions

The Central Bureau of Investigation (CBI) is the premier investigation agency of India. It works under the Department of Personnel, Ministry of Personnel, Pension and Public Grievances, Government of India which directly falls under the Prime Minister's Office (PMO). In comparison to the CVC, the CBI is a much superior institution. It also acts the nodal police agency in India when it comes to the coordination of investigations on behalf of Interpol Member nations. The CBI handles cases related to anti-corruption crimes, economic crimes, special crimes and lastly Suo-moto cases. Like the CVC, the CBI has its fair share of challenges. The CBI has been criticized for delaying investigations, lack of accountability and loss of credibility. It suffers from shortage of staff, limited powers and restricted access, etc.

The CBI functions under the superintendence of the Deptt. of Personnel, Ministry of Personnel, Pension & Public Grievances, Government of India - which falls under the prime minister's office. CBI derives power to investigate from the Delhi Special Police Establishment Act, 1946. In 1963, the CBI was established by the Government of India with a view to investigate serious crimes related to defence of India, corruption in high places, serious fraud, cheating and embezzlement and social crime, particularly of hoarding, black-marketing and profiteering in essential commodities, having all-India and inter-state ramifications. With the passage of time, CBI started investigations in conventional crimes like assassinations, kidnappings, hijackings, crimes committed by extremists, etc.

Check Your Progress

1. In which year was the Central Vigilance Commission established?

2. Who appoints the Central Vigilance Commissioner and the Vigilance Commissioners?

3. Mention few problems faced by the Central Vigilance Commission.

13.3 ANSWERS TO CHECK YOUR PROGRESS QUESTIONS

1. The Central Vigilance Commission was created in 1964 and is an apex Indian government body.

2. The Central Vigilance Commissioner and the Vigilance Commissioners are appointed by the President of India after the recommendations of a committee that is made up of the Prime Minister of India who is also the Chairperson of the committee, the Home Minister of India who is also a member of the committee, the Leader of Opposition in the Lok Sabha who is also the member of the committee.

3. The Central Vigilance Commission has to face few problems. Some of the problems are the following:

   (i) Firstly, is the issue of transparency when it comes to the appointment of the Chief Vigilance Officer. The selection of the Chief Vigilance Officer is carried out on the basis of a consensus among various members of the selection committee and these members are from the political set-up of the nation which makes it possible for political interference to occur when it comes to the selection of the officer.

   (ii) Secondly, the functions of the CVC mostly involve giving advice to various government departments and institutions. The CVC does not have investigative powers of its own. Thus, it has to depend upon various other institutions to carry out the investigative work on its behalf.

   (iii) Thirdly, emphasis is not given to the reports that were/have been generated by the CVC.

13.4 SUMMARY

- The Central Vigilance Commission was created in 1964 and is an apex Indian government body. Its main objective is addressing the corruption that exists in the government. The body is free from any kind of of executive control and is an independent body as well.

- Every year the CVC comes up with its annual report which gives the details of all the activities that carried out by them, and the same time, states the shortcomings of the government departments and institutions that leads to corruption; provides an array of improvements in the existing system; come up with various precautionary measures.

- The Central Vigilance Commission is one of the top government bodies whose jurisdiction and functions can be amended by the order of the government. The institution of the CVC deals with the cases pertaining to

corrupt officers of the Central Government, Stat Government and the various national banks.

- The Central Vigilance Commissioner and the Vigilance Commissioners are appointed by the President of India after the recommendations of a committee that is made up of the Prime Minister of India who is also the Chairperson of the committee, the Home Minister of India who is also a member of the committee, the Leader of Opposition in the Lok Sabha who is also the member of the committee.

- The powers and functions of the CVC have been expressed in the various sections of the resolution under which it was established. It has been given the power to practice general control and management in relation to various anti-corruption measures that are being followed in different departments and institutions of the government.

- After the CVC gets a complaint, the commission refers the complaint to the CBI or the concerned Ministry. After proper investigation is carried out, an examination report is sent to the CVC for consultation.

- One of the important institutions that help the CVC to carry out investigations and enquires pertaining to particular cases is the Chief Vigilance Officers (CVOs) of central organizations. The Chief Vigilance Officer is one of the high levels officers who are appointed in each and every department and assist the Head of the Department in all matters pertaining to vigilance.

- The CVC is an important institution of the democratic framework and does its best when it comes to maintaining the sanctity of the democratic set-up.

- CVC is frequently viewed as a weak office as it is treated only as a warning body with no capacity to enlist criminal body of evidence against government authorities or direct CBI to send requests against any official of the degree of Joint Secretary or more.

- The Central Bureau of Investigation (CBI) is the premier investigation agency of India. It works under the Department of Personnel, Ministry of Personnel, Pension and Public Grievances, Government of India which directly falls under the Prime Minister's Office (PMO).

13.5 KEY WORDS

- **Arraignment:** A criminal proceeding at which the defendant is officially called before a court of competent jurisdiction, informed of the offense charged in the complaint, information, indictment, or other charging document, and asked to enter a plea of guilty, not guilty, or as otherwise permitted by law.

- **Chargesheet:** It is a document on which a police officer enters details of the charge against a prisoner and the court in which he will appear.

- **Interpol:** It is an international organization of police forces from 176 countries designed to coordinate International Law enforcement.

13.6 SELF ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. Write a short note on the organization of the Central Vigilance Commission.
2. Briefly mention the jurisdiction of the Central Vigilance Commission.
3. What is the procedure for the removal of the Central Vigilance Officer?

Long-Answer Questions

1. Discuss the powers and functions of the Central Vigilance Commission.
2. Examine the significant role of the Chief Vigilance Officer.
3. What is the role of Central Bureau of Investigation (CBI) in India?

13.7 FURTHER READINGS

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UNIT 14 GRIEVANCES REDRESSAL MECHANISM AT DISTRICT, STATE AND CENTRAL LEVELS IN INDIA

Structure

14.0 INTRODUCTION

In today's modern society, the nation-state plays an important role in the overall development of the society. The rise of democracy is dependent upon the effective functioning of the democratic system that is there under the public authority. However, with every step the state takes toward development there is a rise in malpractices that are committed throughout the administrative set-up leading to the creation of public grievances towards the public administrative system. In a democratic system, the general public has the right to put forth their grievances towards the administrative set-up via a system of redressal.

In a vote-based system, the citizens of the country comprise the public authority. The government is accountable to the public. There are several government departments which function and discharge essential services to the citizens. There is a probability that these services are not discharged in a satisfactory manner. Consequently, the citizens are forced to register their grievances against the inefficient functioning of that specific government department. It is vital that the government registers, notices and takes action upon the grievance registered by the citizens. This will help the government in power to retain the loyalty of the people.

14.1 OBJECTIVES

After going through this unit, you will be able to:

- Identify the grievances faced by the general public

- Examine the need of addressing the grievances in a democracy
- Discuss the grievance redressal mechanisms existing in India

14.2 CITIZENS AND PUBLIC GRIEVANCES

From a historical perspective, the administrative set-up that existed in medieval and colonial India has resulted in the creation of a negative attitude towards the administrative setup. This kind of an attitude has further increased due to the presence of a gap that exists between the expectations of the public and the performance of the government in power. In the modern democratic set-up, people somewhat presume the administrative set-up to be more authoritarian in nature. This rise of inconsistencies in the society has led to the rise of inequalities among the citizens only extenuated by the discriminatory behaviour and approach followed sometimes by the administrative set-up towards the citizens. Another reason as to why the general public has a lot of grievances that need to be redressed immediately is due to the presence of a social gap that exists between the civil servants and the general public. The civil servant is expected to serve the people but if one looks at the civil servant, they are at a much higher position, from a societal perspective, and because of this reason are, sometimes, unable to connect with the people. Delay in getting the task done and the presence of a complex set of rules and regulations are some of the many reasons that have led to the rise of grievances against the government.

The various grievances the general public has towards the administration are as follows:

The first grievance is that of rampant prevalence of corruption. The general public is discontented with the fact that it has to at times provide bribery to get its tasks done.

The second type of grievance is the rise of favouritism.

The third type of grievance is the rise of nepotism in the present times. Nepotism still exists in our country and is proving an obstacle in the growth and development of the country.

The fourth type of grievance is the use of abusive language or misbehaviour in a manner that is not acceptable.

The fifth type of grievance is related to inefficient discharge of duty as per the rule of law.

The sixth type of grievance is related to discrimination. This grievance is in the context of the complaints of the poor people whose voice often remains unheard because of their low social status.

The seventh type of grievance is not doings within the stipulated period.

The eighth type of grievance is related to the rise of malpractices in the administrative system wherein the civil servant becomes inefficient when it comes to achieving the targets.

The last and the final type of grievance is the lack of grievance redressal mechanism.

Apart from the aforementioned types of grievances, there are many other types of grievances as well that are related to specific departments and agencies of the administrative set-up. In rural India, people have to face a plethora of grievances that are as follows:

The first and foremost type of grievance in rural India is related to the policies that are formulated and implemented by the Government of India. These policies, might sometimes, affect the majority of the people.

The second type of grievance that exists in rural India is the presence of corruption in the administrative set-up due to the lack of integrity and efficiency in the system.

The third type of grievance which is prevalent in rural India is the lack of availability of essential commodities. The various supplies that the government allocates for the people living in the rural areas, instead of reaching them on a timely basis, these supplies are instead leaked into the black markets and are used for accumulating profits.

The fourth type of grievance is the delay in various supplies and services that are intended towards the development of the people living in rural areas.

The last and final type of grievance is the harassment faced by the people in rural areas at the hands of the government officials.

14.2.1 Need for Grievance Redressal in Democracy

In developing nations like India, the government has to perform numerous functions. The citizens depend on the functioning of the administration in different government organizations. For instance, to demand rice, wheat and sugar from a *ration* shop, a resident must have the ration card given by the government. To obtain a ration card is not troublesome, yet the nature of administrations is a long way from satisfactory. For most things throughout everyday life, residents rely upon the administration and its proper functioning through the various agencies. The general public faces several problems in their daily life. They in fact find it difficult to get the regular work done associated with the government agencies. At times, the general public gets stuck in the unnecessary delay caused by the rules and regulations.

Deferral or provocation and pointless disposition of government divisions and agencies create an awful picture of the government. Simultaneously, it must be acknowledged that the government has to attempt numerous capacities in light of a legitimate concern for general society. The challenges that the members of the public face in confront the government officials, makes the citizens troubled and dissatisfied. The needy individuals endure the most. They require cooperation from

the government officials to get their daily tasks done in a seamless manner. On the off chance that there are an excessive number of public complaints against the public authority agencies, corrective measures must be taken to review those complaints.

The Administrative Reforms Commission was set-up by the Government of India in 1966 and has stated the following in relation to the redressal of grievances: 'When the resident can set up the validity of his case, it is doubtlessly the obligation of the state to fix some unacceptable done to him. An organization for review of complaints must be provided inside the vote-based arrangement of government. It must be a foundation in which the normal resident will have confidence and certainty and through which he will be capable to secure fast and cheap equity'.

14.2.2 Grievance Redressal Mechanism in India

In India, there are many ways in which the grievances of the general public are sorted out. These are as follows:

First, there is the Department of Administrative Reforms and Public Grievances (DARPG). The DARPG is an institution whose main objective is formulate and implement various measures that aim at the upliftment of the daily lives of the general citizens in relation to the settlement of the various public grievances so that the gap between the general public and the government is reduced to a large extent. Due to this, the government is able to deliver the various services to the citizens in a timely manner. The DARPG receives various grievances which are then forwarded to the respective ministries, departments and state governments and follows the cases until they are closed.

Second, there is the Directorate of Public Grievances (DPG) which was established in the Cabinet Secretariat in 1988 and its prime objective is to handle various complaints related to mostly 16 central government organizations.

Third, there is the very institution of the Ombudsman. Made for the redressal of public complaints, the organization of 'Ombudsman' is typically Scandinavian. The workplace of Ombudsman has been in presence in Sweden since 1809 and in Finland since 1919. Denmark presented the framework in 1955. Norway and New Zealand adopted it in 1962, and the United Kingdom selected the Parliamentary Commissioner for Administration in 1967.

Ombudsman, a Swedish word, represents an official designated by the governing body to handle complaints against managerial and legal activity. As a fair agent, the Ombudsman makes examinations, checks the facts, and reports back to the legislature. The complainant just has to keep in touch with the Ombudsman engaging against the administrative choice. The Ombudsman framework is well-known as a result of its simple and quick nature. It is a modest technique for taking care of advances against managerial choices. In India, the institution of the Ombudsman is given the task of resolving the grievances related to the following sectors: Insurance, Banking and Income Tax. In India, the

Ombudsman is in the form of the Lokpal and the Lokayukta which were established under the Lokpal and the Lokayuktas Act, 2013 and its main objective is to investigate corruption against various public representatives. In order to investigate various cases pertaining to corruption, the Lokpal takes the help of the Central Bureau of Investigation (CBI) and the Central Vigilance Commission (CVC).

Fourth, is the presence of various Tribunals in India that aim at grievance redressal. Tribunals are created to address the delays faced by the courts when it comes to the disposal of various cases. The institution of a tribunal is quasi-judicial in nature and some of the most important tribunals in India are the Central Administrative Tribunal (CAT), the Railways Claim Tribunal, the Debt Recovery Tribunal, the Customs, Excise and Service Tax Tribunal, the Income Tax Appellate Tribunal, the Labour Tribunal etc., to name a few.

Fifth, there is a Parliamentary Committee that works towards grievance redressal of the general public and the citizens have access to such a committee wherein they can submit their petitions to get their grievances redressed.

Sixth, is the use of various E-Governance initiatives to redress public grievances. These initiatives are as follows:

(i) The first type of E-Governance redressal mechanism is the Central Public Grievance Redress and Monitoring System (CPGRAMS) which is an online grievance redressal and monitoring system that has been developed by the National Informatics Centre (NIC) in collaboration with DARPG and DPG. The system was developed in 2007 and in this system the citizens can lodge their complaints and monitor their status as well.

(ii) The second is the Pro-Active Governance and Timely Implementation (PRAGATI) which is a multi-nodal and multi-purpose grievance redressal mechanism designed by the PMO and the NIC and increases the level of cooperation and coordination between the Union and State governments when it comes to the redressal of grievances.

(iii) The third is E-Nivaran which was launched by Central Board of Direct Taxes for online redressal of grievances related to the taxpayers wherein the taxpayers can register and track their grievances.

(iv) The fourth is Unified Mobile Application for New Age Governance (UMANG) wherein the citizens throughout India can access various e-governance services ranging from Central Government to State Government to various local bodies.

(v) The fifth is the platform of MyGov application which was launched in 2014 and is used by the government to disseminate information among the general public and simultaneously seek public opinion as well.

(vi) The sixth is Nivaran which is an online platform launched by the Indian Railways in 2016 to address the grievances of various railway employees.

(vii) The seventh is the Integrated Grievance Redressal Mechanism (IGRM) which was launched by the Ministry of Consumer Affairs to redress the grievances of the general public in relation to various goods and services.

(viii) The last and final form of E-Governance redressal mechanism is Mera Aspaatal (My Hospital) which was launched in the form of an app and a portal by the Ministry of Health in 2017 under the National Health Mission. Its main objective is to capture feedback of the patient in relation to the various services provided by the government hospitals. By doing so, the government can enhance the quality of various healthcare service and facilities.

Grievances can also be redressed by various other mechanisms such as:

The Right to Information Act (RTI) which was passed in 2005 and empowers the citizens to ask the government and seek information, obtain government documents etc., and thereby leading to the promotion of transparency and accountability in the system. Citizen's Charter is another mechanism through which grievances of the citizens can be redressed.

14.2.3 NGOs and Grievance Redressal in India

Several NGOs and Consumer Organizations help in redressal of the buyers' complaints. NGOs are playing a decisive job in redressal of the complaints of the buyers and spreading awareness about the privileges, and other essential aspects of the consumers. The activities of the NGOs and issues and cycles related to redressal of the customers' complaints have come to be known as shopper development. The shopping experience became extremely critical during the 1990s. The NGOs are protecting the buyers' privileges and are concerned with spreading awareness about the entire shopping experience. Some experts are of the opinion that the sellers and vendors should themselves act in a responsible manner to make the entire shopping experience a satisfactory one. However, the general view is that it is not feasible for the purchasers and dealers to build an implicit rule. The merchants and producers are more concerned about generating profits rather than fulfilling the needs and desires of the consumers. Moreover, it is to be noted that buyers are generally ignorant about their rights and privileges. Hence, any kind of enactment to protect their rights alone is insufficient without spreading awareness about it.

Non-legislative associations are those associations which target advancing government assistance to the citizens who need it. They have a dynamic structure. They are completely or mostly financed by the public authority or some other monetary office. In any case, the NGOs need to comply with the principles stated in the public authority guidelines with regard to their operation.

NGOs managing the consumers' complaints, with reference to the consumer relationships were first established in India during the 1960s. The pioneer association to be set-up was the Indian Association of Consumers. However, it did not make

progress. In 1963, the National Consumer Association was set-up. It was a wing of the Bharat Sevak Samaj which is a social association. The principle objective of this NGO was to contemplate the pattern of costs on the lookout and distribute them for the data of purchasers and to foment against the negligence of dealers. In 1964, the National Consumer Association began the development against the value rise caused by the dry spell of the 1960s. It used to hold gatherings to challenge the value rise and framed social groups to keep a watch on the value patterns in various urban communities of India. Also, Gayatri Charitable Trust, Jyoti Sangh Grahak Suraksha Vibhag and Bombay Civil Trust were some of the consumer oriented organizations of the 1960s. The main objective of these associations was to challenge the value rise. In 1966, nine house-spouses of Bombay, set-up the Consumer Guidance Society of India. Its motivation was to 'inform, instruct and coordinate shoppers to empower them, ensure and save their inclinations and state their privileges'. The disappointment of the agricultural crop in 1972-73 offered increase in value during the 1970s. It prompted the development of an enormous number of customer oriented organizations during the late 1960s and 1970s: All India Bankers Association (1968), Surat Consumers Association (l969), Karnataka Consumer Service Society (l970), Visaka Consumers Council (1973), Akhil Bharatiya Grahak Panchayat (1974), Trichy District Consumer Council (1976) and so forth.

Conclusion

To conclude, grievance redressal mechanism is an important feature of the government mechanism. Without any grievance redressal mechanisms, the administrative set-up and the government can never be held accountable and effective. Grievance redressal mechanisms need to be installed in place as the government is made by people and held accountable by them. This also ensures that democracy flourishes in the country.

There are different kinds of grievances. The prominent ones are the following:

Firstly, the grievances that arise due to ineffective implementation of the policies by the administrative set-up. This arises due to the lack of coordination between two or more departments/agencies.

Secondly, the grievances that arises due to corrupt practices. This is prevalent due to lack of integrity amongst the government officials in the administrative set-up.

Lastly, grievances that occur in rural areas due to the non-availability of essential commodities, delay in services, facing harassment from administrative officials etc.

In order redress the grievances of the people various nodal agencies and other redressal mechanisms have been implemented throughout India. They are as follows:

Department of Administrative Reforms and Public Grievances (DARPG) which functions under The Ministry of Personnel, Public Grievances and Pensions.

The DARPG plans and implements various measures that centre around the grievances and needs of the Indian citizens. The agency helps the government to deliver quality public services and forwards the grievances to the respective ministries/departments/state governments and follow the cases till their closure.

Next at the central level is the Directorate of Public Grievances (DPG). The DPG was set-up in the Cabinet Secretariat in 1988 and it handles various complaints that are related to many central government institutions.

The Indian government has also appointed Ombudsman, namely Lokpal and Lokayuktas, to resolve grievances related to insurance, banking and income tax.

Then there are tribunals as well which are formed to address the disposal of cases in Indian courts. Some of the important tribunals formed are related to railway claims, debt recovery, customs, excise and service tax, income tax, labour etc.

Parliamentary committees have been formed to redress grievances of the public and an Indian citizen can submit a petition to secure grievance redressals.

Currently, E-Governance is also being used to redress grievances. These measures are as follows:

- Central Public Grievance Redress and Monitoring System (CPGRAMS) is an online redressal and monitoring system wherein the citizens can lodge their complaints and monitor the status of their complaints. The system was developed in 2007.

- Next is the Pro-Active Governance and Timely Implementation (PRAGATI) which is a multi-modal and purpose grievance redressal system. It increases cooperation between the Union and State governments when it comes to grievance monitoring and management of government schemes.

- Then there is the E-Nivaran which was launched by the Central Board of Direct Taxes when it comes to redressing the grievances of the taxpayer. It is an online redressal system wherein the taxpayer can login, register and track their grievances.

- Further, is the Unified Mobile Application for New-Age Governance (UMANG) wherein citizens throughout India can avail various e-governance services including those related to grievance redressal.

- Next, is the MyGov portal which was launched in 2014 wherein the government disseminated information and gathered public opinion regarding its policies and works.

- The Integrated Grievance Redressal Mechanism (INGRAM) was launched by the Ministry of Consumer Affairs to promote grievance redressal related to purchase of various goods and services.

- Lastly, there is the MeraAspataal (My Hospital) app that was launched by the Ministry of Health in 2017. In this app, patient feedback is given for the services received in government hospitals and it also enables the government to improve its healthcare services.

Other grievance redressal mechanisms include the RTI Act, Citizen's Charter, Gram Sabha in Indian villages to address village level grievances, Maintenance and Welfare of Parents and Senior Citizens Act, 2007 which listens to the grievances of senior citizens of India etc. Citizens who are dissatisfied with their shopping experience can register their compliant in various forums such as the District Forum, State Commission or the National Commission.

The buyer should attempt to register his complaint through the proper channel of communication. However, there are magazines, TV and radio which have buyer related segments and projects and some of them are focussed on addressing the protests of the buyers. Now and again, shopper debates can likewise be settled by a judge or an Ombudsman. Relationship of customers and sellers also put forth attempts to take care of the buyers' issues. For well-being related complaints, the Voluntary Health Association of India and the Medical Council of India have a huge role and responsibility to play.

Lok Adalats and Open Durbars, additionally, settle customer cases. Some government offices attempt in different ways to help the buyer in settling their complaints. Offices like the extra security Corporation and the General Insurance Corporation help to settle protection related buyer complaints. The Securities and Exchange Board of India (SEBI), the Department of Company Affairs, Government of India, Monopolies and Restrictive Forum add to the insurance of the interests of the buyers. Lately, the Department of Personnel, Public Grievances and Pension, Government of India has advised the experts in the different Departments and Ministries of the Government of India, to change the name of the buyers who register their complaints. Any individual from the public who has a complaint can meet the experts on the predefined day during the predetermined hours to look for redressal of his complaint. Only submitting a question will not bring redressal to the buyer. He should deliver proof in support of his case for which he should avoid potential risk in the entirety of his transaction. Thusly, he is in a solid situation to make his statement and get redressal of his complaints

Non-legislative associations have been playing a significant role in the redressal of the citizen's complaints. They help raise the issues faced by citizens at the time of doing transactions. In addition, they spread awareness about the right and privileges of the buyers. Awareness can be spread through TV commercials, banners and other medium. They record the complaints of the general public which act as proof in the courts. The NGOs face several issues in their endeavour to satisfy and address the complaints of the buyers. These issues emerge because of restricted assets, absence of exposure, political obstruction, lack of education of the majority; provocation by police and so forth.

Check Your Progress

1. Mention few of the grievances faced by the general public with respect to the administrative set-up.

2. What is the main objective of the Department of Administrative Reforms and Public Grievances (DARPG)?

3. Give one example of the E-Governance grievance redressal mechanism launched by the Indian government.

4. Name some of the consumer oriented organizations that have been established in India.

14.3 ANSWERS TO CHECK YOUR PROGRESS QUESTIONS

1. The grievances faced by the general public with respect to the administrative set-up are the following:

   (i) The first grievance is that of rampant prevalence of corruption. The general public is discontented with the fact that it has to at times provide bribery to get its tasks done.

   (ii) The second type of grievance is the rise of favouritism.

   (iii) The third type of grievance is the rise of nepotism in the present times. Nepotism still exists in our country and is proving an obstacle in the growth and development of the country.

   (iv) The fourth type of grievance is the use of abusive language or misbehaviour in a manner that is not acceptable.

2. The Department of Administrative Reforms and Public Grievances (DARPG). is an institution whose main objective is formulate and implement various measures that aim at the upliftment of the daily lives of the general citizens in relation to the settlement of the various public grievances so that the gap between the general public and the government is reduced to a large extent.

3. One form of E-Governance redressal mechanism is Mera Aspaatal (My Hospital) which was launched in the form of an app and a portal by the Ministry of Health in 2017 under the National Health Mission. Its main objective is to capture feedback of the patient in relation to the various services provided by the government hospitals. By doing so, the government can enhance the quality of various healthcare service and facilities.

4. All India Bankers Association (1968), Surat Consumers Association (l969), Karnataka Consumer Service Society (l970), Visaka Consumers Council (1973), Akhil Bharatiya Grahak Panchayat (1974), and Trichy District

Consumer Council (1976) are some of the consumer oriented organizations established in India.

14.4 SUMMARY

- From a historical perspective, the administrative set-up that existed in medieval and colonial India has resulted in the creation of a negative attitude towards the administrative setup. This kind of an attitude has further increased due to the presence of a gap that exists between the expectations of the public and the performance of the government in power.

- Delay in getting the task done and the presence of a complex set of rules and regulations are some of the many reasons that have led to the rise of grievances against the government.

- In developing nations like India, the government has to perform numerous functions. The citizens depend on the functioning of the administration in different government organizations. For instance, to demand rice, wheat and sugar from a *ration* shop, a resident must have the ration card given by the government.

- Ombudsman, a Swedish word, represents an official designated by the governing body to handle complaints against managerial and legal activity. As a fair agent, the Ombudsman makes examinations, checks the facts, and reports back to the legislature.

- The Right to Information Act (RTI) which was passed in 2005 and empowers the citizens to ask the government and seek information, obtain government documents etc., and thereby leading to the promotion of transparency and accountability in the system. Citizen's Charter is another mechanism through which grievances of the citizens can be redressed.

- In 1964, the National Consumer Association began the development against the value rise caused by the dry spell of the 1960s. It used to hold gatherings to challenge the value rise and framed social groups to keep a watch on the value patterns in various urban communities of India. Also, Gayatri Charitable Trust, Jyoti Sangh Grahak Suraksha Vibhag and Bombay Civil Trust were some of the consumer oriented organizations of the 1960s.

- Grievance redressal mechanisms need to be installed in place as the government is made by people and held accountable by them. This also ensures that democracy flourishes in the country.

14.5 KEY WORDS

- **Tribunal:** It is a special court or group of people who are officially chosen to examine problems of a particular type.

- **Directorate of Public Grievances (DPG):** The DPG was set-up in the Cabinet Secretariat in 1988 and it handles various complaints that are related to many central government institutions.

- **Pro-Active Governance and Timely Implementation (PRAGATI):** It is an ICT based multi-model platform. The platform is aimed at addressing common man's grievances, reviewing important projects and programmes of the Government of India (both centre and state).

14.6 SELF ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. Why is it necessary to address the grievances of the general public in a democracy?

2. List the various grievance redressal mechanisms existing in India.

3. Give examples of E-Governance grievance redressal mechanisms addressing in India.

Long-Answer Questions

1. What are the various issues faced by the general public in the context of administrative set-up in India?

2. Discuss the significant role of the consumer oriented organizations in the contemporary scenario.

14.7 FURTHER READINGS

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