



Governance & Accountability

Sudha Pillai

Bureaucracy, one of the pivotal pillars of Governance is in a state of distress. The lack of accountability and transparency makes it crucial to pinpoint the core of the crisis that is plaguing the bureaucracy in the country.

Bureaucracy has been frequently in news now for over a year. Some months back when Aruna Roy left the National Advisory Council, she said that the crisis of credibility was at all levels of government and that solutions lay in “addressing the lack of transparency and accountability in government structures.”

Her comments, in a way, reflect the widespread disquiet regarding governance.

The system of governance does not set out to evade responsibility. There is a framework which is based on Article 77(3) of the Constitution. In the Central Government the Allocation of Business Rules and Transaction of Business Rules define the role and responsibilities of both the political and bureaucratic Executive. Further, a chapter titled Machinery of the Government in the Manual of Office Procedure makes it clear that there are several levels of accountability, each level



being tied to the one below. The primary role of the Secretary, who leads the Ministry, is to ensure that supervision is exercised at all levels so that the structure of accountability remains intact. The responsibility of the Secretary, who is the principal advisor to Minister on all matters of policy and implementation (and is accountable to him), is “complete and undivided”.

The political executive is in turn accountable as well, but, we need to first look at the bureaucracy. While many opinion leaders have spoken of their frustration with major issues, the public is frustrated due to its daily encounters with delays and rent seeking.

A recent book titled, Accountability, Angst, Awareness, Action written by Jay Desai offers an interesting analysis. According to the author, the internal accountability mechanisms are not being used effectively. These are the Annual Performance Appraisal Report and the Conduct Rules. If these instruments were used to enforce performance and good conduct as well as penalise non-performance, bad conduct and lack of integrity, the machinery of government would run. It would serve public interest.

However, since this has not been happening, the working of instruments of horizontal and external accountability postulated by Desai is becoming more important. Horizontal mechanisms are exemplified by CVC, CAG, Lokpal, judiciary and legislative oversight. Lastly, external mechanisms, through civil societies and media, have also been exerting pressure on the government(s).

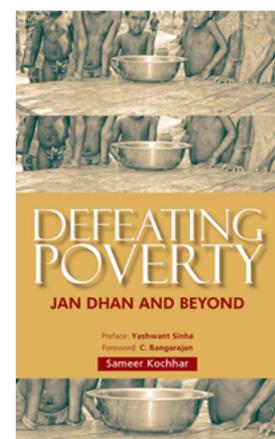
Through its acceptance of Citizens’ Charters as well as legislating on the Right to Information and Lokpal, the government has signalled its willingness to be accountable to citizens, though the acceptance and the structures required for its institutionalisation are incomplete.

Although there are several mechanisms in place, there is still something that we lack. In order to identify that, let’s look at what Desai calls the four foundations of bureaucracy:

- Appropriate representation - citizens’ interests being looked after through appropriate selection of public servants;



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- Participative conduct - public servants seeking citizens' participation and feedback;
- Legitimate conduct - transparent, fair and equitable functioning of public servants; and,
- Liability enforcements.

One would agree with Desai, that in India, the process of selection through UPSC is fair and transparent. However, this much vaunted "meritocracy" loses its relevance soon as subsequent postings/transfers are not based on a fair meritorious assessment.

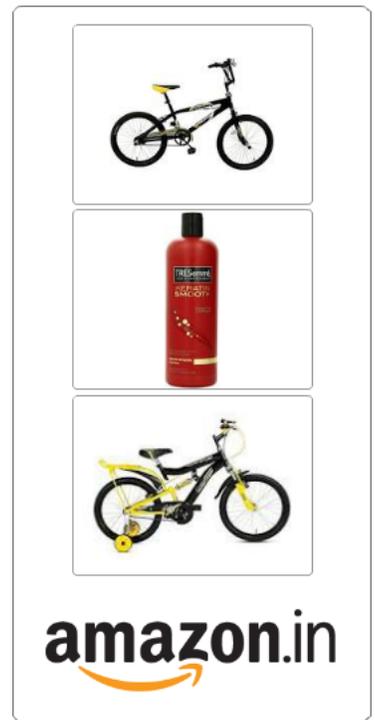
Frequent transfers, short tenures, opacity in the selection of personnel for important positions, open display of biases and tantalising post-retirement offers send wrong signals to the bureaucracy. Sometimes, even initial recruitment by UPSC has been obstructed and positions filled by deputation on ad-hoc basis.

Moreover, there is a growing, and disturbing, presence of advisers and consultants who are really outside any mechanism of accountability. This results in a part of the bureaucracy being compromised or demoralised, affecting the functionality or enforcing of the internal accountability, and quite openly resentful of the horizontal and external accountability mechanisms.

With the first foundation crumbling, the remaining three also follow suit. This then is the genesis of the crisis of governance.

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