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THE ROLE OF GOVT. ADMINISTRATION IN RULING DECENTRALISATION IN INDIA

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ABSTRACT

Decentralization or decentralisation is the process of redistributing or dispersing functions, powers, people or things away from a central location or authority. While centralization, especially in the governmental sphere, is widely studied and practiced, there is no common definition or understanding of decentralization. The meaning of decentralization may vary in part because of the different ways it is applied. Concepts of decentralization have been applied to group dynamics and management science in private businesses and organizations,

This paper lays out the political dynamics that preceded the constitutional amendments in 1993, and then explores the extent to which these reforms have been implemented in India. It reviews the literature on decentralisation in India, analysing three elements that are thought to have undermined the power and autonomy of village-level Panchayats— India's federalism, the 'resistant' bureaucracy and 'élite capture.' It then develops hypotheses to explain the conditions under which Panchayats can be made more responsive and accountable to the interests of groups traditionally marginalised by local political processes.

KEYWORDS :Decentralisation, Gram Swaraj and India.

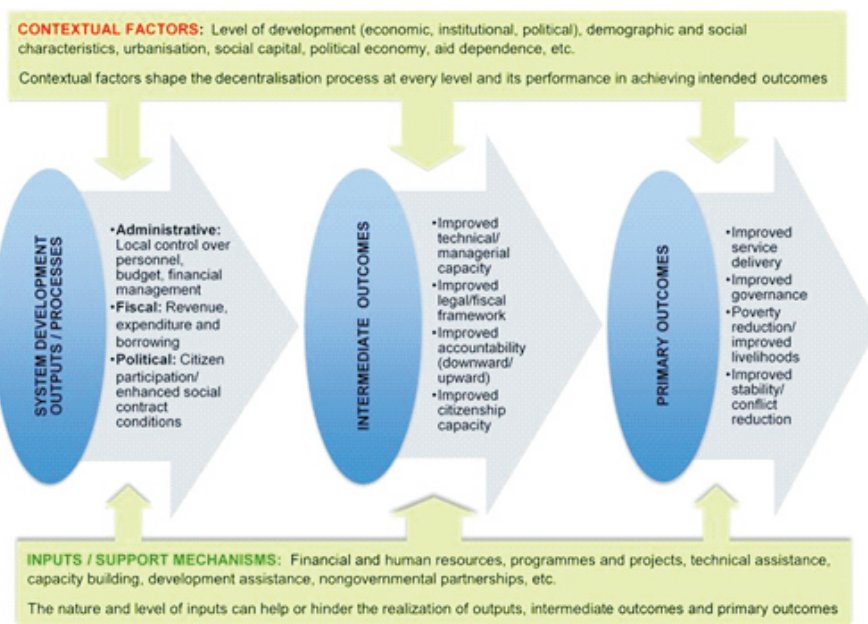


INTRODUCTION

Decentralisation and community driven management acquire special importance in the context of the ongoing process of globalisation and associated economic reforms. While the process of globalisation acts in ways in which the market acquires supremacy to the detriment of people who lose control over their livelihood patterns as well as other choices, the process of decentralisation could act as a countervailing force enabling people to acquire control over decisions that influence their lives in critical areas. India's Ninth Five Year Plan as also the recent Mid-Term Review have noted that proper implementation of development programmes has been hampered by the fact that benefits from these have largely been appropriated by the local elite. Participation of women

and members of SC/ST communities in Gram Sabhas (village councils) and Panchayat meetings is favoured to ensure representation of interests of the poor. The 73rd and 74th Amendments envisage the village panchayat/ ward council as a forum and action point where local solutions to local problems will remedy lacunae in bureaucratic, top-down schemes. Although national goals and aspirations are supportive of decentralisation, during its implementation we need to address concerns for inclusiveness, accountability and effectiveness. For realising the progressive intent of national policy, elected local government institutions must be helped to become vehicles for social transformation, articulating the felt needs of the community, especially those of women and marginalised groups. Livelihood security for the poor would ensure effective participation and better mobilization of local resources.

In recent years better research has emerged in response to concerns about decentralisation performance, availability of improved data, and application of more robust methodologies. At the same time, decentralisation is complex, and its suitability varies across countries. Different actors—policymakers, academics in diverse disciplines, development partners—have specific interests and preferred approaches to the topic. Thus, despite advances, evidence about outcomes remains generally inconclusive and challenging to navigate. It is, nevertheless, worth taking stock of what existing literature has to offer.



In 1993, the Government of India passed a series of constitutional reforms, which were intended to empower and democratise India’s rural representative bodies – the Panchayats. The 73rd Amendment to the Constitution formally recognised a third tier of government at the sub-State level, thereby creating the legal conditions for local self-rule – or Panchayati Raj. Since this time, the process of decentralisation has been highly variable, ranging from ambitious attempts at Gram Swaraj (or village self-rule) in Madhya Pradesh to political re-centralisation in Karnataka. Early experiences have also revealed considerable uncertainty and confusion about the precise political, administrative and fiscal powers Panchayats have in relation to the States, line ministries, and local user groups. This, in part, reflects the fact that the 73rd Amendment gave the State governments considerable autonomy to interpret and implement the constitutional reforms.

India, of course, is not alone in this process. Decentralisation has emerged as a dominant trend

in world politics. In 1998, the World Bank estimated that all but 12 of the 75 developing and transitional countries with populations greater than 5 million had embarked on a process of political devolution (cited in Crook and Manor, 1998: 1). At the heart of this transformation are a number of complex yet inter-related themes. One is an ideological shift, in which the legitimacy of central state-led development has been challenged on the grounds that it produces systems of governance that undermine national economic performance and effective public policy (Gore, 2000; Johnson and Start, 2001). A second is a (remarkably widespread) political agenda, which asserts that the decentralisation of public administration and the introduction of locally elected bodies will produce systems of governance that are better able to meet the needs of poor and politically marginal groups in society. A third and related theme suggests that democratic decentralisation is a political strategy that national élites have used to maintain legitimacy and control in the face of political disintegration. Here it can be argued that economic liberalisation, political regionalism and the rise of powerful inter- and sub-national actors have weakened the traditional nation state and created the conditions under which more local identities could emerge (Giddens, 1998).

Assertions in favour of decentralisation are often founded upon a wider critique of central state planning, which holds that large and centrally-administered bureaucracies represent an inefficient and potentially destructive means of allocating resources (and generating wealth) within society. Two assertions are generally used to substantiate this claim. One argues that central state agencies lack the 'time and place knowledge' to implement policies and programmes that reflect people's 'real' needs and preferences. A second and related assertion is that time and place gaps give local officials unlimited ability to distribute resources and extract 'rent' as they see fit. Such outcomes are believed to be particularly prone in poor countries, where government represents a vital source of wealth, and mechanisms to ensure accountable governance are often poorly enforced. In theory, decentralisation would undermine these opportunities by creating institutional arrangements that formalise the relationship between citizens and the state, giving the former the authority to impose sanctions (such as voting, recourse to higher-level authorities) on the latter. Decentralisation is also thought to create the conditions for a more pluralist political arrangement, in which competing groups can voice and institutionalize their interests in local democratic forums.

This paper lays out the political dynamics that preceded the constitutional amendments of 1993, and then explores the extent to which these reforms have been implemented in the Indian States of Madhya Pradesh (MP). An important theme that underlies the paper – and the research it aims to inform – is an apparent tension between the very formal process of decentralisation – in which the State (writ large) lays out the legal terms and conditions under which power will be allocated within its boundaries – and the very informal (or messy) process of political economy, in which power – rooted in class, caste and gender – determines the informal functioning of local political institutions. Critical assessments of decentralisation (such as Cross and Kutengule, 2001; Harriss, 2001; James et al., 2001; Slater, 1989) have argued that formal processes, such as decentralisation, representation and democracy, matter less than informal processes of power and change in rural societies. In India, for instance, it has been argued that subordinate groups – backward castes, agricultural labourers, women – will only begin to use and benefit from decentralisation when there is a genuine redistribution of land and other agrarian assets (Echeverri-Gent, 1992; Mukarji, 1999). In other words, the formal mechanisms matter less than the informal institutions that underpin local political economies.

Decentralisation: Concepts and Theories

Decentralisation can be usefully understood as a political process whereby

administrative authority, public resources and responsibilities are transferred from central government agencies to lower-level organs of government or to non-governmental bodies, such as community-based organisations (CBOs), 'third party' non-governmental organisations (NGOs) or private sector actors (Crook and Manor, 1998: 6–7; Rondinelli et al., 1989; Meenakshisundaram, 1999; World Bank, 2000a: 3). Conceptually, important distinctions can be made among:

- deconcentration, in which political, administrative and fiscal responsibilities are transferred to lower units within central line ministries or agencies (Crook and Manor, 1998: 6–7; Rondinelli et al., 1989; Meenakshisundaram, 1999: 55; emphasis added);
- devolution, in which sub-national units of government are either created or strengthened in terms of political, administrative and fiscal power (Blair, 2000; Crook and Manor, 1998: 6–7; Rondinelli et al., 1989);
- delegation, in which responsibilities are transferred to organisations that are 'outside the regular bureaucratic structure and are only indirectly controlled by the central government,' (Meenakshisundaram, 1999: 55; emphasis added);
- privatisation, in which all responsibility for government functions is transferred to non-governmental organisations (NGOs) or private enterprises independent of government (Meenakshisundaram, 1999, 56).

Decentralisation in India

A commitment to the reduction of poverty has been a defining characteristic of the Indian state, from the time of Independence to the present day. As Kohli (1987: 62) has argued, the Indian state that emerged after Independence was deeply committed to 'industrialisation, economic growth and a modicum of income redistribution.' In terms of poverty reduction, this involved an early attempt at improving agricultural productivity through the implementation of land reforms, agricultural cooperatives and local self-government (Harriss et al., 1992; Varshney, 1998).

From an early stage in this process, the reduction of poverty and the empowerment of poor and politically marginal groups in India have been strongly associated with at least some form of decentralisation (e.g. Drèze and Sen, 1996; Jha, 1999). Perhaps the most enduring image of decentralisation in India is Gandhi's vision of village Swaraj, in which universal education, economic self-sufficiency and village democracy would take the place of caste, untouchability and other forms of rural exploitation. Although this vision has been hotly debated since (at least) the time of independence (see, especially, Ambedkar's debates with Gandhi, cited in World Bank, 2000a: 5), Gandhi's vision has had an enduring effect on the ways in which decentralisation has been argued and defended in Indian politics. Beyond the symbolic imagery of the independent 'village republic,' an important element of this relates to the idea that formal, constitutional changes in India's administrative system can have a lasting impact on informal and unequal structures like caste, class and gender. (We shall return to this theme in due course.)

According to the 73rd Amendment, States are required to pass their own 'conformity legislation,' which outlines the powers, functions and procedures of local government at village, district and intermediate levels (World Bank, 2000a: 8). However, the Conformity Acts also recognise the possibility that changing circumstances will give rise to new regulatory requirements, and therefore give individual States substantial autonomy to enact rules of 'delegated legislation,' which 'emerge through government orders and which in actual fact are the source of State control over the Panchayats,' (World Bank, 2000a: 8). Table 1 gives some idea of the extent to which the States of AP,

MP, Kerala, Karnataka and West Bengal have retained powers of appointment, dismissal and review over the Panchayats: all States but Karnataka and West Bengal reserve the right to cancel decisions made by the Panchayats; all States but AP reserve the right to inspect the records of the Panchayats; all States reserve the right to dismiss the Sarpanch village chief; finally, all States but Kerala reserve powers of appointment to the Panchayats. Here it is worth emphasising that these are States that have been relatively progressive (compared with States like UP and Bihar) in the field of Panchayati Raj.

Table 1 Decentralisation in five Indian States

State Powers	AP	MP	Kerala	Karnat's	W. Bengal
State reserves powers to make rules and make changes in content of schedule	X	X	X	X	X
State reserves power of appointment to PRIs	X	X	-	X	X
Delimitation of constituencies the responsibility of government, not SEC	-	X	X	-	-
State manages PRIs when delay in elections	-	-	X	-	-
State reserves power to dismiss <i>Sarpanch</i>	X	X	X	X	X
State reserves power to cancel resolution or decision of <i>Panchayats</i>	X	X	X	-	-
State reserves power to dissolve <i>Panchayats</i>	X	X	X	X	X
State reserves power to inspect records/works	-	X	X	X	X
SFC report mandatory	-	X	-	-	-

Source: World Bank (2000a: 10)

Reviewing experience from international and Indian settings, we have developed four general propositions about the conditions under which decentralisation can lead to improved accountability for poor and marginal groups in society:

1. active participation among broad elements of society, involving activities such as voting, campaigning, attending meetings, running for office, lobbying representatives, etc.;
2. fiscal and political support from higher level authorities within government;
3. the existence of competitive political parties whose legitimacy depends at least in part on the support of the poor; and
4. deeper economic transformations, which embolden traditionally subordinate groups to challenge local authority structures.

Further to these, we hypothesise that participation and the quality of government interventions will work best when formal institutions create conditions for downward accountability. (The counterhypothesis that these variables will be dependent on the existence of upward accountability.)

CONCLUSION-

Democratic decentralisation has received wider acceptance, in recent years, as a strategy for deepening democracy by facilitating popular participation as well as growth with allocational efficiency. It also has the potential to make participation more 'inclusive' by way of higher participation of the marginalized sections of society and thereby increased allocation of resources in their favour. It can also ensure better local governance through enhanced accountability of public officials. Decentralisation brings welfare maximisation through the provision of goods and services according to the preferences

of the people. The realisation of these potential advantages, however, would depend on a variety of factors including the design of decentralisation adopted.

In the Indian context, the design of decentralisation leaves considerable scope for improvement. The design as manifested in the constitution, state level acts and rules, government orders, institutional structures and generally accepted practices is the product of political process. It will therefore require strong political will and initiatives for improving on the present architecture in India.

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