

## CHAPTER V

### Good Governance in Sikkim

The concept of governance though is as old as human civilization has received serious attention from the researchers, policy makers and international development community in the recent past. Governance today occupies not only centre stage in the development discourse but is also considered as a crucial element to be incorporated in the development strategy. The political scientists have long considered governance to be important for the well being of a country's citizens. However, governance was traditionally associated with government with the exercise of power by political leaders. The concept was not widely used in the post second world war years, but during the 1980s it re-emerged with a new meaning, now referring to something broader than government (Kjaer 2004). Governance as against government goes beyond the classical functions of the government. Different schools of thoughts derive different meanings from the term 'governance' depending upon the role of process versus activity and control versus rules (Hyden and Court 2002). Governance is used in various fields, such as economics, cultural geography and politics. A simple search on 'governance' in the Social Science Index results in 1774 articles in the twelve years from 1986 to 1998. In the three years from 1999 to 2002, the Index comes up with 1855 articles (Kjaer 2004). The figure mentioned above shows that more articles on governance have been written in the past three years than in the preceding twelve. Understandably, the concept of governance has in recent times received wide currency in the development discourse.

#### Meaning of Governance

Etymologically, the term governance can be traced back to the Greek verb *kubernan* (to pilot or steer) and was used by Plato with regard to how to design a system of rule. The Greek term gave rise to the medieval Latin *gubernare*, which has the same connotation of piloting, rule making or steering. The term has been used as synonymous with government (Kjaer 2004).

The term 'governance' though used synonymously has the wider meaning and implications than those of the term 'government'. Government refers to the machinery and institutional arrangements of exercising the sovereign power for serving the political community whereas, governance means the process as well as the benefits of the society (Arora 2003). The Concise Oxford Dictionary defines governance as 'the act or manner of governing; the office or functions of governing'.

Governance according to Rhodes refers to self-organizing, inter organizational networks characterized by interdependence, resource-exchange, rules of the games, and significant autonomy from the state (Rhodes 1997).

To Hyden, governance is the stewardship of formal and informal political rules of the game. Governance refers to those measures that involve setting the rules for the exercise of power and settling conflicts over such rules (Hyden 1999).

Governance is the capacity of government to make and implement policy, in other words, to steer society (Pierre and Peters 2000). His definition refers more to traditional

steering capacities of state and it introduces an important distinction between 'old' and 'new' governance (Peters 2000). Inherent in the old governance is a traditional notion of steering by national governments from the top down, while the new governance has more to do with how the centre interacts with society and asks whether there is more self-steering in networks.

The World Bank (1992), in its document, 'Governance and Development' defines the term governance 'as the manner in which power is exercised in the management of a country's economic and social resources for development' (World Bank 1992).

For the sake of development management, governance can be best defined as the:

Impartial, transparent management of public affairs through the generation of a regime (set of rules) accepted as constituting legitimate authority, for the purpose of promoting and enhancing societal values that are sought by individuals and groups (Charlik 1992).

The Human Development Report 2002 has given a new perspective to governance by terming it as democratic governance, which is essential for better human development. Democratic governance encompasses certain key aspects such as respecting people's human rights and fundamental freedom, say in decisions that affect their lives; and holding decision makers accountable. It attempts at making the economic and social policies more responsive to people's needs and aspirations.

The term governance therefore encompasses a wide range of activities involving all cultural communities and various stakeholders in the country, all government institutions (legislative, executive, administrative, judicial and parastatal bodies), political parties, interest groups, non-governmental organisations (including civil societies), the private sector, and the public at large (Frederickson 1997).

### **Good Governance**

Like the terms, 'Third World', 'Developing Countries', 'Development Administration', the term 'Good Governance' has also been coined by the West for Third World Countries. The development aid to Third World countries in post-Cold War era has given rise to the western concept of good governance entering the vocabulary of public administration since the 90s (Barthawal 2003). Hence the current rebirth of 'governance' in the form of good governance can be contributed to the macro-economic policy reforms initiated through the Structural Adjustment Programme (SAP) of the early 1980s. However, the SAP that was introduced with an objective to provide an impetus to development through sound economic policy-making failed to give expected results. Good governance was therefore introduced on the agenda by the World Bank (1989) because it needed to explain why a number of countries failed to develop, in spite of the fact that they had adopted the neo-liberal adjustment policies imposed on them by the International Monetary Fund and World Bank. This implies that failures in development efforts have largely been the result of 'bad policies' and 'poor governance' in recipient countries. Hence, good governance has become a condition for development assistance from donor agencies. David G Williams point out that 'it has become apparent to many within the Bank that reorienting macro-economic policies is not enough to ensure rapid development. This is a crucial reason for the rise of the idea of good governance (Williams 1996).

Good Governance is therefore contrasted with 'poor governance' which is held responsible for the lack of sound development in the developing countries. Poor governance according to World Bank formulation, is characterized by arbitrary policy making, unaccountable bureaucracies, un-enforced or unjust legal systems, the abuse of executive power, a civil society unengaged in public life and widespread corruption (World Bank 1992). According to the World Bank some of the main causes of poor governance are as follows:

1. Failure to make a clear separation between what is public and what is private, hence, a tendency to divert public resources for private gain;
2. Failure to establish a predictable framework of law and government behaviour conducive to development, or arbitrariness in the application of rules and laws;
3. Excessive rules, regulations, licensing requirements and so forth, which impede the functioning of markets and encourage rent-seeking;
4. Priorities inconsistent with development, resulting in a misallocation of resources; and
5. Excessively narrow-based or non-transparent decision-making (World Bank 1992).

Other symptoms of bad/poor governance include: excessive costs, poor service to the public and failure to achieve the aims of the policy (British Council 1991).

### **On defining Good Governance**

Good governance is a concept that has recently come into regular use in Political Science, Public Administration and more particularly development management. It appears along side such concepts and terms as democracy, civil society, popular participation, human rights and social and sustainable development (Agero 2000). There is a wide diversity in the meaning and definition of good governance. It is a concept that has been used by different people to mean a good many different things. Pierre Landell-Mills and Ismail Serageldin note that the concept of good governance is a 'highly complex one and is surrounded by intense controversy (Landell-Mills and Serageldin 1992). Poluha and Rosendahl said that good governance has somewhat different connotations in different contexts. In international discourse, 'good governance' comprises aspects such as transparency, accountability, free and fair election and the rule of law (Poluha and Rosendahl 2002).

World Bank the main proponent of good governance define the term in the following manner:

Good Governance is epitomized by predictable, open and enlightened policy making, a bureaucracy imbued with a professional ethos acting in furtherance of the public good, the rule of law, transparent processes and a strong civil society participating in public affairs (World Bank 1992).

In the words of O.P. Minocha, good governance implies high level of organisational effectiveness. It refers to adoption of new values of governance to establish greater efficiency, legitimacy and credibility of the system. In simple terms, good governance can be considered as citizen-friendly, citizen-caring and responsive administration (Minocha 1998).

According to Asmerom et al (1995), 'good governance is associate with efficient and effective administration in a democratic framework'.

One may see from the above definition that the term 'good governance' has been defined by different writers in different manner sometimes in terms of goals, some times in terms of means, sometimes left entirely to democratic choice of goals and sometimes with pre-ordained goals (Sekhar 1999).

### **Parameters of Good Governance**

The World Bank has identified a number of parameters of good governance which have relevant to both develop and developing countries. These are:

1. Legitimacy of the political system which can best be achieved through regular elections and political accountability. This implies limited and democratic government.
2. Freedom of association and participation by various socio-economic, religious, cultural and professional groups in the process of governance.
3. An established legal framework based on the rule of law and independence of judiciary to protect human rights, secure social justice and guard against exploitation and abuse of power.
4. Bureaucratic accountability including transparency in administration.
5. Freedom of information and expression required for formulation of public policies, decision-making, monitoring and evaluation of government performance.
6. A sound administrative system leading to efficiency and effectiveness. This in turn means value for money and cost effectiveness.
7. Co-operation between the government and civil society organisations.

The Organisation for Economic Cooperation and Development (OECD) has identified the four important indicators of good governance:

1. Legitimacy of government;
2. Accountability of political and official elements of government;
3. Competence of government to make policy and deliver services; and
4. Respect for human rights and rule of law.

OECD has also identified the following three distinct aspects of good governance:

1. The form of political regime
2. The process by which the authority is exercised.
3. The capacity of government to design, formulate and implement policies and discharge its functions efficiently and effectively.

The parameters of good governance as outlined by World Bank and OECD therefore includes limited and legitimate government, efficiency and effectiveness, transparency, freedom of information and association, accountability of bureaucracy, competence of government to make policy and deliver services, human rights and rule of law.

In a nutshell, one can conclude that the government to be good must be efficient, effective, open, transparent and responsive. In addition to this, the governance system and sub-system must be democratic, citizen-friendly and citizen caring.

### **Good Governance and Decentralisation: Relations**

The contemporary development discourse has been logically inter-twined with what is popularly known as decentralisation, governance and development. There seems to be a common thread in the chain of governance, decentralisation and development. The rationale that is provided is that the governance in order to be good and effective needs

to be decentralised so that the governing structures and the processes associate common people in the governing process (Yasin et al 2003). The decentralised governance will lead to development. Even in the realm of Social Science theory the centre-periphery model aptly advocates for greater decentralisation and autonomy to peripheral units as a pre-condition for the modernization and development of peripheral segment (Ahmed 2004). Development in turn requires good governance, which essentially means increased participation in institutions, decentralised power equations, freedom from discrimination, respect for human rights and economic and social policies that are good for the people (UNDP 2002). All these can be achieved when there is a close relation between the governance, decentralisation and development.

Decentralisation with local institutions that work in a devolved manner can chart a path for achieving and/or maintaining good governance. Good governance in turn is essential for maintaining a decentralised (devolved) mode of local institutional performance that commands popular respect and support (Uphoff n.d.). Decentralisation is identified by many as a crucial factor contributing to good governance. The hypothesis by Richard Vengroff and H. Ben Salem claims that relationship between 'successful' decentralisation and 'good governance' is quite high (Vengroff and Salem 1992). Jerry Vansant also identifies decentralisation as an important institutional setting to improve governance in developing nations (Vansant 1997). Robert Charlick explains the relationship between governance and decentralisation as a way of the state providing multiple centres of participation in decision-making that in turn assures better management responsiveness and accountability which are basic features of good governance (Charlick 1992).

### **Good Governance in Sikkim**

A study of the good governance for sustainable development assumes considerable importance in the present century. It has become a catch phrase being used widely by various international agencies such as UN, World Bank, IMF and OECD. All these organisations have brought the approach of good governance to manage the public institutions to the main agenda of the governments in the 21<sup>st</sup> century. The concern of the World Bank is to improve the capacity of borrower governments to efficiently implement or govern the projects and programmes assisted by it for sustainable development.

The discourse on good governance is gaining momentum in the state of Sikkim like elsewhere. Since merger, there has been a significant endeavour to bring about structural changes in the administrative set-up to fulfill the aspiration of people and for holistic and sustainable development. A systematic description of various measures and efforts is given below.

### **Accountability**

Accountability implies that decision makers in the central/state government (both bureaucrats and elected functionaries), local government bodies, the private sector and civil society organisations are answerable for their actions, performance and use of public money to members of the public as well as institutional stakeholders (Siddique 2005). It is generally considered to be the heart of the democratic system of governance. Accountability in most of the cases helps to create a conducive relationship among political, administrative and social institutions, addressing the fundamental concern of citizens and their government in meeting stated objectives, policies, principles and complying with legal and procedural requirements.

Accountability therefore is considered as one of the prerequisites for the successful functioning of democratic polity. Eapen (2004) argue that lack of accountability and checks and balance have led to many democracies degenerating into havens of corruption, where the powerful are always the winner. Checks and balances have to be built within system of governance to ensure against the misuse of power. And decentralised governance system represent one, if not the single most important means of implementing and exercising such checks and balances (Rosenbaum 1999). Decentralisation is said to strengthen accountability, political skills and national integration. It brings government closer to people (Mass 1959, Hill 1974). Accountability through decentralised governance system facilitates the establishment of good governance in the state. Accountability will make local governments engaged in developmental functions responsive (programmes meet the needs of the community), effective (programmes meet the objective), and efficient (resources are used economically) (Mathew and Mathew 2003). The poor and lack of accountability in the governing system has had numbers of negative effects. Saxena and Farrington (cited in Johnson 2003) highlight a number of ways in which poor accountability and bad governance can undermine the interest of poor and marginal groups in society:

first, rent seeking behavior on the part of the police, government officials, etc. can deprive the poor of resources they would ideally receive were the corruption not taking place;

second, absenteeism, corruption and other forms of poor performance means that the government is spending social welfare resources which yield no benefits

third, the widespread perception of corruption promotes feelings of distrust towards government, thereby undermining the potential for collaboration between the state and civil society organisations;

finally, a culture of corruption emerges within the public sector encouraging officials further rent seeking behaviour and poor accountability.

It become clear from the above that poor accountability is of great obstacle in achieving the goal of good governance. As there is a close relation between accountability and good governance, state must ensure the accountability in the governing process to be responsive, efficient, transparent, open and accountable government. Tendler (1997) said that accountability and good governance were contingent upon the following conditions:

1. government officials spent extended periods of time with beneficiaries;
2. this, in turn, created a situation in which officials were affected by ('embedded in') the opinions and sanctions of community members;
3. good performance carried high prestige, both within the community and within the civil service;
4. central government was instrumental in supporting these initiatives.

The state of Sikkim has incorporated some of the measures of accountability at the local level. The Sikkim Panchayat Act has provisions for the participation of citizens in the planning through gram Sabha. As in the state of Kerala and Karnataka, the measures of accountability in Sikkim are broadly divided into regulatory and participatory. The former deals with account audit, performance audit, vigilance and

technical committee while latter deal with gram Sabha. Of these measures, convening gram Sabha is mandatory under the 73<sup>rd</sup> Constitutional Amendment.

Gram Sabha is one of the most important measures of accountability adopted by Sikkim. Gram Sabha at the village level that constitutes all the eligible voters within a gram panchayat area serve as a principal mechanism for transparency and accountability (Johnson et al 2005). The Gram Sabhas were envisaged as deliberative forums where the constituent meet and indicate their preferences and needs on development activities. It is only formal channel for people to discuss and communicate with elected members and officials. The effectiveness of Gram Sabha is however, depend upon the existence of strong and effective gram Panchayat. It may be stated here that the relationship between gram sabhas and panchayats is dialectical in nature. The panchayats in the rural areas will be effective only if gram sabhas meet regularly with maximum popular participation. At the same time, gram sabha will be effective only if the *panchayati raj* institutions (PRIs) are strong (Mathew and Mathew 2003).

The Gram Sabha under the new State Act exercise the following function:

1. to review the annual statement of accounts;
2. to review reports of the preceding financial year;
3. to review and submit views on development programmes for the following year; and
4. to participate in the identification of beneficiaries for some government schemes.

Further as a result of the new Act, the work of plan making will begin from the level of gram Sabha and reach the Zilla Panchayat through the Gram Panchayat. The preparation of plan for economic development and social justice is the key functional obligation devolved on the panchayat by the new Act. Sikkim has involved gram Sabha in making certain key decisions relating to the social and economic development of the village and its citizens. The employment and poverty alleviation programmes particularly, SGRY, IAY, SGSY programmes for the families of weaker section, selection of sites under area development programme has been assigned to the gram Sabha (Chhetri 2006). Thus in Sikkim the gram Sabha was associated with government programmes.

Convening the meeting of Gram Sabha is mandatory under the 73<sup>rd</sup> Amendment Act. The Gram Sabha in Sikkim meets two times in a year but no specific dates has been fixed by the government to convene the meeting of gram Sabha. The meetings are generally held in the month of March and October of every year. In all the panchayats, attendance in the gram Sabha is however not satisfactory. The women participation is also very low. And many of the concerned officers expressed their reluctance to attend gram Sabha meeting in the village despite the fact that their attendance was insisted upon by the government. It is observed that the participation of people was greater in the gram Sabha which was convened for the identification of beneficiaries, but their effective participation is not available in formulating, implementing and evaluating of the projects.

Thus to make the gram Sabha more active, vibrant and participatory, the effort has been made by the government to involvement gram Sabha in the implementation at all levels. As the Gram Sabha is considered as the best form of social audit both before

implementation and after implementation, its involvement in the development programmes ensure desired results in development.

In the Gram Sabha all sections of the people could raise issues of social concern and public interest and demand explanations. Retired persons from different organisations, teachers or others of impeccable integrity could constitute a social audit forum or a social audit committee. In order to bring about greater transparency and accountability through social audits by the gram sabhas, the Ministry of Rural Development, Government of India, has issued instructions, to include the following:

- (i) a mandatory special meeting of the gram sabha during the last quarter of every financial year, for a social audit of all works completed or in progress;
- (ii) if the majority of the gram sabha expresses dissatisfaction this must be recorded and communicated to panchayats at all levels; within one month a special gram sabha meeting should be convened, presided over by a member of the gram sabha who is not an elected member of the gram panchayat, for a detailed audit; similarly, the secretary for this meeting need not be the regular gram panchayat secretary. The proceedings would be recorded and approved by the gram sabha;
- (iii) copies of all documents including estimates, bills, vouchers and muster rolls must be pasted on the notice board of the gram panchayat office;
- (iv) all records must be available for inspection and certified copies available on payment of fees.

Through these measures Gram Sabha could be made a most effective mechanism of cutting down corruption and nepotism and ensuring transparency and accountability.

#### **Vigilance committees**

Another important mechanism of accountability that exists at all levels of the panchayat is the formation of vigilance committees. The committee comprises of retired government servants, elder citizens, elected representatives and member of NGOs. The committee has generally been formed by the Panchayat members of respective village in consultation with area MLA. The vigilance committees have in general not been entrusted with any special powers as such, but they have the potential to function as an opportunity to enhance accountability, as their task is to monitor and oversee the works of the panchayat, which, in turn, can be reported to the gram sabha. At present all the Gram Panchayat in the state has a vigilance committee. The existence of this committee at panchayat level has resulted the efficient implementation of the developmental programmes, helps in reducing rent seeking practice and corruption. The officials at the local levels are also become more accountable due the establishment of vigilance committee.

#### **Beneficiary Committee**

The government at the village level also constituted the beneficiaries committee to implement and monitor the public works. The members of the committees are appointed by the area MLA in consultation with panchayat members of respective area. The main object of constituting this committee at the village level is to minimize the role of contractors and middlemen in carrying out public works and enable speedy completion of the work that is undertaken. The signature of the committee in the clearance certificate is made compulsory before drawing the final bill from the departments after the completion of works. This provision ensures the accountability in the implementation of development programmes in the villages. Creation of new

structures of accountability and transparency, such as scrutiny through a beneficiary committee were intended to facilitate a greater role of citizens in governance and enhance the answerability of the representatives.

### **Audit**

Audit is an indispensable tool for a sound financial administration. It ensures accountability and transparency in the functioning of governance at all levels.

The audit load at the panchayat levels is increasing day by day as a result of the changes in the management of rural development. On the one side, a major proportion of funds reach the gram panchayat through state government directly, while on the other, the volume of financial transactions at the lowest level is increasing at a phenomenal rate.

To ensure accountability of the funds at the disposal of gram panchayats, a system of statutory audits was introduced in the State Panchayat Acts. The state government strengthened the panchayat financial management by introducing two types of audit-internal audits and external audits for all tiers. The internal audit is conducted by Audit Officers of the state government while the Auditor General and his staff conduct external audit annually for the panchayats.

For the purpose of internal audit, the Government appointed the officer not below the rank of Chief Accounts Officer of the Sikkim State Finance and Accounts Service. He examined and audits the accounts of the Gram Panchayat or Zilla Panchayat at the end of each financial year. The Auditor within two months after the completion of auditing submits the report to the Sabhapati or Adhakshayay, as the case may be, of Gram Panchayat or Zilla Panchayat and to the State Government. Other duties of Audit Officers are:

- Detect frauds and errors;
- Minimise frauds and errors by frequent visits to the gram panchayat and Zilla panchayat;
- Exert a valuable moral check at gram panchayat level for keeping the books of accounts updated;
- Check the books of accounts in great detail;
- Introduce increased efficiency and accuracy in the book keeping of the gram panchayat.

To conduct external audit, there is an Accountant General (AG) who is the senior official of the Comptroller and Auditor General of India, which is a constitutional body. More than one AG is assigned to a state to look after various heads of account.

Sikkim, one of the smallest states in India with a population of about six lakh, thus has gone ahead with several programmes to ensure accountability. Many checks and balances and accountability mechanisms have been built into the system of governance for making the institution more accountable, responsive and transparent.

### **Transparency**

Transparency signifies the conduct of public business with openness. It follows that such conduct of business will afford wide accessibility to the decision-making process. The quality of transparency is further enhanced if stakeholders are not merely informed of what business transpires, but are also given the opportunity to participate in the

decision-making process and effectively influence it (Jha 2006). Transparency would primarily imply the presence of public discourse through continuous information sharing with members of the public and an open style of decision-making and implementation, particularly relating to investment decisions, procurement contracts and important appointments to public offices (Siddique 2005).

Transparency provides necessary condition for ensuring integrity in the local government. People of the locality must have access to 'reliable' and 'user-friendly' information about the functioning of the local government. Such access has to be provided in two ways (Ghosh 2005). First, the citizens must be given the right to information so that the PRIs on receipt of a request from any citizen are obliged to show or provide copies of their official documents. Secondly, the PRIs on their own should provide information about their activities, including information on budgets, plans and programmes, audit reports, list of beneficiaries of schemes etc.

The state government has taken a various steps to ensure transparency in the functioning of panchayats and also to make people aware of their rights. Some of them are display of accounts outside the gram panchayat office, disclosure of accounts in the gram Sabha meeting, availability of proceedings of gram Sabha and gram panchayat meetings and involvement of beneficiaries in the implementation of works. Besides, financial audit has been introduced for checking accounts and the appropriateness of the financial procedures. All these measures have helped not only in active participation by people but also in making PR members responsive to the people's needs and in observing the functional propriety, that has resulted in improving the effectiveness of PR institutions. Thus, the measures adopted by the government in Sikkim have led to good working environment and provided opportunities to PR institutions to deliver public goods. It has also facilitated in improving the efficiency and effectiveness of local institutions in addressing the local development needs and aspirations of people. Transparency and accountability are expected to reduce less desirable activities such as rent seeking.

### **Right to Information**

A significant development in the last few years in the sphere of transparency has been the struggle for the right to information. It has been noticed that secrecy and lack of openness in transactions is responsible for corruption in official's dealings, apart from being contrary to the spirit of an accountable and democratic government. Consequently there is a widespread demand for introduction of greater transparency in the functioning of government and public bodies, and easy access of people to all information relating to government operations and decisions except to the extent specifically excluded by law.

Information is necessary for citizens to participate in governance, especially at local levels. Since information is power, those in authority deny ordinary people access to information. The bureaucracy in India still keeps up the colonial culture of secrecy, distance and mystification. Today there is a strong movement for every citizen to be given "the enforceable right to question, examine, audit, review and assess government acts and decisions, to ensure that these are consistent with the principles of public interest, probity and justice. It would promote openness, transparency and accountability in administration by making government more open to continuing public scrutiny" (Mander and Joshi, 1999).

The movement for the right to information has gained momentum, and today it is central government legislation. The Parliament passed the Right to Information Act in May 2005, and the President gave his assent to the Right to Information Act on 25<sup>th</sup> June 2005. The main objectives of Act is to provide for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority. The Act empowers every citizen to:

- Seek and receive information from the government and other public authorities.
- Ask them certain questions.
- Take copies, including certified copies, of documents.
- Inspect documents.
- Inspect works.
- Take samples of materials [sec.2 (j)].

As a sequel to central government legislation on Right to Information, the Government of Sikkim also enacted the law on Right to Information in 2005. The new legislation seeks to increase transparency in the functioning of the Panchayati Raj Institutions. The Right to Information includes the right to take extracts and obtain certified copies of documents of any material or information contained in a documents of any material or information contained in a document relating to the administrative, developmental or regulatory functions of panchayat. At present every citizen had the right to information. The common citizens are allowed to observe all the proceedings, discussion and decision-making of the panchayats. On payment he/she could demand and receive details of expenditure on the work done over the last five years in his/her village and all the relevant documents could be photocopied as evidence, should they be wanted for use in the future. The government's measures to ensure transparency and accountability enable the grassroots democracy to function effectively and also easy access of people to all information relating to government operations and performance.

### **Participation**

Participation is an indispensable ingredient of good governance. Good governance sees and includes citizens of active participants in the process of governance (Commonwealth Foundation 2004). The UN Economic and Social Council has recommended that governments should adopt popular participation as a basic policy measure in national development strategy and should encourage widest possible active participation of all individuals such as women and youth organization, in the development process in setting goals, formulating policies and implementing plans (Commission for Social Development Report 1975). Participation denotes 'the ways in which poor people exercise voice through new forms of inclusion, consultation and/or mobilisation designed to inform and to influence larger institutions and policies'(Gaventa 2002). Crook and Manor (1999) employ the concept of participation to denote citizen's active engagement with public institutions in the form of voting, election campaigning, and contacting or pressuring officials and elected representatives. Alex De Tocqueville, the French political thinker, was of the view that civic participation is a must for saving democracy. The very existence of democracy is endangered when the general public is unable to influence government decisions. Thus the people participation is not only essential for democratization of administration but also a must for it. Participation by various social, economic, religious, cultural and professional groups both men and women are key cornerstone of good governance. It could be direct (personal) or indirect (through representatives), formal or informal,

highly institutionalized or ad hoc, continuous or intermittent (Cohen and Uphoff 1980, Mishra and Mishra 1999).

Decentralisation is one of the important means, which ensure maximum participation of people in the decision-making processes. A major rationale for decentralisation is its potential to expand democracy and people's participation. Decentralisation of power is practically meaningless if it is not accompanied by more people participation. The proximity between people and government can foster greater understanding and a better perception of the needs at the local level. At the same time, the close contact promises greater transparency of decision-making processes and greater accountability of elected officials to the general populace (Mohmand 2005). Hence local government is an important element for more and more participation of people in decision-making process and their involvement in the development policies and programmes. Participation can contribute to accountability, facilitate transparency and ensure probity. Where there is little or no participation, the other factors in good governance will suffer (Uphoff n.d.). It is of immense relevance to good governance. Larger roles for local governments lead to more competitive local elections, more candidates representing a broader range of constituencies, and more open and accountable deliberations on the use of local public resources (Isaac and Franke 2000).

Participation as an essential tool for governance also came to the fore when the UN Conference on Environment and Development (UNCED) held at Rio de Janeiro in 1992 discussed sustainable development and crafted the document called Agenda 21. It realized that an overwhelming percentage of implementation was within the realm of local bodies. Sustainability could not be achieved without community participation.

The Government of Sikkim have incorporated several participatory measures in order to improve the participation of rural people in the process of their social and economic development and involvement in decision-making and decentralised planning directly affecting their life. The Sikkim Panchayat Act enacted in 1993 has provisions for the participation of citizens in planning and made it a requirement that the reasons in support of a decision should be evident with sufficient information made available to the public. The Cabinet Committee on Democratic Decentralisation (2004) also recommended the increase participation of people in the decision-making process and minimizes the role of the bureaucracy in the implementation of development programmes. The Gram Sabha that was accorded a statutory position by the Act provides the scope for direct participation of the citizens in the decision-makings. It is potentially the most significant institution for participatory democracy and decentralisation. All the voters in the village are the members of the Gram Sabha and the Gram Sabha meets at least twice in a year. Issues like annual statements of accounts, administrative reports, programmes of works, selection of schemes, beneficiaries and locations are discussed in Gram Sabha. The importance of Gram Sabha has been further enhanced by instructions issued requiring that selection of beneficiaries in all centrally sponsored schemes shall be made by the Gram Sabha (Kumar 2002). Gram Sabha were envisaged as deliberative forums and was expected to function quite effectively in transparency, accountability and most importantly, participation.

Another measure adopted by the government is the reservation of seats and offices to scheduled castes, scheduled tribes and women. This provision of reservations ensures the greater participation of all section of people in governance. Positive discrimination

in the form of reservation of seats in the local governance structures resulted in spaces being created for better and increased participation by various politically marginalized groups (Pur 2006). Apart from these advantages, there are also more opportunities for local people to participate in planning services. It is as established worldview that local governments tend to give higher priority than central governments to human development.

The reservation of seats in the panchayats has opened a new chapter in the annals of panchayat history of Sikkim. The reservation have resulted the maximum participation of disadvantaged groups in the decision-making process which otherwise dominated exclusively by the elites or forward castes. This protective discrimination measures adopted by the state government contributed the political empowerment of the marginalized communities including women in the rural society. Adequate representation of women and marginalized section will certainly bring qualitative change in the functioning of panchayats. There are at present 293 women members at Gram Panchayat and 37 at Zilla Panchayat, 309 ST members at Gram Panchayat and 38 at Zilla Panchayat, and 55 and 5 SC members at Gram Panchayat and Zilla Panchayat respectively. The reservation in the state has also been extended to the other backward classes. At present there are 394 OBC members at Gram Panchayat level and 37 at Zilla Panchayat level.

In theory, both gram Sabha and reservation ensures participation of all section of people in governance, in practice, however neither appears to have lived up to this ideal. This was mainly due to the low level of participation among the electorate as well as the non-cooperation of local officials. Further the gram Sabha has often failed to fulfill their role as deliberative bodies or as a mechanism for accountability. Again the mere representation in terms of number does not add much to the quality of governance unless this is reflected in the efficient delivery of the services to the poor and needy. The poor participation of people in gram Sabha are mainly due to: limited benefits of participation; opportunity costs, particularly on the part of very poor groups; factionalism; structural problems; lack of transparency; inadequate information and knowledge with people (Alsop et al 2000, Nambiar 2001, Gupta 2004).

Notwithstanding of above hindrance in the participation, people's participation through panchayats will prove to be a panacea for all the evils of misgovernance. Panchayats have the potential for good governance at the local level provided they are institutionally, financially and legally supported by the existing power structure (Mishra and Mishra 1999). Ghosh (2005) suggested the following indicators that ensures participation and transparency in the functioning of panchayats:

1. Number of gram Sabha meeting held.
2. Attendance in gram Sabha meeting including the attendance of women and SC/ST.
3. Reports of internal and statutory audit circulated to the public and placed before the gram Sabha meeting
4. Details of public works communicated to the public.
5. Below poverty line (BPL) lists/beneficiary lists authenticated by the gram Sabha.
6. Percentage of projects included in the annual plan on the recommendation of the gram Sabha
7. Whether citizens charter introduced and implemented effectively.

## **Democratisation**

Public support and their involvement in the selection of representatives (leaders) is must for good governance. In a democratic form of governance, it is necessary to have faith in the capabilities of the ordinary people. Jefferson wrote, "Democratic government rests on the confidence in the self-governing capacity of the great mass of people and in the ability of the average man to select rulers who will govern in the interest of the society" ( Jefferson n.d: cited in Mishra 2003).

Decentralised forms of governance are believed to make the process of local democracy more inclusive by creating spaces for increased participation and wider representation by various citizen groups that have been traditionally marginalised and/or excluded from mainstream political processes. Initiatives aimed at deepening democracy at the grass root in India include the process of democratic decentralisation as well as positive discrimination in the form of quotas for SCs, STs, OBCs and women in local government (Pur 2006). The deepening local democracy by broadening political participation and diversifying representation is very much a goal of the constitutional reforms. UNDP considers that decentralizing decision-making is a priority for promoting democracy, provides a conducive environment for poverty reduction and should be accompanied by strengthening accountable local government and fostering public participation (UNDP 2000).

Democracy has come to be more widely dispersed and more equally distributed in the villages. Participation in politics and in the everyday tasks of influencing government has become much more widespread, and many more poor and lower-caste persons are engaging with democracy as never before (Krishna 2005). As Huntington observes, more than half the world's population now lives under elected governments (Huntington 1991).

Democratisation emphasizes that the people shall elect the governing body and represents the people. This concept is manifest in Article 243C of Constitution and Section 13(1) and 50(2) of Sikkim Panchayat Act 1993, wherein it is prescribed that all the seats in a panchayat shall be filled by person chosen by direct election through a secret ballot system. They are all elected for the term of five years. The state government has been conducting the panchayat election at regular interval of five years. The first such election under the constitutional Amendment Act 1992 was held in 1997. The last election to panchayat was held in October 2007. The election is the only medium available in modern democracies through which a peaceful change in the (local) government is effected. Blair (2000) argued that periodic elections provide an important means of ensuring government responsiveness and accountability on broad social issues. At the same time, he observes 'elections are crude instrument of popular control since they occur at widely spaced intervals ..... And address only the broadest issues. Elections are therefore life and blood of modern democracies and constitute a vital component of any democratic system'. To conduct such election, the state government constituted the State Election Commission in line with the Election Commission of India. The section 103(1) of the Sikkim Panchayat Act 1993 provides that superintendence, direction and control of the preparation of electoral rolls for and conduct of all elections to the Gram Panchayat and Zilla Panchayat shall be vested in the State Election Commission consisting of a State Election Commission to be appointed by the Governor. People's participation in the election of panchayat is also encouraging. In the election of 2007, 90 per cent of vote was cast. By mandating direct elections for all the levels of rural local government, the Amendment changed the

complexion of political competition. The reservation of seats for women in local bodies drastically altered the composition of the local bodies. By permitting the states to make a provision for reservation for backward communities, the Amendment opened a window of opportunity for the non-dominant backward castes to assert their voice in local government decision-making (Shastri 2003).

Just as elections do not a democracy make, the same can be said of party politics and democratisation (Johnson 2003). It is difficult to conceive a modern democracy without a well-developed party system. Further the introduction of universal adult franchise has made them absolutely necessary. It is beyond a shadow of doubt that the process of democratisation within a political party and the participation of party functionaries at various levels in decision-making, is an essential pre-requisite for carrying forward the process of 'democratic deepening' in any political system (Shastri 2003). Several states have amended their Panchayati Raj Acts to permit electoral contests to be on a formal party basis. In 1997 Sikkim reorganized its Panchayati Raj system and made elections open to party politics. Before this or in other words, until 1997, the election to panchayat in Sikkim was held on non-party basis. This was because of the provision of the Panchayat Acts passed in 1983 and 1993. Both these Acts prohibited the person from contesting panchayat election with the support of a political party. For example, the section 129 of Sikkim Panchayat Act 1993 says that 'no person shall contest the election to any panchayat with the support, direct or indirect, of any political party'. In order to make the local body election more democratic and encourage the participation of people, the government enacted a new Act in 1995 by amending the Act of 1993 which omitted the section 129 of the 1993 Act and allowed the formal participation of political party in panchayat election. At present all the election to the panchayat in the state are held on party basis. The first such election on party basis was held in 1997.

Thus the democratisation and empowerment of local administrative bodies can enhance participation in decision-making fora, particularly among groups that have traditionally been marginalised by local political processes (Blair 2000, Crook and Sverrisson 2001, Crook and Manor 1998). Local democracy can play a crucial role in enriching the practice of democracy. It makes the democratic system relatively accessible to the disadvantaged and thus expands the scope of social and political participation of the common people (Pal 2003). It becomes clear that notion of democracy is not restrict to participation in elections. Although the right to elect leaders of national and state government is certainly a part of the democratic principle, democracy also includes the ability to influence the decisions that directly affect a person's life and the ability to live in freedom and liberty. Local governments are able to provide these aspects of democracy in a way that central government often cannot. It was because of this reason that the state government tried to establish a decentralised government to further true democracy. The state is well aware that it is almost impossible to conceive of a highly decentralised system of governance functioning without some measures of democracy to sustain it. It seems evident that a more decentralised governance system is likely to be a more democratic system. As noted above, decentralisation provides more opportunities for civic space and citizen participation and, consequently, for independent groups to emerge, for political opposition to develop and for individuals to practice and experience the exercise of free choice in democratic governance. For all those reasons, decentralisation does represent a significant strategy in efforts to democratic societies (Rosenbaum 1999).

## **Legitimacy**

Legitimacy emphasizes on the need for a system of governance, which operates with the assent of the governed and so provides means to give or withhold their assent. Good governance requires government at all levels to have legitimacy in the eyes of the governed, with free and fair elections and opportunity for all to participate in government (Scott-Herridge 2002). Legitimacy of government is one of the important parameters of good governance put forward by OECD and World Bank.

The Seventy Third Constitution Amendment and the Sikkim Panchayati Raj Act 1993 which has been passed in pursuance of the Amendment has transformed the status of local bodies from the institution that are being governed to that of institution of governance. The Act has accorded the constitutional status to the panchayats. Article 243B of the central Act provides that there shall be constituted in every state panchayats at the village, intermediate and district level. Further, all the elected members will hold the office for five years (Article 243E). These provisions ensure legitimacy and continuity to the elected bodies, which operate with the assent of the governed. This granting of constitutional status and recognition to local bodies is administratively, politically as well as economically welcome. For it will lead to 'power to the people' as also put the burden of accountability via performance checks on the local bodies. This can also result in self-government in the true sense of the term, without fear of arbitrary and ad hoc encroachment by higher levels of governments (Karnik and Karmakar 2006).

## **Devolution**

Devolution, which denotes the transfer of power, specific functions and resources to sub national political entities, is an evolved form of decentralisation. It is much broader than decentralisation and even delegation and generally has statutory backing (Oommen 2005). Devolution unlike deconcentration involves decentralisation in two directions or dimension (Uphoff n.d.). Under devolution, not only are decision-makers physically closer to the publics whom they are supposed to serve, but also those publics have some right to control or at least influence decision-makers who do not pay adequate attention to local needs and interests. With devolution, decision-makers are usually selected by local publics through some regular process such as elections, or they can be removed or punished by these publics through some established procedures. Devolution therefore represents a greater degree or more important kind of decentralisation than others. In fact the real decentralisation has involved the devolution of both responsibilities and resources to relatively independent and autonomous subnational authorities that are accountable not to any central national leadership of the country but to the citizens of the region and/or community (Rosenbaum 1998).

The devolution of administrative and financial powers from state to the local bodies and further down to ward committees has been widely considered as axiomatic to the promotion of good local governance. To achieve the goal of good governance, Article 243G of the Constitution envisages devolution of powers and responsibilities upon panchayats at the appropriate level with respect to the preparation of plans for economic development and social justice. The state is therefore required to endow the panchayats with such powers and authority to enable them to function as institutions of self-government. Thus to devolve the powers and authority to the panchayats, government enacted the new panchayat legislation in conformity with the Constitutional Amendment Act 1992. The Sikkim Panchayat Act 1993 specifies that Zilla Panchayats have been given powers of supervision and control of the gram

institutions that work in a devolved manner can chart a path for achieving and/or maintaining good governance. Good governance in turn is essential for maintaining a decentralised (devolved) mode of local institutional performance that commands popular respect and support (Uphoff n.d.). Decentralisation therefore plays an important role in fulfilling the good governance agenda at the local level.

The potentials of local government institutions can be realized more effectively where there is decentralisation and devolution of powers. Accountability, transparency, participation, empowerment, equity and all other attributes of good governance can be in full play and become a part of the daily work of both government and local government bodies when decentralisation and devolution take place. It will be no exaggeration to say that it is in a decentralised local government system that most of the attributes of good governance have a chance to survive and prosper. Strengthening of local government institution can, therefore, be seen as a positive trend towards good governance (Hye 2000).

The past 4-5 years have witnessed in Sikkim substantial progress in promoting decentralisation and decentralised governance. The government has constituted a numbers of committees and commissions to study and recommend the measures to strengthen the present structures of decentralised governance in Sikkim.

Under **political** decentralisation that includes periodic election, status of PR members, people's participation and the like, the state government has made suitable provisions in its panchayat Act. After the passage of 73<sup>rd</sup> Amendment Act, the state has been conducting a regular election to the panchayats. The last panchayat election was held in October 2007.

All the members elected by the people were given the executive positions. Vastly increased numbers of elected representatives have provided new opportunities for political representation at the local level, especially for women and marginalised social groups. The rules of political participation have also increased which was evident from the high level of voter turnout. Further constitutional provisions of seats reservation have increased formal representation in panchayat bodies for women and scheduled caste and tribes.

A special emphasis has been given to ensure peoples participation in the Gram Sabha, in the decision-making process of development planning, as also in the implementation and supervision of programmes.

The administrative measures are essential to provide operational shape to the functional role of local bodies. **Administrative** decentralisation occurs when a politically independent unit delegates some of its power to subordinate levels within its organisation. These delegates may be revised or retracted at the will of the delegation authority (Porter and Olsen 1976). Administrative decentralisation actually consists of four different, although interrelated concepts according to Jong S. Jun and Deil S. Wright:

1. the deconcentration of administrative functions;
2. the devolution of decision-making authority;
3. localised program innovation; and
4. citizen participation in the policy process.

The steps have been taken by the state government to transfer the services of officers of several line departments to the panchayats. Recent efforts to decentralise the bureaucracy are essentially an 'administrative decentralisation'. Under this, functions performed by the line departments are being transferred to local bodies. In other states, the transfer of officers and staffs to panchayat levels has not taken place. Besides, measures have also been adopted to provide infrastructural and logistics support and to impart training of field officers and staffs transferred to panchayats for development programmes. Assigning specific responsibilities, activity mapping, placement of service of line departments to PRI are some of the measures for administrative decentralisation taken in the state.

**Financial** decentralisation, another important dimension of decentralisation, is vital for augmenting the financial strength of local bodies. It includes the issues like devolution of funds, autonomy in tax collection, role of SFC and the like. So far as fund devolution is concerned, the state government directly devolve the funds to panchayat from the state plans but these funds are earmarked for a particular programmes. Thus all the development resources are tied into programmes determined by state and central governments. Under the State Panchayat Act provision has been made through which panchayats can levy the different types of taxes in their respective areas. The SFC also recommended the transfer of taxation power to panchayats from the line department. But in practice the panchayats in Sikkim have not yet exercise this power. All the taxes in the state is levied and collected by the development department.

### **Citizen's Charter**

The recent development in Public administration reform that has altered the public service provider and user relationship is the use of Citizen's Charter. These Charters are believed to impact the culture of service agency providers by shifting their focus from administrative convenience to putting service users first. They promote good governance by upholding the values of transparency and accountability (UNDP 2004). The introduction of 'Citizen Charters' will promote good governance in the delivery of public services by making clear and measurable those criteria and indicators of access and quality attributes (ibid 2004).

The concept of citizen's charter is a new in the government-citizenship relations. It is perceived as an instrument that could be used to carve out the possibilities of a healthier relationship between the service provider and its user. The idea behind the Charter is to tap citizens' responses to the actual working of government organisations. Normally the Charter would cover all public services and aim at demanding from the government and service organisations (post office, railways etc. for instance) accountability, transparency, quality and choice of services, provided by them to the people (Chakrabarty 2007).

Like elsewhere in Sikkim also the Charter is seen as a vehicle for building greater awareness of the mutual responsibilities of the government agencies and the citizens. Under the Charter, citizens have been brought at the centre of all the government activities changing the prevalent concept of treating the citizens as passive recipients of government service.

So far as introduction of Citizen's Charter is concerned, it was first introduced in Britain in 1991 to streamline the administration and also make it citizen-friendly. The Citizen's Charter was described in the 1992 Conservative Party election manifesto as

'the most far reaching document ever devised to improve quality in public services. It addresses the needs of those who use public services, extends people's rights, requires services to set clear standard- and to tell the public how those standards are met (Chakrabarty 2007). In India, the idea of a Citizen's Charter was first mooted by the Fifth Pay Commission. It was, however, in the Conference of Chief Secretaries held in 1996 that recommended for the first time the introduction of Citizen Charter in different service institutions. Other important issues that this Conference considered included accountability, citizen-friendly government, transparency in administration, people's right to information, quick redressal of public grievances, review of laws and regulations and improving the performance and integrity of public services. The Action Plan for Effective and Responsive Government adopted at the Chief Minister's Conference also suggested the formulation of Citizen's Charter.

As a sequel, the government of Sikkim has directed to all the departments of the state to prepare the Charter. For this, the secretaries of respective departments form a core group for monitoring the formulation of Citizen's Charter. As a result of the efforts of the government, ten Citizen's Charter had been published by the end of the financial year 2005-06 by the various departments. The name of departments which have promulgated their Charters are as follows;

1. Social Justice, Empowerment and Welfare Department.
2. Rural Management and Development Department
3. Food and Civil Supplies Department
4. Energy and Power Department
5. Information and Public Relation Department
6. Forest, Environment and Wildlife Management
7. Police Department
8. Urban Development and Housing Department
9. Health Care, Human Services and Family Welfare
10. Human resource Development Department

The Charter promulgated by the various departments insists on the following key element to fulfill its aim:

1. Standards: Setting, monitoring and publication of explicit standards for the services that individual users can reasonably expect. Publication of actual performance against these standards.
2. Information and Openness: Full, accurate information, readily available in plain language, about how well they perform and who is in-charge.
3. Choice and Consultation: The public sector should provide choice wherever practicable. There should be regular and systematic consultation with those, who use services. User's views about service and their priorities are to be taken into account for final decisions on standards.
4. Courtesy and Helpfulness: Courtesy and helpful service from public servants who will normally wear name badge. Service available equally to all who are entitled to them and run to suit their convenience.
5. Putting Things Right: If things go wrong an apology, a full explanation, and a swift and effective remedy to be offered. Well published and easy to use complaint procedures with independent reviews, wherever possible to be introduced and maintained.
6. Value for Money: Efficient and economical delivery of public services within the resources, the nation can afford. And, independent validation of performance against standards (Jain 2007, Chakrabarty 2007).

The Charter is a significant influence in the latest efforts undertaken by the state to make administration citizen-friendly, open, transparent, sensitive and accountable. The charter although non-justiciable aim at affirming the commitment of an organisation to the people that it will deliver its particular services promptly, maintain quality and that redressal machinery will be available where this service is not of the standard which it is committed to maintain. There is no doubt that the Citizen's Charter strategy, if formulated and implemented in an objective, conscious and committed manner to give the citizens their due can lead us ' towards Good Governance'.

### **Law and Order**

Maintenance of law and order in a civilized society is perceived as the foundation for good governance. The maintenance of order implies a certain measure of peace and avoidance of violence of any kind. There are number of factors that disturb the law and order of any state. To mention a few, dire poverty with economic exploitation and unequal distribution of wealth, increasing unemployment, mounting inflation and spiraling prices with diminishing purchasing power, population exodus from rural to urban areas resulting in rapid urban growth rate with a concentration of organized protest groups in urban areas like employees, industrial workers, political groups, students etc. increased inter-groups conflicts on account of religion, language, caste, etc., religious fundamentalism with recrudescence of sectarian/communal riots, divisive and fissiparous tendencies, etc. (Tandon 1999). Besides, Act of terrorism, insurgency and growth of militant organisations in some of the border states has created a new problems to the law and order.

In India, the growth of population is one of the major factors influencing crime incidence. There has been as almost unrelenting upward trend in the overall crime situation in the country. Violent crimes, murders, kidnapping and abductions, cases under Arms Act have risen significantly. The situation is further aggravated by communal violence, militant violence and insurgency in different parts of the country.

Sikkim is located at a very strategic and sensitive border state having international borders with Nepal, Bhutan and Tibet. It is situated in north-eastern region (and one of the member of NEC) where large parts remained disturbed on account of high level of militant activities. Unprecedented militant activity has been witnessed in Assam, Nagaland, Manipur and Tripura. The United Liberation Front of Assam (ULFA), Naga National Council (NNC), The Revolutionary People's Front (RPF) and its militant's wing of People's Liberation Army (PLA) in Manipur, Tripura National Volunteer Force etc. are some of the groups that have organized armed rebellion and resorted to violence. The continuous violence due to militancy and insurgency has a direct bearing on the development of the states and the region as a whole. For instance, the development rate in Assam has come down to a paltry 0.87 per cent from 1.67 in 1987 in ten years due to insurgency and secessionist movements in the state. Similar is the case in regards to other states. Sikkim though an important member of north-east council has so far been untouched by such militant activity. It is one of the most peaceful state in the region and most probably in the whole country. The reason for such atmosphere is largely due the good administrative system in the state and the strict adherence to the rule of law. The police are another actor, which play a pivotal role in maintaining the law and order and prevention of crime in the state. For proper maintenance of law and order 13 new police stations were established in different parts of the state. In addition to these police stations, 38 new outposts were also established. Sikkim, unlike other states thus has a sound record of maintaining law and order.

Notwithstanding its strategic location in the border of the country, the state is free from any militant violence and insurgency. The overall crime rates in the state are also very low. The stringent adherence to law by the government and people as well always keeps crimes and violence at bay thereby creating a healthy atmosphere to live in. Further, the maintenance of law and order always lies at the core of the state's goals. The state enacted several special laws and local laws from time to time to meet the growing crime prevention needs. The crime incidence in the state is abysmally low as compare to other states. The violent crimes, murder, kidnapping and abduction are very rare. However, in the nation as whole, the incidence of crimes, murders, kidnapping have been increasing day by day. The violent crimes, for instance, increased substantially from 8.2 per cent in 1953 to 14.5 percent in 1995. The incidence of murder in 1995 increased by 44.3 per cent over the decade 1985-95, while kidnapping and abduction went up by 27.3 per cent over the decade (1985-95).

### **Civil Society**

The institution of democracy rests on three major pillars: government, business community and civil society. Like government, strong and dense civil society facilitates the sustainability of democracy and enhances state institutional performance. Central to much thinking about governance and accountability is the notion that effective and responsive governments require strong and vibrant civil societies to keep them in check (Ostrom 1990, Putnam 1993). Perhaps the most recent and influential manifestation of this is Robert Putnam's assertion that societies with high levels of social capital (defined in terms of norms of trust and reciprocity and networks of engagement) will organise to demand better government (Putnam 1993).

Civil society is thus an important pillar of good governance. Mark Warren (2001) provided important theoretical elaboration on how civil society encourages associational life that may provide the pillars for good governance. He says: "Associations may contribute to institutional conditions and venues that support, express and actualize individual and political autonomy as well as transform autonomous judgments into collective decisions"(Warren 2001). Civil society working together with government strengthens the process of building values and norms on the basis of equality. Thus societies that have a strong civil society may have a tendency to experience higher levels of political representation, enabling collective groups to resist unpopular state policies and apply pressure on state institutions when they find they have erred (Tusalem 2007). In fact associational types of civil society may be recognized as a formidable component that provides an alternative source of governance through the process of subsidiarity (ibid 2007).

The term civil society has been defined in a variety of ways. According to Michael Walzer civil society is the 'setting of settings'; here people associate with each other on various grounds, but notably for the sake of realizing their natures as social being (Walzer 1988). He argue that, the picture here is of people freely associating and communicating with one another, forming and reforming groups of all sorts, not for the sake of any particular formation – family, tribe, nation, religion, commune, brotherhood or sisterhood interest groups or ideological movement but for the sake of sociability.

Edwards' conceptual definition of civil society includes civic engagements that promote an associational life, a good society, and a public sphere in which ideas and ideologies can be discussed and debated (Edwards 2004). Any grouping that assumes representation of collective interests can be claimed as part of civil society, or civil

society may be defined as the totality of civic engagements citizens commit to joins in the polity (Anheir 2004, Walzer 1991). For Diamond, civil society is “ the realm of organised social life that is open, voluntary, self-generating, at least partially self-supporting, autonomous from the state, [and] that is bound by a legal order or a set of shared collective rules” (Diamond 1999). Cohen and Arato refer to civil society as a third realm; differentiated from the economy and the state. According to them, civil society consists of:

- (i) Plurality: families, informal groups and voluntary associations whose plurality and autonomy allow for a variety of forms of life;
- (ii) Publicity: institutions of culture and communication;
- (iii) Privacy: a domain of individual self-development and moral choice;
- (iv) Legality: structures of general laws and basic rights needed to demarcate plurality, privacy and publicity from at the least the state and tendentially, the economy (Cohen and Arato 1992).

The modern civil society according to Weigle and Butterfield comprises of two elements: the first is a legal framework which permits voluntary organisation and defines the relationship of such groups to the state in a manner which at least guarantees their autonomy. This entails the institutional basis of civil society and varies from state to state in keeping with the national context within which the legal codes develop. The second principle that defines the character of civil society focuses on the identity of social actors and the goals towards which their activity is directed. This is the orientation of civil society and varies from society to society, depending upon the values underlining activity in the public domain (Weigle and Butterfield 1992).

The civil society organisations and non-governmental organisations have gained much more currency in Sikkim recently. At present, more than 1600 such organisation as against 1182391 of country as a whole, are operating in Sikkim in different field of development. The emergence of such a large number of self-initiated organisation pave the way for the alternative channels for delivery of basic services like health and education, drinking water supply, operating school, housing, sanitation development and so on. Civil society has important role in improving the working of the local self-government department along with the local bodies for achieving the goal of providing better civic amenities to citizens and setting the stage for the massive development (Soni 2006). The real function of the civil society is however to protect the individual from the tyranny of the state, the lawlessness of law, the excess of governmental agencies, the abuse of power by people holding high positions in the government and the misdoings of the politicians, bureaucrats, businessmen and other corrupt and criminal elements in the society (Srivastava 2003). In this ways, the vibrant civil society can prevent the state from being corrupt, inefficient, coercive and ill governed. The numerous studies have also argued that effects of civil society are positive. Scholars have verified that NGOs can challenge the abuses of executive or legislative authority, and minimize arbitrary policies imposed by the state. Sometimes they are able to compel properly authorized state authorities to prosecute, penalize, sanction or punish errant public officials (Schmitter 1993). NGOs can act as an institutional alternative that can monitor the transparency and efficacy of legislation and can expose to the public the intensity or forms of client-patron relations, prebendalism, cronyism, and nepotism in governance at the local or national levels (Burnell and Calvert 2005, Gyimah-Boadi 2004, Ndegwa 1994). It is further argue that dense NGO activity can also establish a constant flow of information to the masses that can expose governmental malfeasance or inefficiency with high regularity or publicity (Schedher

1999). It is thus quite apparent from the positive effect and role of civil society outlined above that civil society has contributed a lot in the promotion of good governance.

Keeping in view the perceived advantages and the positive effects of civil society, the state government has initiated various measures that requires for the promotion of vibrant civil society. In fact the building of an effective and vibrant civil society requires a supportive environment- both socially and institutionally. There are many ways in which government can encourage and support the development of civil society through the provisions of different kinds of facilitating policies and the creation of various kinds of institutional mechanisms. The establishment of educational institution, for instance, is an important measure to this end because an individual's participation in civil society organisation usually requires some level of civic awareness and organisation skill. Hence, such participation is possible only when there is a strong educational system. In addition, the existence of a free and open press is both significant parts of a vibrant civil society as well as an important facilitating element. All these elements in turn create ideal environment for the development of civil society. Further, the government's decentralisation programmes which transfer powers to the local level (panchayati raj system) will also helpful in forming such organisation at the local level. In general, decentralised government can be a very important element in the facilitation of an active and lively civil society. The more decentralised government is, and the stronger local governance capacity is, the more opportunities - in essence, the more arenas - are provided for the emergence of civil society institutions. In fact, very often it is the existence of local governance, combined with the emergence of local civil society institutions that truly creates the pluralism that is so central to democratic institutional development (Rosenbaum 1999). Civil organisations can channel popular demands, and can also strengthen society's capacity for holding decision-makers accountable. Such organisations can even be made responsible for actually realising certain programmes.

Despite these initiatives, large numbers of non-governmental organisations in the state are not functioning effectively. They have not been able to effectively articulate and assert for meeting people's demand. There is little evidence of NGOs credible contribution in demanding for greater participation of civil society in the functioning of the governmental institutions. The reason for such dismal picture is mainly due to the lack of proper and qualified leadership, inadequate economic base, poor networking and inefficient management.

### **E-Governance**

E-government refers to the use by government agencies of information technologies (such as Wide Area Networks, the Internet, and Mobile Computing) that have the ability to transform relations with citizens, business and other arms of government. These technologies can serve a variety of different ends: better delivery of government services to citizens, improved interactions with business and industry, citizen empowerment through access to information or more efficient government management (<http://www.worldbank.org/publicsector/egov/definition.htm>). In other words, it implies upgradation of efficiency and effectiveness of the administrative machinery through the combination of information technology and sophisticated multi-media to deliver better cost effective and speedy services to the citizens. In the present era of IT, e-governance is a prerequisite for good and transparent administration with e-democracy backed by e-governance with e-business acting as the prime mover for economic growth (Malick and Murthy 2001). It is expected that IT would be the great

enabler for responsive and good governance in times to come when 'E' of e-governance would stand for excellence. E-governance is one such crucial IT driven initiatives that will allow the government to make information easily available, transparent and in an interactive manner (Nath 2002). E-governance thus helps to improve the existing status of the administration by use of information technologies.

Information technology helps in reinvigorating government by enhancing the administrative capacity and organizational efficiency. Application of IT leads to the following:

1. Increased transparency in administrative processes thereby reinforcing people's faith in the government.
2. Opportunities for promoting participation of people and their organisations in government processes.
3. Openness in the functioning of the government.
4. Innovations and introductions of new ideas and concept in government transactions.
5. Evolution of initiative solutions to development issues and problems facing the community (Mehrotra and Ranjan 2003).
6. The applications of information and communication technology (ICT) in the governance processes has facilitates the greater access to information, enhance communication and democratic processes. E-governance therefore improves efficiency in administration, bring about transparency and leads to the reduction of costs in running the government. This in turn helps the government in achieving the goals of good governance. E-governance enables good governance by way of:
  1. Automation: Involving replacement of current manual processes, which involves collecting, storing, processing and transmitting information of automation.
  2. Information: supporting current processes of decision-making, communication and implementation of decisions.
  3. Transformation: Creating new methods of public service delivery (Rattan 2003).

In fact, e-governance is a step of government towards creating smother interface between government, citizens and business for SMART (Simple, Moral, Accountable, Responsive, and Transparent) governance (Sumanjeet 2006).

The state of Sikkim has made a great progress in the use of IT in governance. The Department of Information technology has already been set up by the government with the view to make the IT department as a centre for e-governance for creating awareness amongst the decision-makers, offering e-governance solutions and service and implementing policy changes for effective e-governance.

### **Budget**

The government has allocated 5-6 per cent of budgets for IT every year. Besides, the state government has also decided to set aside 5 per cent of each department's budget for IT development with a view to make all the government servants computer literate and to computerize all the government offices of the state within the next three years. The responsibility of making the state administration computer friendly has been handed over to the newly created Information Technology Department which will also train the educated unemployed youth in the state for free.

## **LAN/WAN**

The local Area Network and Wide Area Network has been established to intra-connect and inter-connect the secretariat with all other government offices in the state. All the senior officers in the department were provided with personal computer, e-mail and fax facilities.

Community Information Centre (CIC): More than 50 such CIC has been established by the state government all over the state in collaboration with National Informatics Centre (NIC). Each CIC have one server computer system and five client configuration computer systems linked in a Local Area Network and connected to a V-SAT for internet access. It will help the government functionaries to use e-mail and Internet for communicating with the district and state level officers. To run the CIC, the government has appointed two instructors/ operators in each centre who in turn gives training to the government servants, panchayats and educated unemployed youth of that area/block.

## **Single Window Service (SWS)**

SWS system is another step toward good governance taken by the government. At present all the district headquarters and the main secretariat of the state is equipped with this system. The system was introduced for the sole purpose of providing effective, responsible and quick delivery of services with time bound disposal of work. The SWSS covers the following services in the office of the District Collectors: issue of Certificate of Identification; mutation of land, issue of parcha after registration; mutation of land issue of parcha as inheritance; property/no land property certificate; no dwelling house certificates; roof level/plinth level certificate; income certificate; unmarried, remarriage/non-marriage certificate; other backward classes certificate; scheduled tribes and caste certificate and birth and death certificate. This system is providing quick service to the public. The SWSS now includes only eight stages as against the 24 stages in the previous procedures to get the work done.

## **Website**

The state government, in a new initiative to bring governance closer to the masses and make it more citizens friendly, has developed and launched various websites in the state. Some of the important website of the state are: <http://www.sikkimgovt.org>, <http://www.cm.online>, <http://www.Sikkim.nic.in/homedept>, <http://www.sikkimipr.org>. The website provides all the important information relating to state. The website <http://www.Sikkim.nic.in/homedept>, for example, contains a plethora of information about the state, the profiles of Sikkim with geographic and demographic details, history of Sikkim, details of bookings at Sikkim House etc. The website also furnishes picture of tourist interests, details on formalities to be required in inner-line permit and fees.

## **Tourism Department**

As the dissemination of information is the key to success in tourism, the Department of Tourism, keeping this in mind has launched a kiosk at tourist information centre at Gangtok with a basic motive to disseminate maximum and authentic information regarding tourism in the state. The kiosk at tourist information centres has covered Sikkim culture, its people and accessibility to various destinations under one major head of general topic. At present the system has been made operational in different tourist information centres.

### **On line Treasury**

The Finance Department with the technical support from National Informatic Centre started online Treasury. As a result, the government treasury is being computerized and connected online with the secretariat and being minimized and all bills and other documents are being computerized.

### **Driving Licenses and Registration**

Issuance of driving licenses and registration certificates in the state has been computerized and the procedures for removal have also been made convenient through online connectivity.

### **E-Panchayats**

IT application has vast potential to ensure a more accountable, responsive and citizen-friendly PRIs (Jha 2004). Keeping this in mind the state government has connected all the gram panchayats with telephone lines. There are 166 gram panchayats in the state. Besides, each gram panchayat is provided with one computer, a printer and a modem. The interventions of IT in the affairs of rural local government also ensure the close relationship between two tiers. One of the IT policies of the state government is to introduce and integrate the functions of government by using IT and to have Internet kiosks in every panchayat Bhawan accessible to any member of the public.

It is thus clear from the government's various initiatives on IT that the state has been working hard to take e-governance to the masses and making the government more transparent, responsive and accountable through the extensive use of IT.

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panchayat (sec.72). The Act also specifies a number of development functions to be performed by the Zilla Panchayat for constructing and maintaining of panchayat ghars, for constructing, repairing and maintaining of small irrigation projects, for regulating supply of drinking water, for establishing and maintaining primary schools and health centres (sec. 69).

The Act also specifies that Gram Panchayats performs the duty of providing civic amenities, maintenance of village roads, supply of drinking water, construction of drains, etc. besides usual functions, the Act specifies a long list of development functions. The development functions that gram panchayats are supposed to perform are minor irrigation, development of agriculture, development of cottage industries, bringing waste and fallow land under cultivation by using modern techniques, watershed management, land reforms, and cooperative management of community resources.

As the Eleventh Schedule to the Constitution has listed 29 items concerning various programmes of development to be devolved to the panchayats, it is thus the duty of the state to transfer the schemes listed in the schedule to the local bodies. The state government in Sikkim issued a notification in July 2003 which provided the list of schemes to be transfers from the line department to the PRIs. In the first phase of devolution of powers, the subjects/items of eight line departments which are earlier been under the direct control of department has been transfer to the panchayats. The eight government department that has been placed under the PRI control are: Rural Management and Development, Agriculture, Animal Husbandry, Health and Family Welfare, Education, Land Revenue, Irrigation and forest. In the second phase of devolution, the government transfers various schemes of line department of Commerce and Industries, Disaster Management, Cultural Activities and Cooperatives to the panchayats. Alongside the functions, the government also devolved matching funds and functionaries for making the institution a unit of self-government. The funds are devolved upon the panchayats for the specific programmes and schemes under various subjects. Besides, the government continues to provide funds for state plan to respective departments of the state. The state government has also placed the services of various line departments (like rural development, agriculture, education, health etc.) functionaries with the panchayats. Activity mapping of panchayats have been completed in the state to avoid the overlapping of functions between the two tiers of panchayats and thus role of each tier has been clearly demarcated. The state of Sikkim is thus far ahead of other states of India in the process of devolution of 3Fs (function, finance and functionaries). The government has devolved almost all the items of eleventh schedule to the panchayats with matching funds and functionaries. It was because of this progress in the devolution revolution, the state of Sikkim was able to clinch the third prize in the best performing state of India in the panchayats system in 2007. The first and second is being Kerala and Karnataka.

### **Decentralisation**

Decentralisation in all its constituent elements has a close relationship with responsive administration and good governance. Good governance, when seen in terms of effective decentralisation is equivalent to purposive and development-oriented administration, which is committed to the improvement in quality of life of the people (Pal 2003). One of the essential advantage put forward for decentralisation is that it facilitates good governance through empowering local people, allowing them to participate in decisions affecting their everyday lives (Scott-Herridge 2002). Decentralisation with local

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