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*"The truth is incontrovertible, malice may attack it, ignorance may deride it, but in the end; there it is."*

*- Julian Assange*

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## **Principal's Message**

### **POLITICAL SCIENCE JOURNAL 2012-2013**

Governance with accountability at all levels is the key to growth and peace. Gandhiji envisaged a prosperous India with those at the helm of governance living a purpose-driven life. In his talisman, he said "Recall the face of the poorest and weakest human being you have seen and ask yourself if the next step you contemplate will be of any use to him".

Will India be a super-power in 2020? If we lived in accordance to the values that the Father of the Nation professed, we would be well on the road to being a super-power.

I congratulate the students of the Political Science Department who have so painstakingly prepared articles for the 7<sup>th</sup> Edition of this journal, the Political Science President and Vice- President Sakina Hararwala and Zartaj Sarshar and the Staff Advisor Dr. S. Chowdhury and the members of the staff of the department for their encouragement and support.

Sr. Christine Coutinho

Principal

## **Editor's Note**

Evidence the world over suggests that accountability can contribute to improved governance and increased development through better social delivery and empowerment. India, the world's largest democracy, has achieved tremendous progress in economic and social development in the past two decades and is poised to realize even faster growth in the years to come. However, accountability is considered by many to be under siege in post-independence India.

Consequently, most people remain at the mercy of a corrupt administration imposed upon them from above, which continues to exploit them. It is this failure of governance and the ensuing widespread dissatisfaction and sense of alienation among large sections of the Indian community, which, to a large extent have resulted in the rise of extremist forces in many parts of the country.

This deficit in governance needs to be addressed on a war footing in order to prevent the country from degenerating into an ungovernable anarchy. The Indian press and public opinion have been concerned about problems of corruption in public affairs. The Right to Information Bill was passed in 2005 in an effort to improve governance and public administration and eliminate corruption. This bill accords all citizens greater access to public documents than was earlier possible. There has been a recent surge of activity from Civil Society Organizations as well leading to a new consciousness among citizens about their role in a democracy.

This volume/issue of the journal analyzes the challenges to good governance and accountability in India and in that context the relevance and possible long term impact of civil society movements.

Sreeparna Dasgupta

Editor

# **ACCOUNTABILITY AND GOVERNANCE IN INDIA**

Aishwarya Adhikari

Political Science (Hons.), IInd year.

In India, a country that ranks low on the Transparency International Index and is known for high levels of corruption, there has been a recent surge of activity from Civil Society Organizations leading to a new consciousness among citizens about their role in a democracy. The 26/11 attacks in Mumbai, brought into sharp focus, the absence of public accountability in our country. The most visible 'chalta hain' (let it be) attitude in India, cannot be improved, unless there is an urgency created. So the recurrent theme seems to be - more information means more empowerment, which in the context of greater participation means more voice, which means greater accountability. One of the important reasons for the appalling scenarios in India has been the lack of accountability in our public services.

The quality of governance is highly correlated with the country's social and economic performance. Public accountability is a powerful weapon to improve the quality of governance. It rests on four major factors like appropriate representation of issues, citizens' participation in almost all the areas possible, legitimate conduct and also liability enforcement. To reinforce these four major factors, equal importance should be delivered to impartial information and achievable implementation plans. A burst of governance reforms is required to gradually raise the level of public accountability in India. Global cross country surveys continuously highlight the poor quality of governance in India, on a comparative basis. Civil society organizations, consisting of non-state, non-political, citizen initiatives, often with a focus on the needs of specific groups among the poor (such as the Scheduled Castes), have been active in India for many years. One root for this activism can be traced to developments after the Emergency of 1974-75 when fundamental rights were suspended for a brief period. Civil society, in a spontaneous but un-coordinated reaction, stood up for the defence of fundamental rights against the Emergency and worked to overthrow the government that imposed the emergency in the elections that followed. Since then, it has blossomed in many ways. A major issue that has engaged civil society attention is corruption.

Many believe that corruption is now deep rooted in Indian society and is the main obstacle to holistic growth of the nation. There is talk of a 'criminal-politician' nexus; many elected representatives have been accused of serious crimes. Institutions to fight corruption – The Central Vigilance Commission, the Lok Yuktas have been set up. Civil society has made considerable gains in this area. For example, by taking recourse to the courts and winning its case, civil society has now made it mandatory for anyone contesting for election to declare their assets and disclose if any criminal cases are pending against them. It is a big step forward, but there is still much to be done in the area of electoral reforms. The struggle is on. Civil society has also begun to demand that its views be considered in the formulation of policy and programmes, in the implementation of programmes, and in social audit, especially in those programmes meant for the poor. This organized demand for transparency has led to the enactment of the Right to Information Act (RTI), in the year 2005. The RTI has apparently made a fundamental difference to the relationship between state and citizens in India.

All this has led to a new consciousness among the citizens' of India, whereby their act is simply not restricted to exercising the right to vote and wait for the next elections, but also to highlight their demands before the government and see to it that their voices be heard. People's participation in governance has taken root and is exemplified by the 73<sup>rd</sup> and 74<sup>th</sup> constitutional amendments which have created 'local self governments' to foster and promote such participation, in a democratic framework. In Madhya Pradesh, a poorer state in India, this has led to an improvement in literacy by over 20% in ten years. From a situation in which 'the government knew best', we now have a situation where citizens demand that the government listen to them and act accordingly. Where earlier we had Five Years Plans endorsed by the National Development Council, we now have a deeper participative process in which what goes into the plans depends on what citizens demand. District Planning Committees, consisting of elected representatives, have been given constitutional status. They have not yet become operational in many states, but the process of participatory planning has begun. In Kerala, for example, each local jurisdiction (the gram panchayat or the village council) has gone through elaborate exercises of documenting local resources, and making plans for what is wanted over the next five years. In Orissa, the Centre for Youth and Social Development opened a dialogue with the Speaker of the State Assembly, and organized workshops to familiarize members of the Legislative Assembly with the manner in which standing committees of the Assembly could make inputs to the state budget. They have brought out a useful series of publication called 'Budget Watch', which has been extensively debated in the public domain.

Also, In Hyderabad, Lok Satta began as a movement against corruption that has transformed itself into a movement for clean elections and is demanding electoral reforms.

There are many worrying trends of diminishing credibility of the government in various parts of the country in the face of Maoist rebellions and separatist movements fuelled by poor leadership and a failure to deliver basic security, infrastructure or coherent development efforts. But there are a number of hopeful signs. Established incumbents have lost power in recent state elections in Bihar, West Bengal and Uttar Pradesh, following disappointing performance on developmental dimensions. These indicate voters are increasingly becoming more aware and more demanding of their electoral representatives. Accountability failures persist because several links in this chain of accountability from citizens to the government have either never existed or been severely damaged or corrupt. The pressures of electoral competition can also be dulled by short-term incentives of elected officials who have political ideologies or personal policy agendas that deviate from median voter preferences. Identifying these links and developing systems through which accountability can be strengthened and governments can set upon the task of actually delivering the service, is the challenge of the future, which is yet to develop. One has yet to look deeper for signs of improving the current state, with much careful insight.

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# **THE INDIAN GOVERNANCE**

Shaarba Jawed

Political Science (Hons.), II<sup>nd</sup> year

India, one of the world's largest countries, has made tremendous strides in its economic and social development in the past two decades and is poised to realize even faster growth rate in the years to come. India currently stands at the threshold of a unique opportunity regarding governance and public management reform. However with 17% of the world's people, India accounts for less than 2% of the global GDP and 1% of world trade.

The 73<sup>rd</sup> and 74<sup>th</sup> Constitutional amendments gave considerably increased powers to local governments including increased financial and administrative autonomy. Where administration is weak, the burden falls heavily on the poor, who suffer from skewed government spending, limited access to services, and employee indifference. Although India's civil service is not unduly large by global standards, there is a pronounced imbalance in the skills mix. Around 93% of the Civil Service comprises Class 3 and 4 employees for both the government of India and various state governments. Effective civil service reform will have to include measures that improve access to information, strengthen accountability, and reduce political interference.

India's priority reforms includes improving the composition of public expenditures by reducing the share spent on wages, pensions, interest payments, and agricultural subsidies, and increasing investment and operations and maintenance for priority social, infrastructure, and agricultural programs. An expenditure restructuring plan has been prepared to ensure that ministries adhere to a spending timetable to avoid an expenditure glut in the last quarter of the fiscal year. This plan will include guidelines for ministries regarding utilization of their annual budgets. Last year the finance ministry instructed all ministries to refrain from spending more than 33% of their budget in the last quarter of the financial year. The Indian press and public opinion have been concerned about problems of corruption in public affairs. The Right to Information Bill was passed in 2005 in an effort to improve governance and public administration and eliminate corruption.

The bill accords all citizens greater access to public documents than was earlier possible. Corruption investigations have increased significantly in many states; and several states working to provide a baseline against which future progress can be measured. “Corruption has its own motivations, and one has to thoroughly study that phenomenon and eliminate the foundations that allow corruption to exist.” “It is not the young people that degenerate; that are not spoiled till those of mature age are already sunk into corruption.”

A long-established legal system has given India the underpinnings necessary for free enterprise to flourish. Although India’s courts are notoriously inefficient, they at least comprise a functioning independent judiciary. Property rights are not fully secure, but the rule of law, a legacy of British rule, generally prevails.

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# **RIGHT TO INFORMATION**

Sumedha Verma

Political Science (Hons.), IInd year

Abraham Lincoln in his Gettysburg address of November 19<sup>th</sup>, 1863 had used the phrase “government of the people, by the people, for the people”. It was probably an oratorical effort to impact the crowd he was addressing; he never would have imagined that his phrase would become the most often used phrase in political jargon. It is a phrase that would acquire numerous interpretations and would serve as the war cry of the forces of democracy.

When deconstructed and analyzed in the context of 21<sup>st</sup> century democracy the phrase talks about a government that is elected by the people, preferably through universal adult suffrage; a government that encourages participation from the masses by allowing them to contest in elections; lastly a government that works for the people of the country and strives to provide them with a politically and economically stable environment, in which they may develop to the best of their abilities. Thus in a way making the government an agent of the people- an agent that will exercise the will of the people and will be responsible and accountable to the ultimate authority of the people.

India is a liberal democracy. Theories on liberal democracy state “Accountability of the government” to be its most important characteristic. The question, which arises here is- how, is the government, made accountable to the people?

Theoretically speaking in the Indian context it is the electoral process that ensures accountability of the government. India has a system of free and fair elections held at regular intervals (usually five years) at the national and state levels. It is during these elections that the people elect their representatives. Often it is seen that representatives who have failed to deliver are voted out and those who have made a genuine effort to fulfill their promises get re-elected. Therefore through the process of elections the constitution has given the electorate the power to “punish” those who have failed to represent their interests adequately.

As mentioned earlier these elections happen at intervals, it implies that the people have one chance in five years to check the excesses and failures of the government, thus often making the electorate a helpless victim of the system.

At a time when corruption was dominating the vocabulary of the country- the Right to Information Act, 2005 emerged as a messiah heralding in a quiet revolution in the sphere of accountability. The basic objective of this Act was to empower the citizens keep necessary vigil on the instruments of the government, promote transparency and accountability in the working of the government contain corruption and make democracy work for the people in the real sense. This non-violent revolution has kept the governing authority on their toes, wary of the 1.2 billion pair of eyes that are keeping a close watch on them. Anyone with a musical inclination would instantly relate this situation to the lyrics of the 1983 collaborative effort of Sting and Police as they sang, *“every breath you take, every move you make, every bond you break, every step you take, I’ll be watching you”*

This RTI Act is nothing short of a double-edged sword. It has been both used and misused extensively by RTI activists, ordinary citizens, the government and also the bureaucracy. Seven years since its implementation a number of loopholes have surfaced which people exploit for their own advantage. There is ambiguity in the wordings of various clauses, which leaves it open to interpretation. Lack of specific information is also reason for abuse of this act. For example Clause 6(2) of the Act does not specify the quantum of information, which can be sought, and the applicant is exempt from stating the reason for the requirement of information. The Clause states “An applicant making request for information shall not be required to give any reason for requesting the information or any other personal details except those that may be necessary for contacting him/her.” Such vague declarations lead to people asking for irrelevant information, which unnecessarily burdens the officials. If the citizens violate this act in practice, the state has abused the act in spirit. Understaffing of the State Information Commission and Central Information Commission has led to a massive backlog of complaints. There are only six central information commissioners instead of the allotted 11, for instance, and limitations on hiring additional staff prevent them from clearing their backlog of complaints. Meanwhile, at the state level matters can be even worse. In Orissa and West Bengal, for example, the information commissioners are so far behind that they'll need more than 10 years to clear their present backlog of complaints, according to a survey by the Public Cause Research Foundation — and that's if they don't receive any appeals over the next decade. There has also been a huge debate on the inclusion of NGO's and political parties under the ambit of this act as both institutions vehemently oppose their inclusion under the act.

However it is under the RTI Act that a number of issues of National importance have come to light. Information regarding allocation of funds, incomplete developmental projects, environmental concerns have come out in the open and has made the public more aware. The law has been empowering for the common person and it has played an invaluable role in uncovering scams and scandals that would have been shut out of sight in an earlier era. From the Commonwealth Games to the 2G scam, RTI petitions have been the starting points of a number of revelations no wonder the success of this act is posing to be its greatest threat.

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## **Governance and Accountability in India**

Li Chan Ni Jenny Li

Political Science (Hons.), IIIrd year

India is a democratic country and the primary characteristic of a democratic model, i.e. the government is accountable to the people for its acts of commission and omission holds true in India as well. But the question is to what extent are the government actually practicing such accountability towards the people of India. The Government of India, which initially had to work towards the welfare of the people and make this the major objective of the country, are now seen as far deviating from the objective of the welfare of the people. The objective has now been the welfare of the ministers as we have seen that the ministers of India are increasingly involved in acts of corruption which indicate, that they are no longer concerned with the interest of the masses but are concerned about their own benefits. Example of such corruption cases involving prominent ministers of the parliament are the 2G Scam, Adarsh Housing scam etc. Such a situation creates mistrust in the government. As a result of such mistrust in the government's ability to run the country there were several anti-corruption movements led by activist Anna Hazare who started a fast against the government's action in the delay of the famous Lokpal bill. The Lokpal bill was a step towards making the Government of India more accountable to the people of India. However, the bill is still in the process of being passed in the parliament and has not yet become a reality. Anna Hazare's fast against the corruption of the Indian government stirred the Indian people all over the country. As a result of the mass media coverage of Hazare's fight against the corruption in India, the Indian citizens became more aware about the Lokpal bill and extended their support towards Anna Hazare's movement against corruption. There were mass protest and demonstrations all over the country. This protest by the people of India pressurized the government to take a step in the introduction of the Lokpal bill in Parliament. However, after a time when the movement lost momentum, the bill has not yet become a reality as such. So then, who is accountable to the people?

The ones who are accountable to the people are becoming corrupt and carefree as they are not being seriously penalized for such acts. Since there is no serious penalty for the ones holding power, in case of any misuse of power they think that they would be spared and so they continue with the misuse of power they hold.

The governance of the country as such has not led to development or growth of the country. In fact, the common man is suffering as food prices and fuel prices are going up each day. It has become impossible for the common man to sustain himself and his family. As a result, one loses faith and confidence in the government and stops showing any interest in the political affairs of the country. Since common man is concerned about his basic needs and if such needs are not met by the government, the people would not participate in the political activities of the country such as elections. The Government instead of raising the standard of living of the people and meeting their basic requirement of food, shelter are more engrossed in profit making projects. As per the Household Consumer Expenditure Survey for 2009-10, 29.9% of the population alone was under the Below Poverty Line (BPL). The total number of people below poverty line in the country is 35.46 crore. In rural areas the BPL number stands at 27.82 crore and the urban BPL number stands at 7.64 crore. One of the most astonishing revelations is that poverty has actually gone up in North-Eastern states of Assam, Meghalaya, Manipur, Mizoram and Nagaland. States with high incidence of poverty are Bihar at 53.5%, Chhattisgarh 48.7%, Manipur 47.1%, Jharkhand 39.1%, Assam 37.9% and Uttar Pradesh

37.7%. The latest World Development Report by the World Bank says that India's youth unemployment was 9.9% for males and 11.3% for females in 2010. In 1985, the figures were 8.3% and 8% respectively. Of late the data indicate rising youth unemployment, now virtually 50% more than the national average or total unemployment rate. A country would really develop in the right sense of the term when the citizens are given their basic needs for living such as food, clothing, and shelter and are educated to be responsible citizen of a country. However, India is far from achieving such kind of development. The Government is more concerned about making money and not utilizing it for the welfare of the people. Therefore, there are rising cases of corruption against the ministers in the parliament and the present government faces the problem of no-confidence motion being passed against it by the opposition government. Since there is lack of faith from the citizens, the government is not in a stable position to run the country. Therefore, what is required is that there should be a constant check on the financial expenditures of the government, ensuring that they are used in the right direction.

The government should make efforts to improve the standard of living of the common people by meeting the basic needs of the people at large. The government has to act responsibly in order to tackle the problems facing the country and government. If all this is achieved then only India can be developed in the right sense of the term.

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# **GOVERNANCE AND ACCOUNTABILITY OF INDIA**

Shreejana Das

Political Science (Hons.), IInd Year

India's relatively stable democracy and slow but steady economic development during the last five decades of independence appeal exceptional to observers. The existence and survival of the Indian democratic state and its capacity to oversee a reasonably sustained economic growth can be explained partly in terms of "the legacy of statelessness and state formation that distinguish India from most third world countries". Their proximate determinant was state of the British raj. Their more distant determinants included the Mughal Empire from whose ideas and practices the British benefitted and which the British assimilated, and the imperial states and regional kingdoms of ancient and medieval India.

## **Minority and Coalition Government**

Bharatiya Janata party's electoral success in the ninth Lok Sabha elections in 1989 was a morale-booster for the party from the incredible low figure of two seats in the eighth general elections, its score now jumped to 85 seats. It was able to improve its tally to 120 seats in the tenth Lok Sabha in 1991. During this interregnum, the party's ideologue and leader, A.B. Vajpayee had endeavoured to give anew centrist image to the BJP distancing it from the right-wing, communal programme of the Jan Sangh. He also appreciated Gandhi's economic ideas and JP's philosophies of Sarvodaya and decentralised democracy. But L.K. Advani continued to emphasize BJP's commitment to the saffron programme of nationalism but Vajpayee was quite determined to give a more liberal, secular and democratic image to Hindu nationalism, in spite of its latent contradictions. This was done by interchanging and absorbing the values and experience of the JP movement. The RSS-BJP legacy was sought to be distinct by the social version of the Janata-JP government.

However, this was more a mask than a real transformation.

In a protest against Rajiv Gandhi's refusal to resign on the Bofors issue, the entire opposition, including two BJP members, resigned from Lok Sabha. The Bofors corruption issue proved decisive in the defeat of longness in 1989 elections. As result, the Janata Das, led by V.P. Singh, which reserved 192 seats, formed a minority government with the outside support of both the BJP and the LEFT. The outcome was another minority government led by the Janata Dal under ChandaShekhar's leadership, which was supported by Rajiv Gandhi's congress from outside. It was a case of tail nagging the dog. This government also fell after a few months when congress withdrew its support on a non-issue.

The outcome of the 12<sup>th</sup> Lok Sabha elections in March 1998 was far from being conclusive. This fragmented verdict was not entirely unexpected. Neither the BJP nor the Congress could manage to secure a clear majority in Parliament, although the BJP did emerge as both the largest single party and as the leader of the largest alliance of parties.

It was the United Front, the aspiring third force in Indian Politics, which came out the worst off in these elections with the Janata Dal, the so called leader of this third force was almost decimated. Along with the decline of the JP, the regional components of the Erstwhile United Front, such as the DMK, the TMC, the TDP and the AGP also suffered several losses.

The BJP regime was communal indecisive in its outlook and approach. It colluded with the RSS, long standing project of minority-knitting. It permitted the most fascistic members of the saffron outfit to unleash the politics of hatred and terror especially against the Christian minority, extensible on the issue of 'conversion'.

In addition the BJP regime put destabilising pressure on federalism and co-operation centre-state relations by using Article 356 to dismiss the erected RJD government in Bihar, thus cynically threatening the existence of other legitimate governments at the state level.

The state elections showed that the masses of the people were alienated by sharp rises in the prices of the essential commodities and by the communal, divisive and inept governance. The constant tension and vacillations within the coalition government were reflective of this truth of alienation from the electorate. It appeared that the saffron cause was in headlong retreat in the national political arena. The pendulum had swung in favour of the BJP's main antagonist, the Congress led by Sonia Gandhi.

## **Ideology and Governance**

When the UPA came to power, Prime Minister Manmohan Singh also became a convert to the principle of separation between governance and ideology. Sonia Gandhi, head of the Congress Party would focus on ideologies and political issues while he would deal with the reformist and programmatic agenda of governance and economic developments. This division of labour implied that Central Government would concentrate on administration; the party executive would be separately concerned with electoral mobilization.

Despite the exuberant display of pragmatism, “the divide between government and ideology/politics remains a problematic one”. Bharatiya Janata party’s electoral success in the ninth Lok Sabha elections in 1989 was a morale-booster for the party from the incredible low figure of two seats in the eighth general elections, its score now jumped to 85 seats. It was able to improve its tally to 120 seats in the tenth Lok Sabha in 1991. During this interregnum, the party’s ideologue and leader, A.B. Vajpayee had endeavoured to give a new centrist image to the BJP distancing it from the right-wing, communal programme of the Jan Sangh. He also appreciated Gandhi’s economic ideas and JP’s philosophies of Sarvodaya and decentralised democracy. But L.K. Advani continued to emphasize BJP’s commitment to the saffron programme of nationalism but Vajpayee was quite determined to give a more liberal, secular and democratic image to Hindu nationalism, in spite of its latent contradictions.

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Manmohan Singh's policy of governance must be in tune with the ideology and politics of the Congress Party led by Sonia Gandhi. Adani's conversion to moderation does not imply the rejection of the BJP's Hinduism version. When Jyoti Basu was invited by the National Front to become India's Prime Minister, the CPM's politics bureau did not permit him to accept the post. The UPA government based on external support of the Left cannot separate issues of governance from the impact of ideology and party politics.

## **Accountability**

### **Functional and Adaptive Deficiency in Competitive Market**

From customers, depositors as well as borrowers for different kind of products and services depositors demand high level of transaction efficiency, qualitatively different and technologically Efficiency has several meanings. The level of efficiency in the market place can be evaluated on the basis of four basic criteria: the availability of information, the valuation of assets, the provision of insurance against risks in future and facilitations of transactions for mobilisation and allocation of savings. The fourth criterion covers all the functional mass of the financial system: contractual arrangements between borrowers and lenders, pricing and transfer of risks inherent in such relationships, liquidity of assets created in the course of such transactions and widening markets in which borrowers and lenders can benefit from the efficiency of the market process.

In this changing environment, commercial banks came to face greater calls on their ability to respond to a wide range of expectations fool-proof; borrowers look for prompt, adequate and innovative responses for their diverse requirements to compete in the market place and finally, regulators expect that the organisations manage the growth and diversification of their business in a prudent fashion.

### **The Preservation of Public Sector Characters**

Though the meaning of the expression ‘public sector character’ is highly elastic, presumably, it indicates a commitment to the continuation of certain policies and practices that evolved during the 1970s and 1980s. During that period acting as a surrogate entrepreneur the state had utilised the apparatus of PSOs for overcoming problems created by the dysfunction between what was perceived to be required of development and the effectiveness of the existing institutional framework. Direct control of the major banks, through public ownership, brought about a tectonic shift in their functioning with these banks being utilised directly as instruments for garnering of resources and allocation of credit, particularly in agriculture and allied sectors.

In recent years there have been remarkable developments in the financial sector, particularly with its deepening and diversification, the availability of different types of market based instruments and institutions, and the establishment of a price based incentive structure. Arguably therefore, the utility of the PSBs as a direct instrument for the state is not as critical now as it was in the earlier decades.

### **Concluding Observation**

The behaviour of entrenched interest groups even allowing for considerable country differences can have a decisive impact on the process of economic change and evolution. The convention of coddling nested interests is difficult to break, irrespective of the pattern of ownership. With the 'subjective mental constraints' of different interest strengthen either the system, an ideology develops, as Douglas North argued in his Nobel lecture in 1993, that only rationalizes the society's structure, but also accounts for its poor performance. The political establishment in a democratic polity cannot evade its primary obligation for accountability. However, they cannot also be expected to simply alter the rules and change the policy parameters, all too suddenly or experiment with an essential irreversible program. The priority is to generate a kind of political climate that encourages the growth of connector-nailing interest groups which have a stake in the changes aimed at promoting the kind of efficiency the economy is looking for. Those who believe that nested interests groups are holding their economic future hostage have to be encouraged.

The process of sustaining of the state, from the organizations it owns, will necessarily be slow in a democratic polity. Over the last decade, the regulatory authorities have brought about far-reaching changes to strengthen the banking system, not only in prudential regulation, but in structural and fair play regulation as well.

The modality for achieving functional efficiency cannot be presented in terms of a single model. The very expansion of the scope of the free market has heated conditions where the state has distance itself from the owned organizations by the regulatory emphasis onto enhancing market efficiency and preventing market abuse. We are in a phase that Karl Polanyi describes as a complex 'double movement' through time. In the course of this double movement,

we have to continually ensure that the state and the market –driven institutions adapt to each other; and neither the state should become as dominant as to ripple the other.

## **Boards in India and Sources of Corporate Wisdom**

### **Areas of priority**

1: The relationship of the new board with the management. Does the management accept that the board must be enabled to discharge its oversight responsibility and that it is in the long-term interest of the company that it does so? The board should empower itself to have access to such information that focuses on strategic, regulatory and stake holder concerns-issues that relate directly to the board's oversight responsibility and may require interventions. It cannot meaningfully delegates the function to the management

2: Codes on CG for non-executive directors. These expect them to function as truly independent monitors of management performance. The general thrust is that the non-executive directors should be independent of management and free from any relationship with the companies to that coned interfere with the exercise of independent judgement.

3: The time and resources available to the board and its directors. They must be willing to engage the management team in a serious dialogue and strategic direction and issues of importance that may come up during the course of business.

4: In many non-financial sectors, the business dynamics are no less complex. In recognition of this complexity, the Global Corporate Governance Advisory Board has identified the education of directors on the nature and scope of their job as one of the key issues that needs to be addressed.

5: The splitting up of the post of Chairman and chief Executive Officer. The Global Advisory Board regards as a fundamental principle.

The underlying premise is that without the direction of an independent leader, it may be very difficult for the board to perform its initial oversight function.

6: Business ethics: The Board has to ensure that the management is observing the ground rule of ethics, transparency and disclosure. It is not unusual to find that, in their drive for profit and growth, managers are tempted to invest the market process.

7: Balancing the interests of the different stake-holders. The primary objective of the management is generally to enhance share-holder nature. These are differences of opinion among academics as to the best means of seeking a convergence of interests of share-holders and other stake-holders.

8: The issues of short and long term objectives over the past two decades, stock price appreciation has been very effective measure to exert market discipline on corporates.

9: Board culture there compliance with a dry code of CG is no CG guarantee of CG quality inside the boardroom. How good are we as board? How good am I as board member? These are questions that the board and its members must learn to ask a code of governess which is the architecture.

10: The issue of self -evaluation by the board. There is a strong body of opinion that urges a process of self-evaluation by the board and the establishment of standards of performance.

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# **A DECLINE IN ACCOUNTABILITY OR A PROGRESS OF DEMOCRACY?**

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Political Science (Hons.), IInd year

The preamble to the Indian Constitution describes India to be 'sovereign socialist secular democratic republic' state. In contemporary times India is titled as the world's largest democracy, fastest growing economy and a prominent voice in global affairs. But all these do not spare India from succumbing under the perils of institutionalized corruption. In the recent years we have noticed India's political stability is at low ebb. But never before we have encountered such an aggressive stand against the corrupt government of India, which have the successfully shattered its morale.

Indian government right now is going through a tumultuous time with the pressure of 2014's general election coupled with the rising discontent among the citizens. It's for the first time, when the people of India, in great strength and valor voiced their grievances and demanded for redress with such persistence. But it's definitely not the first hand experience of corruption for the Indian government. It is a part and parcel of Indian politics since the post independence era. The provenance of political corruption can be traced back to the Jeep scandal in 1948, during the Nehru's time involving V.K.Krishna Menon, the then High Commissioner for India in London. Contrary to the demand of the opposition for judicial inquiry, the then Government announced on September, 1955 that the Jeep scandal case has been closed. Soon after on February, 1956, Menon have got position in the Nehru cabinet as Minister without Portfolio. Though Congress as a party then suffered the crisis of credibility but neither the Prime Minister resigned nor any agitation unlike the contemporary times have ever been launched for his resignation.

Nehru's tolerance of corruption is hardly ever been vehemently questioned and brought under inspection in the level as it has been done today in case of Prime Minister Manmohan Singh. Nehru's death in 1964, have not been enough to put an end to the prospect of corruption it just made it worse. Mrs. Gandhi who took forward the legacy of her father is believed to have institutionalized corruption. The operation Blue Star initiated by Mrs. Gandhi to remove the Sikh separatist in the greed of winning election showed her shortsightedness and her unaccountability towards the people whom she was suppose to serve. This definitely has resulted in her assassination but, was she ever prosecuted questioned and pressurized enough by the people and media to give in? The Bofors scandal also tends to rack up the administration during Rajiv Gandhi's time. But later the newspapers have been forced to stop publishing stories involving it rendering the common people ignorant. Never have the common people tried to interrogate and check the government at every level of its administration as it do today.

In contemporary times people's increasing participation in undressing the government has started with the commonwealth scam that surfaced even before the commonwealth games to India's disgrace in 2010. The widespread media coverage of such scams and people's reactions to it, is the sole reason for the disappearance of the 'veil of ignorance'. Media works as a major link between the government and the people. The commonwealth drama is followed by the spectrum scam of 2010. A. Raja, who during his tenure as the minister of telecommunication and IT in is accused of 'virtually gifting away' frequency allocation license to the mobile companies. The 2g spectrum scams of 2010 involved many politicians and government officials and private sector honchos in India. This scandal is rated as number two in the 'Top 10 Abuses of Power', after the Watergate scandal, as per Times magazine. This has been followed by the game of concealability played by the several ministers of former ruling party of UP, Bahujan Samaj Party in Uttar Pradesh NRHM scam. It is believed that they have murdered at least 5 people to cover up the large scale irregularities in the course of health care delivery. The year 2012 has ushered in a series of scams such as the coal mining controversy which has cost India approx 33 billion us dollars. This issue received massive media reaction and public outrage.

The deadlock between the two alliances however resulted in Parliament's functioning only seven of the twenty days of the session. It has also been estimated that the Karnataka Wakf Board land scam of 2012 has incurred the loss of rupees two lakh corers, which exceeds the loss incurred during the coal mining scam. This is not the end there are almost forty scams that surfaced in the year 2012 alone. Therefore it leaves us in no doubt that the government's sense of responsibility towards the people has definitely diminished.

Surfacing of such treacherous miscommunication between the people and the government do certainly decrement its accountability and at the same time justifies the increasing level of agitation against it. In pre independence era the organization – Indian against Colonialism- which fought against the imperialism imposed by the British rulers is now fighting against the catastrophe of corruption under the name India against Corruption. The desperation of the people for drafting the lokpall bill and the series of fast conducted by Anna Hazare and supported by the people all over India, who took the initiative to reduce the corruption and agitation that has been conducted for its passage since April 2011 till May 2012 is incomparable. The protest has been rated among the top ten stories of 2011 and received worldwide coverage. The frequent use of Right to Information Act of 2009 also surfaced during this time with the citizen's growing knowledge of their status with respect to that of the government officials along with their loss of trust in the government. For example on 12-April-2006 Aruna Roy, member of the UPA Government's National Advisory Council applied under RTI to India's Prime Minister's Office for a copy of a secret Cabinet report on resettlement of "Project Affected Persons". In a 2011 report on Corruption in India, one of the world's largest audit and compliance firms KPMG notes several causes that encourage corruption in India. The report suggests high taxes and excessive regulation bureaucracy as a major cause. India has high marginal tax rates and numerous regulatory bodies with the power to stop any citizen or business from going about their daily affairs. According to a 2010 The Hindu article, unofficial estimates indicate that Indians has over 1456 billion dollars in black money stored in Swiss banks. While some news reports claimed that data provided by the Swiss Banking Association Report (2006) showed India has more black money than the rest of the world's combined.

According to a 2010 The Hindu article, unofficial estimates indicate that Indians has over 1456 billion dollars in black money stored in Swiss banks. While some news reports claimed that data provided by the Swiss Banking Association Report (2006) showed India has more black money than the rest of the world's combined.

At one point of time people of India believed in the fact that 'ignorance is bliss' but in the age of transparency and globalization they endeavor to actively participate in scrutinizing the activities of the government. The media being the heights of weapon successfully prevent the government from keeping the people under the veil of ignorance. The crowd through their participation in rallies, dharnas, and various organizations and NGOs checks the government's activities. With the approaching general election the government has become more vigilant towards the needs of the people.

The power struggle was between the handfuls of people within the sphere of administration but now we see that the dynamics have slowly shifted towards the common masses who demands justification for the loss of government's accountability. This makes it mandatory for the government to work hard in order to rebuild the lost trust and definitely to earn the guarantee of it perpetuation .Hence we can say that an alert mass can make a government more responsible and the governance more democratic.

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## **THE LOKPAL BILL**

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Political Science (Hons.), IInd year

Corruption in government is far more entrenched malaise than what government either wants to acknowledge or seek to address. Thus it is seen that in case of India the people have a large expectations of the government to limit the spread of corruption and in doing so the Lokpal bill has its own history which plays an important role in Indian politics. Thus in want of good governance to be established in India, the Lokpal bill played its part in achieving the ultimate i.e. corruption free government.

The Jan lokpal also referred to the citizens ombudsman bill, is an anticorruption bill drafted and drawn up by civil society activist in India seeking the appointment of a Jan lokpal, and independent body to investigate corruption cases. This Bill also proposes improvements to the Lokpal and the Lokayukta Bill 2011 which was supposed to be passed by the Lok Sabha in December 2011.

The Jan lok pal bill aims to effectively deter corruption, compensate citizen grievances, and protect whistle-blowers. The prefix Jan (translation: 'citizen') signifies that these improvements includes inputs provided by "ordinary citizens" through an activist-driven, nongovernmental public consultation.

The Lokpal Bill was introduced by Shanti Bhushan in 1968 and passed the 4<sup>th</sup> Lok Sabha in 1969. But before it could be passed by Rajya Sabha, the Lok Sabha was dissolved and the bill lapsed. Subsequent versions were reintroduced in 1971, 1977, 1985, 1989, 1996, 1998, 2001, and 2005 and in 2008, but none of them were passed.

In 2011, during the parliament's winter session the Lok Sabha passed the controversial Lokpal Bill, but could not be passed by Rajya Sabha due to shortage of time in the winter session of 2011. Government has not put Lokpal Bill again in Rajya Sabha.

The Bill has been criticized as being naïve in its approach to combating approach. The very concept of Lokpal has received criticism from human recourse development minister Kapil Sibal in that the bill lack accountability, be oppressive and undemocratic.

However the matter of whether the Indian Prime Minister should or should not be prosecutable by the Lokpal remarks as one of the major issues of dispute. Anna Haazare, the Lokpal activist being a nominee for the co chairing the joint panel Justice Verma, the former Chief Justice of Supreme Court, has expressed his constitutional objections for including the Prime Minister and High Judiciary Under Lokpal. According to him “this would foul with basic structure of Constitution”

However, on 27<sup>th</sup> august on 2011, a special and all exclusive session of parliament was conducted and a resolution was unanimously passed.

Thus it is to be seen that to what extent is the Lokpal bill successful to fight corruption as its implementation is taking its twists and turns till date.

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## **INDIA'S ACCOUNTABILITY IN JAMMU AND KASHMIR**

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Political science (Hons.), IIIrd year

Accountability as per the Oxford dictionary means to be “responsible” or “bound to give account”. India being one of the largest democracies functioning in the world today, one needs a quick recap on how accountable the government has been since the time it has claimed to be a “democratic republic”.

The government is elected by the people and the government thus elected is accountable to the electorate. Let us check the validity of this principle in India. Bharat, as article 1 reads is a federation of 28 states. The central government is equally responsible to all the people at large. But the reality is quite different. Nothing is “accounted for” in India, be it the lives of the teeming millions which is always at stake given the lack of security and proliferation of terrorist activities. The tax payer’s money that is supposed to be used for public welfare is swallowed by the Rajas, the Vadras and the Kalmadis and is least accounted for. Scam after scams and it goes on given the lack of accountability.

However this article does not concern the scams and administrative dysfunction as in the whole of India since the “accountability” is quite apparent. But I wish to concentrate on the lack of accountability by the government of India towards the people of Jammu & Kashmir which the government so calls “an integral part of India”. The defining feature of human rights violations and lack of accountability in Kashmir is that in the name of countering militant violence the Indian State authorizes armed forces to carry out every kind of operation, often without adherence to laws and norms. In a majority of cases, crimes are not noted or investigated at all. Rudimentary statistics reveal an appalling picture. Out of 214 cases a list emerges of 500 individual perpetrators, which include 235 army personnel, 123 paramilitary personnel, 111 Jammu and Kashmir Police personnel and 31 Government backed militants/associates.

The designations of some of these alleged perpetrators points to a deep institutional involvement of the Indian State in the crimes. Among the alleged perpetrators are two Major Generals and three

Brigadiers of the Indian Army, besides nine Colonels, three Lieutenant Colonels, 78 Majors and 25 Captains. Add to this, 37 senior officials of the federal Paramilitary forces, a recently retired Director General of the Jammu and Kashmir Police, as well as a serving Inspector General.

There is lack of accountability and good governance in every sphere, be it political, economic or social. The governance can be best described as oppressive, suppressive and authoritarian. The confrontation over the issue of revocation of the Armed Forces Special Powers Act (AFSPA) has been brewing in Kashmir. The AFSPA is one of the most draconian legislation that gives security forces unrestricted and unaccounted power to carry out operations in order to maintain public order, thus giving the armed forces absolute immunity. The AFSPA has resulted in innumerable incidents of arbitrary detentions, tortures, horrible crimes like extra judicial killings, rapes and acts of enforced disappearances which are overlooked under the system of impunity to the accused perpetrators. The institutional culture of moral, political and juridical impunity has resulted in enforced and involuntary disappearance of an estimated 8000 persons [as on Nov 2012], besides more than 70,000 deaths, and disclosures of more than 6000 unknown, unmarked and mass graves. The last 22 years have also seen regular extra-judicial killings punctuated by massacres.

Domestic Indian law does not even criminalize Enforced Disappearance or Torture in Kashmir, which means that one is unable to prosecute perpetrators of such crimes, thus depriving the people of appropriate instruments to force prosecution.

Despite available documents that indict the alleged perpetrators, the response of the Jammu and Kashmir Police, Government of Jammu and Kashmir and the Indian State has been woefully inadequate. From denial of sanction for prosecuting members of armed forces under the Armed Forces (Jammu and Kashmir) Special Powers Act, 1990 [AFSPA] to limited prosecutions of

members of the Jammu and Kashmir Police and civilian associates of the armed forces, the Indian State and its functionaries appear to have played a direct role in the commission of crimes and subsequent cover ups.

### **Where is the accountability?**

Does a citizen of a state that is claimed to be a part of India gets this amount of accountability? The AFSPA is a direct violation of the fundamental right to life, right to equality and protection against arbitrary detention.

There is no good governance and no accountability in Kashmir by the government of India.

Disillusioned with the political progress, the new generations of Kashmiris want economic reforms and jobs. The CM's promise of disbursing stipends to unemployed youth also faces problem of plenty. SKEWPY (Sher-i-Kashmir Employment and Welfare Programme for Youth) a statewide scheme envisaging stipends and small loans to jobless educated people began with 24548 beneficiaries in 2010. The state government had to redo budget allocation to include more than 33000 recipients the following year. The CM himself estimates the number of educated jobless Kashmiris at more than 6 lakhs. Isn't the government responsible and accountable for such a state of affairs?

The state's draconian Public Safety Act (PSA) also makes the people question accountability. The social media is always under strict monitoring by the authority and social networking sites are often blocked in the wake of public protests. The SMS service is blocked, thus the right to free expression is not enjoyed by the citizens of a country that claims to be the largest functioning democracy.

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## **Government and the people**

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Political Science (Hons.), IInd year

A Government is present and elected to fulfill the needs of the public. Be it a Presidential Form or a Parliamentary form of government. To sum up the function of the government, we can put it under one word – Governance. Governance would not simply mean to control the people or the functioning of the administration. Governance is a much strong word. It includes decision making; strategic alignment; managerial control; supervision.

‘With great power comes great responsibility’. As common sense would go, Governance would not mean something which is amateur. The word itself has a lot of weight – let alone how it actually works or functions.

To provide for with success governance has to be clubbed with ‘Accountability’. Accountability ensures actions and decisions taken by public officials are subject to oversight so as to guarantee that government initiatives meet their objectives and respond to the needs of the community they are meant to benefitting, thereby contributing to better governance and poverty reduction. One very important factor of accountability could be its importance as the ‘cornerstone’ of good governance.

When we take India – the largest democracy into consideration, the questions of accountability arises. Who is accountable to whom? In India, the Government has always remained Accountable to the people. Infact this is obvious for every democracy. India being a quasi – federal nation has many junctures where the accountability along with governance can be checked. At the national level the government remains accountable to the people directly whereas the public officials remain accountable to the government.

Similarly the state public officials remain accountable to the state government. However, here the state government not only remains accountable to the people but also to the union Government.

The true partnership of Governance and accountability can be observed when the Government gets into a rift with the people at large. Among the very recent events, taking into account the Lokpal Movement – The government had to face a lot of opposition from the people at large. The movement led by Anna Hazare pointed out the various shortcomings of the bill and also put forward such other points which were to be included in the bill. Thus, in this situation, does not governance play an important role? So who is really accountable here? The people to the Government or vice – versa?

It is very clear that the Governance and Accountability goes hand in hand. But most of it depends on how it is being performed. Corruption has been a part of every nation and India is certainly no exception. However, the aim now should be positive Governance and positive Accountability. After all, nowadays, Governance is measured in terms of outcome and constituent values. Such a result is only available with good qualitative Governance.

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# **GOVERNANCE AND ACCOUNTABILITY**

Sakina Hararwala

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According to World Bank (1992), governance is a method through which power is exercised in the management of a country's political, economic and social resources for development. As per Asian Development Bank (1995), governance is the manner in which power is exercised in the management of a country's social and economic resources for development. According to UNDP (1997), governance is the exercise of economic, political and administrative authority to manage a country's affair at all levels. It comprises the mechanisms, processes and institutions through which citizens and groups articulate their legal rights, meet their obligations and mediate their differences.

Governance is the operation of three key factors:

1. State: creating a favourable, political, legal and economic environment.
2. Civil society: mobilizing people's participation
3. Market: creating opportunities for people

According to World Bank, good governance entails sound public sector management, accountability, exchange and free flow of information and a legal framework for development.

Components of good governance as given by the World Bank are as follows:

1. Public sector management: It includes public expenditure management (public investments, budget planning, budget processes); civil service reform (to manage less but manage better); reform of public enterprises (privatization, improving competitive conditions) and improvement in efficiency of public institutions.

2. Accountability: It has been described as being at the heart of governance and holding public officials responsible for their actions.
3. Legal framework for development: It includes important contribution to equitable and just society and thus to prospects for social development and poverty alleviation. It also includes focus on judicial reforms, legislative reforms and the improvement of legal education and training. Rule of law represents the legal dimension of good governance by a country.
4. Transparency and information: It includes economic efficiency, prevention of corruption and analysis, articulation and acceptance of governmental policy choices.

As per the UN, there are eight characteristics of good governance which are as follows:

1. Accountability: This is a key requirement of good governance and is applicable to government, civil society and private sector. There are different types of accountability namely legal, political, administrative and social.
2. Transparency: Allowing free flow of information and accessibility of information to those affected by decisions taken in governance progress.
3. Responsiveness: This includes timely delivery of services and redress of citizen grievances.
4. Effectiveness and efficiency: This includes optimum use of resources and competency and performance of civil servants.
5. Rule of law: This includes fair legal framework, impartial enforcement machinery and independent judiciary.
6. Participation: It is the cornerstone of good governance and will ensure freedom of expression and association. It will give opportunities for citizens to participate in decision making, implementation and monitoring of government activities.
7. Equity and inclusiveness: All groups particularly the most vulnerable, have opportunities to improve or maintain their wellbeing.

8. Consensus orientation: This includes mediation of different interests in society to reach a broad consensus on the best interest of the whole community and how this can be achieved.

There are certain strategies for good governance such as:

1. Reorienting priorities of the state through appropriate investment in human needs and provision of social safety nets for the poor and marginalized.
2. Strengthening state institutions.
3. Introducing appropriate reforms in the functioning of parliament and increasing its effectiveness.
4. Enhancing civil service capacity through appropriate reform measures that matches performance and accountability.
5. Forging new alliances with civil society.
6. Evolving a new framework for government-business cooperation.

Some of the good governance strategies in India are as follows:

1. Conference of Chief Secretaries and Chief Ministers (1996,1997)
  - a. Deliberation on improving governance
  - b. .Action plan for accountable and citizen friendly government
  - c. Formulation of initiatives
2. Good Governance Initiatives
  - a. Decentralization and people's participation
  - b. Citizen's Charters
  - c. Sevottam
  - d. Results framework document
  - e. State of Civil Services survey
  - f. Model code of governance
  - g. Redress of citizens grievances

- h. E-governance
- i. Social accountability

Though good governance may be rhetoric but good government, responsive administration and a just legal system are eternal requirements. External drive to policy change should be replaced by local commitment and ownership of reform. Ingenuous ideas for improving governance, ownership of initiative and commitment to reform is extremely important.

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## **Transparency of Indian government**

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Political Science (Hons), II<sup>nd</sup> year

As of December 2008, 120 of India's 523 parliament members were facing criminal charges. Many of the biggest scandals since 2010 have involved very high levels of government, including cabinet ministers and chief minister, such as 2G Spectrum scam, the 2012 Commonwealth Games scam and the Adarsh Housing Society scam, Coal Mining scam, Mining Scandal in Karnataka and Cash for Vote scam. The economy of India was under socialist inspired policies for an entire generation from the 1950's until the late 1980's. The economy was characterized by extensive regulation, protectionism and public ownership, policies vulnerable to pervasive corruption and slow growth. In 1960's, Chakravarthi Rajagopalachari suggested License Raj was often at the core of corruption.

In 2012 India has ranked 94<sup>th</sup> out of 176 countries in Transparency International's Corruption Perception Index, tied with Benin, Columbia, Djibouti, Greece, Moldova and Senegal. Some of the largest sources of corruption in India are entitlement programs and social spending schemes enacted by the Indian government. Other daily sources of corruption include India's trucking industry which is forced to pay billions in bribes annually to numerous regulatory and police stops on its interstate highways.

Indian media has widely published allegations of corrupt Indian citizens stashing trillions of dollars in Swiss Banks. Swiss authorities however assert, these allegations to be a complete fabrication and false officials are alleged to steal state property. In cities and villages throughout India, consisting of municipal and other government officials, elected politicians, judicial officers, real estate, developers and law enforcement officials, acquire, develop and sell land in illegal ways. In government hospitals, corruption is associated with non availability, duplication of medicines, getting admission, consultations with doctors and availing diagnostic services. There have been several cases of collusion of officials of the income tax department of India for a favorable tax treatment and relaxed prosecutions in return for bribes. A study conducted between 2004 and 2005 found that India's driver licensing procedure was a hugely distorted bureaucratic process and allows drivers to get licenses despite their low driving ability through promoting the usage of agents.

A study conducted between 2004 and 2005 found that India's driver licensing procedure was a hugely distorted bureaucratic process and allows drivers to get licenses despite their low driving ability through promoting the usage of agents.

The Indian Armed Forces have witnessed Corruption involving senior armed forces officers from the Indian Army, Indian Navy and Indian Air Force. A number of scandals in the 2000-2010 periods damaged the military's reputation; such as scandals included skimming of armed forces money, re-selling of government property, and faking combat missions.

If corruption levels in India were reduced to levels in the developed economies such as the United States, India's GDP growth rate could increase by an additional 4 to 5 percent to 12 to 13 percent each year. Thus a variety of organizations have been created in India to actively fight against corrupt government and business practices.

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