

Good Governance: A Study of the Indian Context

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Abstract

The concept of Good Governance has gained vogue around the world in recent time. It has become a buzzword in the vocabulary of polity and administrative reform, mainly due to importance given to it by international community and organization like World bank, UNDP, OECD, ADB, etc. Today accountability, transparency, inclusiveness, equitability and sustainable development etc have become the key ingredients of good governance. This paper makes effort to provide a framework for good governance in India by identifying its essential features and shortcomings in its working and emphasize need for innovative approaches.

Keywords: Good Governance, E-governance, World Bank, Poverty, Transparency, Responsibility, Accountability, Good Governance Challenges.

Introduction

"Good governance is perhaps the single most important factor in eradicating poverty and promoting development"

- Kofi Annan

In 1989 World Bank study "Sub-Saharan Africa-from Crisis to Sustainable Growth", the term Governance was first used to describe the need for institutional reform and a better and more efficient public sector in Sub Saharan countries. It defined governance as the exercise of political power to manage a nation's affairs."¹

However, it did not explicitly refer to the connotation 'good'. It was only in the foreword, that former World bank President Barber Conable (1986-1991) used the term 'good governance' referring to it as a "public service that is efficient, a judicial system that is reliable and an administration that is accountable to its public."²

The concept of governance was further developed in the Bank's 1992 publication 'Governance and Development'. In this publication, governance was defined as "the manner in which power is exercised in the management of a country's economic and social resources for development"³

Later on in 1994, the Bank substantiated this definition "governance is epitomized by predictable, open and enlightened policy making (that is transparent process) a bureaucracy imbued with a professional ethos; an executive arm of government accountable for its action; and a strong civil society participating in public affairs; and all behaving under the rule of law"⁴

Subsequently in 1998 World bank's report 'Governance in Asia: From crisis to Opportunity, presented a more cogent concept of good governance. The report elaborates four key components of good governance: accountability, transparency, predictability and participation.⁵

The organization of Economic Cooperation and Development (OECD) DEFINES governance as "the use of political authority and exercise of control in a society in relation to the management of its resources for social and economic development."⁶

The United Nation Development Programme, defines governance as "the exercise of political, economic and administrative authority in the management of a country's affairs at all levels. Governance comprises the mechanisms, process and institutions through which citizens and groups articulate their interests, exercise their political rights, meet their obligation and mediate their differences."⁷

So, Good governance signifies a participative manner of governing that function in a responsible, accountable and transparent manner based on the principle of efficiency, legitimacy, and consensus for



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the purpose of promoting the right of individual citizens and the public interest, thus indicating the existence of political will for ensuring the material welfare of society and sustainable development with social justice.⁸

Characteristics of Good Governance

According to U.N. Economic and Social Commission for Asia and the Pacific (UNESCAP) Good governance has eight characteristics.

Participation

Governance is good governance when all the people of the state participate in governance. This partnership can be both direct or indirect.

Rule of law

A cornerstone of good governance is adherence to the rule of law, that is, the impersonal and impartial application of stable and predictable laws, statutes, rules, and regulations, without regard for social status or political considerations.

Transparency

Transparency is one of the basic principles of good governance. Citizens should be able to observe the work of public administration as well as the availability of tools to monitor the decision process.

Responsiveness

Accountability implies that the rules and procedures of governance enable the processes of governance to serve all stakeholders within a reasonable time frame.

Consensus Oriented

Consensus is required to get the best interests in good governance and to understand the various interests of the stakeholders.

Effectiveness and Efficiency

This concept involves sustainable use of resources and protection of the environment. It provides institutions with the best use of available resources to meet the needs of the current generation as well as secure resources for future generations.

Equity and Inclusiveness

In good governance, all groups of society are given the opportunity to improve and maintain their well-being. In other words, all are given an open door and all are treated equally. In good governance, all people receive the benefits from the government are given equal opportunity to do.

Accountability

The key feature of good governance is the answer liability. Governors should be accountable to the public. The answer applies not only to governmental entities but also to the non-profit and private sector and the individual context.

Good Governance and India

The idea of good governance is as old as Indian civilization. The rules were bounded by *dharma*, popularly called *Raj dharma*, which precisely meant for ensuring good governance to the people. *Rajdharma* was the code of conduct of the rule of law that was superior to the will of the ruler and governed all his actions.⁹

This description of good governance found in ancient Indian scriptures, can be the Jataka tales, Shanti parva-Anushasanparva of Mahabharat,

Shukracharya's Nitisar, Panini's Asthadyayi, Aitreya Brahmana, Valmiki's Ramayan, and especially in Kautilya's *Arthashastra*. *Arthashastra* while highlighting the principal of good governance declares, "In the happiness of his people lies king's happiness, in their welfare his welfare, whatever pleases himself he shall not consider as good, but whatever pleases his people he shall consider as good."¹⁰

Santi Parva of Mahabharat has devoted considerable space to *Raj Dharma*¹¹ which aims to establish Good Governance in the society. It stressed that, it is the duty of king to seek and promote the welfare of its subject. The king must be compassionate to the people of all section of society and concentrate on the welfare of the people.¹²

The *Rig Veda* states "*Atmano mokshartham jagat hitayacha*" i.e., the dual purposes of our life are emancipation of the soul and welfare of the world. Thus, the public good should be welfare of the society; or in other word, the private good or self – promotion

So in Indian scriptures Good Governance is called Raj Dharma, i.e., righteous duty of king.¹³

Mahatma Gandhi advocated the concept 'Ram Rajya' for India basing upon the principles of good governance which necessarily meant for dreaming India as a welfare state where the necessities of the down-trodden, the welfare of the commoner and their progress through indigenous industries would become the hallmark.

When during 1990s World Bank raised the issue of governance, this immediately, became an issue of concern in India. The document of Ninth Five Plan (1997-2002) released in April 1999 included a Chapter on "Implementation, Delivery Mechanism and Institutional development." In this chapter a review had been done on implementation of five year plan in India with a view to identify weak spot in the formulation and implementation of plan programme to find solution to the weakness. The issue of decentralization in development planning, accountability of the implementing agencies and monitoring of programme were raised.

This was followed by a more specific titled, "Governance and Implementation" in the Tenth Five Year Plan (2002-2007). It defines governance as "the management of all such processes that, in any society, define the environment which permits and enables individuals to raise their capability levels, on one hand, and provide opportunities to realize their potential and enlarge the set of available choices, on the other.

It covers the State, civil society and the market, each of which is critical for sustaining human development. The state is responsible for creating a conducive political, legal and economic environment for building individual capabilities and encouraging private initiative. The market is expected to create opportunities for people. Civil society facilitates the mobilization of public opinion and people's participation in economic, social, and political activities.¹⁴

It further added that "The universally accepted features of good governance are the exercise of legitimate political power; and formulation and implementation of policies and programmes that are equitable, transparent, non-discriminatory, socially sensitive, participatory, and above all accountable to the people at large."¹⁵

The Eleventh Five Year Plan (2007-2012) signifies that the vision of inclusive growth reducing poverty and bridging the various divides that continue to fragment our society can only be achieved if there is a significant improvement in the quality of governance. There are many different definitions of good governance but it is generally agreed that good governance must be broadly defined to cover all aspects of the their interface between individuals and businesses on the one hand and government on the other.¹⁶

The Twelfth Five Year Plan (2012-2017) defines good governance as an essential element of any well- function

Challenges of Good Governance in India

Criminalization of Politics

1. According to the Association of Democratic Reforms, 43% of member of parliament s of Lok Sabha 2019 are facing criminal charges. It is a 26% increase as compared to 2014.
2. The political class as such is loosing respect, Therefore, it is necessary to amend Section 8 of the Representative of the people's Act 1951 to disqualify a person against whom the criminal charges that relate to grave and heinous offenses and corruption are pending.

Gender Disparity

According to Swami Vivekanand, "It is impossible to think about the welfare of the world unless the condition of women is improved. It is impossible for a bird to fly on only one wing." Women constitute 50% of the population in the society, but there is not enough representation according to the population in government institutions, other related sectors and central administration, it is necessary for good governance to ensure the participation and empowerment of women.

Growing Incidence of Violence

An important feature of good governance is to maintain peace and legal system in the country, but the rising riots, striking and terrorist attacks are considered a challenge in the way of good governance.

Corruption

Corruption is the biggest challenge of good governance, it weakens the rule of law, ruins the process of development and weakens any state. Corruption violates human rights and also their civil, socio-economic, political and cultural development has a negative effect.

According to the Corruption Perception Index-2019 (Released by Transparency International), India's ranking has slipped from 78 to 80.

Delay in Justice

At present, there is a significant challenge before the Indian government that justice is provided

to every citizen in a time bound manner, but such a factor is not possible

1. Prosecution rate is very low even in some cases to the extent of only 5%, and most of time it is poor, who are prosecuted ,some rich manage to escape clutches of law through loopholes in legal system.
2. Lack of personnel and logistic under disposal of court. It is to be noted that at the end of 2016 there are around 21.3 million cases pending in various courts in India including the Supreme Court. Systematic solutaions are, therefore, needed for strengthening access to justice. At the same time ad hoc measures are required to provide immediate assistance to the needy citizens.¹⁷

Centralisation of Administrative System

Decentralization of the administrative system is necessary to prevent dictatorship in a democracy. In principle, the administrative system in India has been decentralized but in practice the Panchayati Raj institutions at the lower level suffer from insufficient funds and insufficient rights.

Marginalization of Socially and Economically Backward People

The constitution provides for constitutional provisions for the upliftment of socially and economically backward classes in the Indian constitution, but the backward classes of society are always marginalized in the process of development.

Initiatives for Good Governance in India

Right to Information

1. As a party to the International Covenant on Civil and Political Right (ICCPR), India is under an international obligation to effectively gurantee citizens the Right to information as per Article 19 of the ICCPR.
2. RTI Act 2005, marks as significant shift in Indian democracy. It gives greater access of the citizen to the information which in turn improves the responsiveness of the government to community needs.
3. The right to information , promotes, openness, transparency and accountability in administration by making the government more open to public scrutiny.¹⁸

E-governance

1. *The national e- Governance plan envisions to make all government services accessible to the common man in his locality,through common service delivery outlets and ensure efficiency,transparency and reliability of such services at affordable costs.
2. E- governance has a direct impact on its citizen who derive benefits through direct transations with the services offered by the government.
3. Programme launched under e- governance: Pro-Active Governance and Timely Implementation (PRAGATI), Digital India Programme,MCA21 (to improve the speed and certainty in the delivery of the services of Ministry of Company Affairs), Pasport Seva Kendra (PSK), Online Income Tax return etc.

- E governance effectively delivers better programming and services in the era of newly emerging information and communication technologies (ICTs), which herald new opportunities for rapid social and economic transformation worldwide.
- Focus on "Minimum Government and Maximum Governance."

Legal Reforms

- The central Government has scrapped nearly 1,500 obsolete rules and laws with an aim to bring about transparency and improve efficiency.
- Reforms criminal justice and procedural laws with on pre-institution mediation.

Ease of Doing Business

- Steps were taken by the government to improve business conditions including legislation meant to improve the country's business environment and policy ecosystem (such as the bankruptcy code, the Goods and services tax or GST, and the anti-money laundering law).
- Government has launched the "Make in India" Initiative.

Decentralization

- Centralised Planning Commission was abolished, relacing it with the think tank called the National Institution for Transforming India (NITI Aayog), which would usher in an era of "cooperative federalism".
- 14 th Finance Commission increased the tax devolution of the divisible pool to states from 32% to 42% for year 2015 to 2020. It provided more freedom to states to initiate schemes based on local factors.

Police Reforms

- Modernizing police force and implementing the Model Police Act of 2015
- Reform of the First Information Report (FIR) lodging mechanism, including introducing filling e-FIRs for minor offences.
- Launch a common nation wide-emergency number to attend to emergency security needs of citizens.¹⁹

Aspirational Districts Programme

- The Aspirational Districts Programme (ADP) was launched in January 2018 to transform the lives of people in the under- developed areas of the country in a time bound manner.
- Anchored NITI Aayog ,the programme is aimed at transforming 115 most backward districts with focused interventions in the field of health and nutrition, education, agriculture and water management, financial inclusion and skill development.

Good Governance Index

The Good Governance Index was launched on the occasion of good Governance Day on 25 December 2019.

The Good Governance Index is a uniform tool across states to assess the status of Governance and impact of various interventions taken up by the state government and union Territories.

The objective of good governance index are to provide quantifiable data to compare the state

governance in all state and union territories,enable state and union territories to formulate and implement suitable strategies for improving governance and shift to result oriented approaches and administration.

Conclusion

The effective functioning of governance is the prime concern of every citizen of the country. The citizen are ready to pay the price for good services offered by the states, but what is required is transparent, accountable and intelligible governance system absolutely free from bias and prejudices. In the present era when India is progressively moving towards developmrrnt and prosperity, there is a need ia to a reformulate our national strategy to accord primacy to the Gandhian Principal of "Antodaya" to restore good governance in the country. In such circumstance, when the nation /state machineries become more efficient and accountable ,the citizen can enjoy higher per capita income,wide spread literacy adequate health facilities with longer everage life.

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