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**Research Paper** 



# Good Governance as an Indispensable aspect of the Administration and Its significance in India for Civil Society

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## I. INTRODUCTION

Traditionally governance refers to form of political system and the manner in which power is exercised in utilising countries economic and social researches for development. It deals with the capacity of Government to design, formulate and implement policies and in general to discharge Government functions.

Same wise it is the process of decision-making and the process by which decisions are implemented or not implemented. Governance term can be used in several contexts such as corporate governance, international governance, national governance and local governance. In the 1992 report entitled "Governance and Development", and the World Bank set out definition of Good Governance. It defines Good Governance as "the manner in which power is exercised in the management of a country's economic and social resources for development".

Historical evidence of Good Governance in Indian Administration:

• Bhagavad Gita and other religious text provide numerous instances of good governance, leadership, dutifulness and self-realization which are re-interpreted in the modern administrative features.

• Kautilya's Arthashastra spokes about the welfare of people and considered it paramount important role of the King.

• Mahatma Gandhi also emphasized upon the concept of "Su-raaj" which means good governance.

• Governance and areas related to good governance was clearly inscribed in the Indian Constitution, it is built on-premises of Sovereign, Socialist, Secular and Democratic Republic by committing itself to democracy, rule of law and the welfare of people.

In the pre independence era when we discuss the inception of Good Governance in India, to some extent we may recall The Act of 1858. As it altered the style of public administration in India. It brought an end to the rule of East India Company in India after the revolt of 1857. This act represents the concept of good governance, as it tries to improve the Indian administrative machinery. It is now to be superintended and controlled by the Crown in England. The act abolishes the Court of Directors and the board of Control. It transferred the government, territories, and revenues from the Company to the Crown. Now it means that India is to be govern by Sovereign British and the act establishes the importance of the British Parliament in governance of India.

In the present time lot of debate and discussion are going on since long in the world over and in India for the effective application of the concept of 'Good Governance' in functioning of Public Administration. It is the process of measuring how public institution and public administration practitioners conduct public affairs, manage public resources, and guarantee the realization of human rights in a manner essentially free of corruption and with due regard for the rule of law. The concept circles around the responsibility of Governments and governing bodies to meet the needs of the masses. In the vocabulary of Public Administration, "Good Governance" is not a new entrant; it is an attempt to widen the scope of public administration by going beyond

official Government. It is a genuinely democratic concept that will make public administration more open, transparent and accountable. It is the basic need for setting up a right and more sensitive democratic society.

The world Bank and the Organization for Economic Cooperation and Development (OECD) have became great proponents of the concept of 'Good Governance' it cannot be narrowly conceived in the manner the world Bank and other funding agencies have sought to present them especially in a country like India.

A more creative approach would be needed to treat the issues of good governance and new opportunities needs a fresh look at society relationship in today's complex world of governance.

As per former United Nations Secretary-General Kofi Annan, "Good Governance is ensuring respect for human rights and the rule of law; strengthening democracy; promoting transparency and capacity in public administration." He also said that "Good Governance is perhaps the single most important factor in eradicating poverty and promoting development".

The 'Good governance' paradigm and the current concern about administrative decentralization have brought to surface the role of civil society in collective social problem solving. As commonly understood, civil society represent "the realm of organized social life that is voluntary, self-generating largely self-supporting and bound by a legal order or set of shared values.

The term 'civil society' has come to enjoy much political, administrative and intellectual recognition in recent years. G.W.F. Hegel was the first political philosopher who separated and differentiated civil society, in nineteenth and twentieth century Karl Marx, Fredrick Engel's and Antonio Gramsci analyzed the concept of civil society. John Keane, the British theorist summarizes the current positive thinking about civil society as: "The emerging consensus that civil society is a realm of freedom correctly highlights its basic value, as a condition of democracy; where there is no civil society there cannot be citizen with capacities to choose their identities, entitlements and duties within a political legal frame work.

In Indian context the civil society is growing fast since 1970's. In the worlds of Niraja Jayal" with regards to India, it has been argued that civil society in the sense of opposition to is developed, while civil society in the sense of associational group is not" so, there is a great need of developing the civil society in Indian context as a strong democratic voice so that it can became a party in good governance. Public Administration, particularly development administration has in recent times relied considerably on civil society conceptualizations in its quest for people centric and participative decentralized governance, transparency, openness, rule of law and human rights observance, this all will facilitate strengthening of democracy. We in India have representative Parliamentary Democracy learning the decision making to a small group of elected representatives. This could result in Government of the people but in many real-life situations it is becoming a government 'off' the people. Progressive marketization of traditional Government functions in many ways has widened this gap. There is a gap between the not efficient and the profit alone matters private sector, so there is a need felt of a third sector to bridge this gap. This is how civil society is seen in today's context as a bridge. Civil society functional contribution to good governance could be in different ways like i.e. Watch Dog - against violation of human rights and governing deficiencies; Advocate - of the weaker sections point of view; Agitations - on behalf of aggrieved citizens; Educator -of citizens on their rights, entitlements and responsibilities and to the Government about the pulse of the people; Service; Provider - to areas and people not reached by official efforts or as Government agent.; Mobilizes of public opinion for or against a programme/policy.

## II. IMPORTANCE OF GOOD GOVERNANCE FOR NATION BUILDING THROUGH VIGILANT SOCIETY

Principles of Good Governance as given by UN: Participation: People should be able to voice their own opinions through legitimate immediate organizations or representatives. Especially this includes men and women, vulnerable sections of society, backward classes, minorities, etc. It also implies freedom of association and expression.

Rule of Law: Legal framework should be enforced impartially, especially on human rights laws. Without it, politics will follow the principle of nature's law which means the strong will prevail over the weak. Consensus Oriented: Consensus oriented decision-making ensures that even if everyone does not achieve what they want to the fullest, a common minimum can be achieved which will not be detrimental to anyone. It mediates differing interests to meet the broad consensus on the best interests of a community.

Equity and Inclusiveness: Good governance should assure an equitable society. People should have equal opportunities to improve and maintain their well-being. Effectiveness and Efficiency: Processes and institutions should be able to produce results that meet the common needs of the community and resources of the community should be used effectively for the maximum output. Accountability: Good governance aims towards betterment of people, and this cannot take place without the Government being accountable to the people. Governmental institutions, private sectors, and civil society organizations should be held accountable to the public and institutional stakeholders.

Transparency: Information should be accessible to the public and should be understandable and monitored. It also means free media and access of information to them. Responsiveness: Institutions and processes should serve all stakeholders in a reasonable period of time, this on time fulfillment of various policies and programme will give proper benefits to the real/needy beneficiaries.

The above and other ingredients of good governance are; peoples effective participation, transparency responsiveness consensus orientation, equity and inclusiveness, the rule of law, effective and efficiency accountability and strategic vision. They are crucially value-laden and constitute the bedrock of democracy. Innumerable administrative reforms commissions have produced no appreciable impact on the quality of governance.

Under Sustainable Development Goals, Goal no.16 especially speaks a lot about the application of Good Governance in the process of administration i.e.16.3tells about the promotion the rule of law at the national and international levels and ensure equal access to justice for all, 16.5 speaks to substantially reduce corruption and bribery in all their forms, 16.6 tells about development of effective, accountable and transparent institutions at all levels, 16.7 ensure responsive, inclusive, participatory and representative decision-making at all levels and 16.8 tells about the Broadening and strengthening the participation of developing countries in the institutions of global governance which can be considered to be directly linked to good governance as it is also dedicated to improvement in governance, inclusion, participation, rights, and security.

Good governance has eight major features. 'It is participatory, consensus-oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. It tries to ensure that corruption is minimized, views of marginalized section are taken into account and voices of the most vulnerable in society are taken into account in the process of decision-making. It is also responsive to the present and future needs of society.

Good governance is associated with efficient and effective administration in a democratic framework. It is equivalent to purposive and development-oriented administration which is committed to improvement in the quality of life of the common mass. To quote Jan Kooiman.1"In many countries the main tendency in recent years has been to shift the balance between the Government and society away from the public sector and more towards the private sector partly this added up to privatization and sometimes to deregulation. There are also efforts to shift the balance towards a sharing of tasks and responsibilities; towards doing together instead of doing them alone (either by the or by the market). New patterns of interactions between Government and society can be observed in areas such as social welfare, environmental protection, education and physical planning. These new patterns are apparently aimed at discovering other ways of coping with new problems or of creating new possibilities for governing."

Good governance refers to adoption of new values of governance for gaining greater efficiency, legitimacy and credibility of the system. In simple terms, good governance can be considered as citizen friendly, citizen caring and responsive administration. It is clear that good governance is not simply something that Government can achieve or do it by itself. It depends on the cooperation and an involvement of a large number of citizens, non-Government organizations and most importantly the Government. These requirements are considered not only essential for good governance but are also important for sustainable human development.

Civil society can influence policy and projects formulations through membership of committees, submission of memoranda's directly or through elected representatives and interactive rulemaking in the implementation of policies projects and schemes effecting citizens. The maximum day-to-day interaction between the Government and the citizens takes place and the popular image of governance is formed. (b) Interaction of civil society (c), infrequent but important, it will be more of an exposure of irregularities which will suggest steps for improvement in the quality of governance. It acts through 'social capital' - the capacity of people to act together willingly in their common long-term interest, social capital is strong in a homogenous, egalitarian society. Civil society as a whole is therefore, unable to play its full potential role in enforcing good governance in India except when extraordinary leadership over-comes narrow loyalties or when an issue is of common, major concern to all sections (like natural calamities), smaller units of governance and decentralization are therefore, indispensable in India. Individuals cannot take on huge political bureaucratic machine that the Government is, nor can the entire civil society act on behalf of every citizen. Good governance and civil society goes hand in hand or in simpler terms need each other especially in a democratic country like India.

In the conference of the Chief secretaries of and Union Territories on 'Effective and Responsive Administration' in November 1996 and conference of Chief Ministers in May 1997 both recognized that governance has to extend beyond conventional bureaucracies and to actively involve citizens and consumer groups at all level to empower and inform the public and disadvantaged groups to ensure proper service delivery and programme execution through autonomous elected local bodies and citizen groups. As there is a great need felt in involving civil society in the governance of the country. The emphasis now is on facilitating external presence of citizen on the system to improve through various mechanism like i.e. Right to Information Act;

Consumer Protection Act; Citizens Charters; Whistle Blowers Protection, Democratic Decentralization; Public Interest Litigations.

Civil society therefore has to operate through compact, focused organizations based on strong social capital. The Government of India's National policy on the voluntary sector 2006 envisages encouraging an independent, creative and effective voluntary sector. The Government has to assess their suitability, capability and experience and evaluate their performance continually.

Governance is a continuum and not necessarily unidirectional' it does not improve automatically over time. It is a plant that needs constant tending. Citizen needs to demand good governance. Their ability to do so is enhanced by literacy, education, and employment opportunities. Government needs to prove responsive to those demands. Neither of these can be taken for granted. Change occurs sometimes in response to external or internal threat. It also occurs through pressure from different interest groups some of which may be in the form of populist demands. Although lenders and aid agencies and other outsiders can contribute to researches and ideas to improve governance, but for change to be effective it must be rooted firmly in the societies concerned and cannot be imposed from outside. Here it is worth to mention that efforts to improve the quality of governance will fail to square if the quality and caliber of the political executive is unsatisfactory. There is an underlying belief that accountability of Government through checks and balances available under a liberal democratic system would ensure that activity meets the needs and expectations of society so the right kind of civil society are posted and objectives in terms of reaching the agenda of good governance for society. Civil society need to note the deterioration in the quality, integrity and commitment of the elected representatives and the criminalization of politics. Voter education electoral reforms and periodical high-lighting of the performance (or non-performance) of electoral representatives are high priority items in civil society's agenda. Democracy is not a spectator support (through politicians make spectacle of themselves). Parliamentary democracy becomes participative democracy only with civil society's active role.

## **III. GOOD GOVERNANCE INITIATIVES**

Good Governance initiatives are needed in India to help and to strengthen the Civil Society, this can be done and achieve through some of the key mechanism available in India:-

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

E-Governance: Secondly, 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 & reliability of such services at affordable costs. It 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-Governance has a direct impact on its citizens who derive benefits through direct transactions with the services offered by the Government. Programs launched under e-Governance: Pro-Active Governance and Timely Implementation (PRAGATI), Digital India Program, MCA21 (to improve the speed and certainty in the delivery of the services of Ministry of Company Affairs), Passport Seva Kendra (PSK), online Income tax return, etc. Its focus is on 'Minimum Government, 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. It reformed criminal justice and procedural laws.

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

Police Reforms: Modernizing police forces and implementing the Model Police Act of 2015. In the context of the First Information Report (FIR) lodging mechanism reform is done, it including introducing filing e-FIRs for minor offences. Launch a common nation-wide emergency number to attend to emergency security needs of citizens.

Aspirational Districts Programme: It was launched in January 2018 to transform the lives of people in the under-developed areas of the county in a time bound manner. Anchored in 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: Itwas launched on the occasion of Good Governance Day on 25 December 2019. The Good Governance Index is a uniform tool across s to assess the Status of Governance and impact of various interventions taken up by the Government and Union Territories. Its objectives of are to provide quantifiable data to compare the of governance in all s and Union Territories, enable s and Union Territories to formulate and implement suitable strategies for improving governance and shift to result oriented approaches and administration.

#### IV. CHALLENGES TO GOOD GOVERNANCE IN INDIA

Criminalization of Politics: According to the Association of Democratic Reforms, many Members of Parliaments of Lok Sabha are facing criminal charges. It is an increase as compared to previous Lok Sabha's. The criminalization of the political process and the unholy nexus between politicians, civil servants, and business houses are having a baneful influence on public policy formulation and governance. The present political class as such is losing respect and many of them are losing political ideologies of their own. Therefore, it is necessary to amend laws to disqualify a person against whom the criminal charges that relate to grave and heinous offenses and corruption are pending.

Corruption: Corruption is a major obstacle in improving the quality of governance. While human greed is obviously a driver of corruption, it is the structural incentives and poor enforcement system to punish the corrupt that have contributed to the rising curve of graft in India. India's ranking has slipped in the Corruption Perception Index - 2019 (released by Transparency International.

Gender Disparity: To quote Swami Vivekananda, "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". One way to assess the health of the nation is to study the status of its women. As women comprise almost half of the population it is unfair that they are not adequately represented in Government institutions and other allied sectors, they are not getting proper respect in the civilized society and their security is also lacking. Therefore, in order to ensure good governance, it is essential to ensure the empowerment of women along with it providing them with secure environment and respect.

Growing incidence of violence especially against marginalized section of society at large and also against the women is a great hindrance in achieving good governance. Resorting to illegal force is considered to be a law-and-order problem. But when one looks at it from the point of view of the principles of Good Governance, it becomes clear that peace and order is the first step to development. Marginalization of Socially and Economically Backward People: Likewise, the socially and economically backward sections of the society have always been marginalized in the process of development. Although there are constitutional provisions for their up-liftment but in practice, they are lagging behind in so many areas like education, economic wellbeing etc.

Delay in Justice: Along with the above a citizen has the right to avail timely justice, but there are several factors, because of that a common man does not get timely justice. This delay in justice develops the feeling of insecurity in the society and people will lose hope on the judicial system.

Over- Centralization of Administrative System: Governments at lower levels can only function efficiently if they are empowered to do so. This is particularly relevant for the Panchayati Raj Institutions (PRIs), which currently suffer from inadequate devolution of funds as well as functionaries to carry out the functions constitutionally assigned to them.

#### V. CONCLUSION

To conclude, while taking above points into consideration it is important that the effective functioning of governance is the prime concern of every citizen of the country. The citizens are ready to pay the price for good services offered by the but what is required is a transparent, accountable and intelligible governance system absolutely free from bias and prejudices.

There is a need to reformulate our national strategy to accord primacy to the Gandhian principle of 'Antyodaya" to restore good governance in the country.

India should also focus on developing probity in governance, which will make the governance more ethical.

The Government should continue to work on the ideals of SabkaSaath, Sabka Vikas and Sabka Vishwas which will lead to inclusive and sustainable development. Governance should include having integrity, uprightness, and honesty. It is not just being incorruptible and honest but also includes strict adherence to a code of ethics. Administrators are the guardians of the administrative structure, so they should honor public and

ensure that they trust them. Finally, decisions should be taken and enforced in accordance with the rule. In democracy respective Government should not try to fulfill their own party aims instead they should look into the caring of the people. Rightful implementation of different attributes of governance like accountability, impartiality, transparency, responsiveness, rule, of law, etc. Improve the quality of governance. It is always important on part of the Government to analyze their work thoroughly and to improve it whenever necessary. The "engine of good governance" that is bureaucracy should be people oriented and duty bound without which it is not possible to establish good governance in real sense of the term. Corruption should be eliminated from lower to the upper level of administration without which he concept of good governance become meaningless.

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