

Module Detail	
Subject Name	Political Science
Paper Name	Public Policy, Governance and Indian Administration
Module Name/Title	Major Structures Of Policy Making In India
Pre-requisites	
Objectives	<ol style="list-style-type: none"> 1. Role played by the Executive at the centre in policy making in India 2. To Know about the formal structures which play a vital role in policy making what the alternative agencies of policy making 3. To describe main challenges which India face in policy making
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Role	Name	Affiliation
Principal Investigator	Prof. Ashutosh Kumar	Department of Political Science, Panjab University Chd.
Paper Coordinator	Prof. Amit Prakash	Centre for Law and Governance, SSS, Jawahar Lal Nehru University, New Delhi.
	Prof. Ramanjit Kaur Johal	Department of Public Administration, Panjab University, Chandigarh.
Content Writer/Author (CW)	Pooja Ravi	CSLG JNU, New Delhi
Content Reviewer (CR)	Prof. Amit Prakash	Jawahar Lal Nehru University, New Delhi.
Language Editor (LE)	Prof. Amit Prakash	Jawahar Lal Nehru University, New Delhi.

MAJOR STRUCTURES OF POLICY MAKING IN INDIA

I

Introduction:

Public policy making occupies a very important position in the functions of the state. The formulation of public policy is a complex and dynamic process. Authors such as Jenkins, Rose and Anderson have argued that “policy is best seen as a process as it involves multiple actors and levels because policy decisions are not ‘something confined to one level of organization at the top, or at one stage at the outset, but rather something fluid and ever changing’.”¹ Rose makes a similar agreement when he says, ‘policy making is best conveyed by describing it as a process, rather than as a single, once-for-all act’. This process involves negotiation, bargaining and accommodation of many different interests, which eventually give it a political flavor. These political interactions happen within the network through which decisions flow, programmes are formulated and implemented and inter organizational dependencies and interactions take place.”² “Public policy has also been seen as the authoritative allocation of values by the political system”³, “a slight variation from the previous or existing policy, equilibrium reached out of the competing group struggle, a rational choice or the preference of the governing elite. It can also be a combination of these processes.”⁴ In the process of making policy there are various institutions which play a role directly or indirectly.

Policy making in India functions within the constitutional parameters i.e. the Preamble, fundamental rights, directive principles of State Policy, federal polity, Union and State Concurrent List. In India some of the bodies which are involved in this process in India are the executive, legislature, cabinet, civil servants, judiciary, boards and commission, mass media, public opinion, research institutions, temporary commissions, statutory commissions,

¹ Osman, Ferdous Arfina. "Public policy-making: Theories and their implications in developing countries." *Asian Affairs* 24, no. 3 (2002): 37-53. Page 38

² Ibid

³ Easton, David. *The political system: an inquiry into the state of political science*. University of Chicago Press, 1981.

⁴ Dye, Thomas R. *Understanding public policy*. Englewood Cliffs, NJ: Prentice Hall, 1992.

parliamentary committees and NGOs. The following section would give a brief overview of the aforementioned bodies and processes and delineate their role in policy making.

II

The Union Executive

President:

India adopted a parliamentary form of government wherein the executive occupies an important position. The president of India is the constitutional head of the state and the executive. The executive enforces the laws, runs the administration, make appointments, and formulates policies. At the Union level it is the Prime Minister and his Council of Ministers and the State level the Chief Minister and the his Council of Ministers who exercise the power vested in the nominal head that is the President of India. The provision for President are enumerate under Article 52 of the constitution and Article 53 states that power of the Union would be vested with the President of India. Article 54 provides that the President be elected by an Electoral College which consists of elected members of both houses of the Parliament and the elected members of the Legislative Assemblies of the State and such an election would be held by the system of proportional representation by means of a single transferable vote by a secret ballot. All laws which have been passed by the Parliament need the consent of the President it is to become an act.

Cabinet

The Cabinet of India comprises of the Prime Minister and other Cabinet Ministers. “The decisions taken by the Cabinet and Cabinet Committees are fundamental to the governance of the country and form the basis of policy formulation as also for evaluating the impact of programmes, policies, plans, projects and schemes of the Government.”⁵ It is the cabinet which decides which policies are to be placed before the legislature for its sanction. In the Constitution of India Article 74 only talks about the Council of Ministers and does not mention Cabinet. The Cabinet forms a small but powerful part of Council of Ministers. Policy making is one of the

⁵ <http://cabsec.nic.in/files/preparationofnotes/preparationofnotes.pdf>

prime functions of the cabinet and defines the contours of national policy. It partakes in all legislations and gets proposals prepared by various departments and submits it before the parliament for its approval. It has various sub committees like the political affairs committees, economic affairs committee which along with the Prime Minister occupy a very important position when it comes to the realm of policy making.

Civil Service

The Indian Civil Services constitute the bureaucratic wing of the government of India. The bureaucracy plays a very important role in policy making. They help the political wing of the government to identify issues, analyze problems and suggest alternatives after having gauged what the various population groups need. Although they are subordinated to the Ministers they hold a very pivotal position when it comes to policy formulation.

Cabinet Secretary

It is primarily the coordinating agency under the Prime Ministers direction. It submits the cases to the cabinet and its committee records decisions, follows up action and reports on implementation. Cabinet Secretary, as the topmost civil servant, acts as a secretary to the Council of Ministers. He assists in coordinating major administrative activities and policies of the Govt. of India, in resolving difficulties or delays, which may arise in the administrative field whether between departments of Govt. of India or between the Govt. of India and State Governments. He keeps watch on the progress of important administrative measures of the Govt. of India, which affects more than one Department. He is also responsible for submitting to Cabinet and Cabinet Committees such matters as require their decision or direction thus functioning as secretary to the Council of Ministers. The Cabinet Secretariat is responsible for the administration of the Government of India (Transaction of Business) Rules, 1961 and the Government of India (Allocation of Business) Rules 1961, facilitating smooth transaction of business in Ministries/Departments of the Government by ensuring adherence to these rules. The Secretariat assists in decision-making in Government by ensuring Inter-Ministerial coordination, ironing out differences amongst Ministries/Departments and evolving consensus through the instrumentality

of the standing/adhoc Committees of Secretaries. Through this mechanism new policy initiatives are also promoted.⁶

The Legislature: The Prime Minister and Council of Ministers

Under the parliamentary system of government that the Constitution of India provides it is the Prime Minister and the Council of Ministers who form the real executive with the President of India being the nominal or constitutional head. The Prime Minister along with the President is to aid and assist the President in the exercise of his powers. Article 74, 75, and 78 of the constitution provide for provisions relating to the council of Ministers and the Prime Minister. The Prime Minister shall be appointed by the President and other Ministers shall be appointed by the President upon the advice of the Prime Minister. The Ministers hold office during the pleasure of the President. The council of Ministers shall be collectively responsible to the Lok Sabha. The powers of the Prime Minister are enormous and his position is paramount. All the ministers are collectively responsible to the House of the People. This responsibility, called the *collective responsibility* implies that the ministers work as one unit, one team; they swim and sink together.

Under the constitution the Parliament consists of the president and two houses i.e. the Council of State (Rajya Sabha) and House of the People (Lok Sabha). Together these form the main organs which partake in policy initiatives, discussions and policy formulations. Despite being the paramount body when it comes to legislation and policy making, there has been a steady decline in power of this body. The main reason which have given for such a decline have been that the parliament is now marred with irrational conflicts and opportunism. The Parliament is now regarded as a body to simply legislate rather than an independent policy making body.

II

The State Executive

⁶ http://www.cabsec.nic.in/about_functions.php

The Governor forms the head of the State Executive and also represents the Centre. The Legislative Assembly is the lower house (in states with bicameral) or sole house (in unicameral states) in different states in India. The Upper House is called the Legislative Council. When it comes to policy making like the Union Government, State Governments also partake in policy making process on items mentioned in the concurrent and state lists. However since the financial resources are concentrated more with the Centre, States are dependent on the Centre for funds for their activities.

III

Local Level Institutions of Governance

The Local bodies in India are broadly classified into two categories. The local bodies for local planning, development and administration in the rural areas are referred as Rural Local Bodies (Panchayats) and the ones in urban areas are called Urban Local Bodies (Municipalities). Provisions for Panchayats and Municipalities have been made in Part 9 and Part 9 A of the Constitution respectively. Local governance is of great significance as it is the local bodies that interact with people on a daily basis. Of the many arguments which have been given in favor of local governance is that it provides the citizens to engage actively public life thus giving a voice to the issues they face and by such deliberations find solutions. John Stuart Mill provides two important arguments in favor of local democracy, “first, that local political institutions are a school of political capacity making citizens capable of genuine and informed participation; and, second, that such institutions would be more efficient if informed by local interests and local knowledge.”⁷ Thus local governance leads to a more democratic governance model. Since local

⁷ Jayal, Niraja Gopal, Amit Prakash, Pradeep K. Sharma, and A. Prakash. "Local governance in India: decentralization and beyond." *Local governance in India: decentralization and beyond* (2006). Page 2

bodies work in close proximity of people the kind of input that they have on the demands and needs of people and knowledge of the minutest detail of the various issues is significant when it comes to policy making. Local institutions of governance cannot be ignored when it comes to the policy process as “centralized decision- making can only provide with inappropriately uniform solutions to diverse local problems in a large and heterogeneous society like India.”⁸

IV

Planning Commission

It is a staff agency therefore more advisory in nature. It prepares the five year plans and is often called the Supra- Cabinet since the Prime Minister is its Chairperson and important Central Ministers also being a part of it. The Planning Commission was constituted in March, 1950 by a Resolution of the Government of India, and works under the overall guidance of the National Development Council. The Planning Commission consults the Central Ministries and the State Governments while formulating Five Year Plans and Annual Plans and also oversees their implementation. The Commission also functions as an advisory body at the apex level.

The following functions have been assigned to the Planning Commission as per Allocation of Business Rules.

- (a) Assessment of the material, capital and human resources of the country, including technical personnel and formulation of proposals for augmenting much of these resources as are found to be deficient ;
- (b) Formulation of Plan for the most effective and balanced utilization of the country's resources;
- (c) Definition of stages in which the Plan should be carried out on a determination of priorities and allocation of resources for completion of each stage;
- (d) Determination of the nature of the machinery necessary for implementation o of the Plan in all its aspects;
- (e) Appraisal from time to time of the progress achieved in the execution of each stage of the Plan;

⁸ Ibid Page 3

- (f) Public Cooperation in National Development;
- (g) Hill Areas development;
- (h) Perspective Planning;
- (i) Directorate of Manpower.⁹

It forms the top most body when it comes to policy making in India advising the central and state governments on the strategic planning, utilization of resources, prioritising main goals to be achieved by the Indian State.

V

National Development Council

It consists of the Prime Minister, few Central Ministers, Chief Ministers and members of the Planning Commission. It is an advisory body where the five year plans are approved before it is presented before the Parliament. It provides a forum for the ministers to discuss the plans at important stages in the formulation stage thus allowing maximum inputs to be fed in, giving it an all India outlook before it is finally presented in front of the Parliament. The NDC promotes thus collective thinking and joint action on matters of national importance. Indian Planning and Development. It provides a forum in which the Union Ministers and Chief Ministers of States discuss the plans at important stages in their formulation. Plans are also approved at its meetings after their completion and before they are presented to the Parliament and the State Legislatures. In this way the national character of the Plans is emphasized. The Council also considers social and economic policies affecting the country from a social point of view, so that where necessary uniformity may be secured. In these ways, it gives a lead to the Country on broad issues of policy and promotes collective thinking and joint action on matters of national importance. It symbolizes the Federal Approach to Planning.

⁹ Planning Commission of India website

VI

Judiciary

It is considered as the third organ of the state and occupies an important role in policy making. The various decisions taken by it on the policies which have been formulated in accordance with the constitution, giving directions to both the Centre and the States in the proper formulations make it an important organ when it comes to policy making. Since the judiciary is independent from the executive and legislative branches of government the role that it can play in policy making is of great significance. Over the years the Judiciary in India by way of Judicial Activism and the use of Public Interest Litigations has been able to safeguard the freedom of citizens. Such practices by the Judiciary have been uphold the rights of the most downtrodden.

Commissions or Expert Committees: (Ad hoc)

The Indian State also has provisions for ad hoc expert committees to seek opinion on policy reforms an initiatives. These bodies consist of experts who close scrutinize the policy in questions and provide their expert opinion on the policy before it is formally formulated and implemented. Such action not only improves the quality of the policy so formed but also saves time and expenditure for the government to this function on its own.

Mass Media:

Media provides a bridge between the government and citizens. The helps in putting forward the opinions of the people before the government, leads to public awareness on the decisions n and policies being formulated by the government . The media provides the government an easy way to access the demands of the various population groups. Such feedback can be used by the government when it comes to policy formulation and also helps the government to frame policies which are suited to contemporary problems and issues being faced by the general public.

Political Parties, Pressure Groups and Public Opinion:

Political parties provide an opportunity to the general public to partake in public activities which influence policy making. Political parties also help in generating public opinion on various issues putting pressure on the government to concede to the demands of the people. Also the party leadership is very often part of the various organs of the government thus they directly engage in the policy formulation as well. Another mechanism by which policy decisions are influenced are by way of various groups which are present, such as associations of trade union workers, students, civil rights groups, environmental groups and other non-governmental organizations. They by the act of lobbying try to indirectly influence policy making. Public opinion on the workings of the government also prove to be a valuable input to the process of policy making and also aides in the effective implementation of policy and also determine the failure or success of a policy.

Research Institutions

It was the Fourth Five Year Plan that it was decide to give space and promote research institutions in the country. It was under this that the Indian Council of Social Science Research was created. The main objective of the institution was “to encourage multi-disciplinary and policy-oriented research. “The way these institutes emerged influenced the space that they came to occupy in their relation with the government. The notice that the government took of the findings of research conducted here depended to a great deal on the role and influence of the leadership. The leadership working as members of important government committees acted as ‘policy brokers’ promoting the research findings of their institutes and then mobilizing funds for more research.”¹⁰

Parliamentary Committees

In recent years, the role of parliament in providing inputs to policy through discussions on the financial proposals of the government has considerably eroded. In view of this trend, the Parliament decided to set up Standing Committees for most ministries in 1993. These

¹⁰ Mathur, Kuldeep. "Governance and alternative sources of policy advice: The case of India." *Guidance for Governance, Tokyo and Washington DC., Japan Center for International Exchange and The Brookings Institution* (2001). Page 12

committees consist of members from both Houses of Parliament and chairs are chosen by proportional party representation. Usually highly regarded parliamentarians are chosen to lead the committees even if they belong to the opposition. Every committee has a maximum of 45 members and each Member of Parliament serves a two-year term on at least one committee. The objective was that this would provide for an opportunity for detailed discussions of the financial proposals and also give the members of parliament an occasion to give more considered opinion on the policy issues as suggested through the proposed budget.

NGO

Traditionally, NGOs have worked with local groups providing services, supplementing efforts of the government in delivering services or enabling communities to organize themselves to procure services or access entitlements. Grassroots NGOs may enter policy advocacy directly by organizing campaigns and protest themselves or joining networks or issue-based coalitions.

VIII

Conclusion: Problems of Policy formulation

One of the main problems which face policy making in India at present is the high modernistic approach which has been used to make policy in India. As Kuldeep Mathur says “the ruling shibboleths that specialists are inferior to generalists and that the dominant quality required of the civil servants is that of coordination have led to institutions and practices that restrict alternative policy advice from entering the final decision-making process. Some advice does reach the top but usually only that which has been filtered through a process where political and administrative feasibility is the major concern.”¹¹ Policy making has to be a two way road where the policy makers should engage with the citizenry they are working for and this can only about if proper information is made accessible to the population groups.

¹¹ Mathur, Kuldeep. "Governance and alternative sources of policy advice: The case of India." *Guidance for Governance, Tokyo and Washington DC., Japan Center for International Exchange and The Brookings Institution* (2001). Page

