Promoting Policy Formulation at the State Level in India

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Outline

- Background
- Constitutional framework
  - Federal features
  - Unitary features
- Policy making process
  - Policy making at State level
  - Steps in evolution of policy making
  - SWOT analysis
- Policy environment
- Role of judiciary
- Conclusion
Constitutional Framework

- India is more federal or unitary in character
  - subject of intense debate

- Federal features
  - Dual Government
  - Distribution of Powers
  - Supremacy of the Constitution
  - Authority of Courts
Constitutional Framework.....

• **Unitary features**
  - Powers specified under central and state lists. But residuary power vested in the Union.
  - In constitutional amendments, role assigned to states is minor and in some matters, states need not even be consulted.
  - The Union exercises control over the states in various ways
    - Like appointment of Governors, certain laws passed by the state legislatures being subject to disallowance by the President and having the power to redraw the boundaries of the states.
    - Officers of the All India Services (IAS,IPS,IFS) serve the union and the state governments but are appointed by and can be removed only by the union government.
    - In times of emergency, the Union can exercise enormous powers.
Targeted Policy Formulation Process at State Level

Conceptualization

Design Support

- Manifesto of Political Party released before the election
- Indicators:
  - Sector wise goals
  - Target Social groups and weaker sections
  - Possible economic benefits
  - Region specific infrastructure
- Based on consultations with:
  - Respective Govt agency
  - Stakeholder groups
  - Public, private & NGOs
  - Elected leaders and ministers
  - Legal and financial

Operationalize

- Respective govt department/agency
- Formulates Draft Policy
- Develops operational guidelines and scheme details
- Based on wide scale public consultation
- Refines on specifics
- Verifies similar policies/schemes in other states
- Gets approval from legal and financial departments
- Gets approval from empowered group of secretaries / Ministers
- Approval in the Cabinet and Assembly

Monitor & Refine

- Monthly review
  - Financial Expenditure
  - Physical targets
  - Both at Dept/agency level
  - State Govt level
- Any changes need
  - Cabinet approval
  - Approval on legal and financial implications
SWOT Analysis of Policy Formulation Process at a State Level in India

**STRENGTHS**
- High Political willingness
- Works within Rules Framework
- Approval of all concerned departments with legal and financial aspects
- Public consultation process
- If required, sets up semi-autonomous body to execute
- Garners both political & bureaucratic willingness

**WEAKNESS**
- Becomes part of regular process
- Govt depts don’t have new set of staff to implement new policy
- Lack of mission mode approach
- Entangles with procedural delays
- Inadequate professional strengths

**OPPORTUNITIES**
- Being in democratic setup options open to introduce new policies
- Willingness for mid-course corrections
- Gets financial support
- Provides implementation mechanism
- Institutionalize the process

**THREATS**
- Possibility of playing into vested interests
- Owning to poor governance execution remains on paper
- Priorities may change with the change in ministers & bureaucrats.
- Natural calamities may shift the focus & deviate financial allocations

**Needs stable govt**

**Poor governance affects**
Policy environment

- Ideology of the political party + ideas of bureaucracy + existing policy frame
- Proactive groups + vested interests
  - Private or public groups
- e.g. policy for technical education
  - State government focus of protecting poor students
  - Private colleges – capitation fees and profits
  - Agri sector
    - Subsidies, minimum support price, concessions
Role of Judiciary

- Playing important role in policy making for 2 reasons.
  - A) Increasing number of legislations which need to be interpreted whenever they come up before the courts.
  - B) Emergence of more assertive judiciary, at times encroaching on the territory of the executive.

- The courts also tended to intervene in the actual implementation of policies and issue directions to the executive.
  - Especially, whenever the state acts arbitrarily without due regard to the law and the constitution.
    - E.g. policy on mining.
Conclusion

- Public policy covers more than one domain and involve a multiplicity of actors and concerns.
- Resolution of conflicts and interdepartmental coordination are important in making decisions.
- In the process, role of CS at bureaucratic level and CM at political level is crucial.
- In democratic politics, ideas and interests compete and compromises are inevitable.
- In recent decades, increasingly clear that the states are equipped to deliver.
- Need to strengthen policy making at state level and make states to compete for business and reforms, as the era of centre-driven reforms is rapidly coming to a close. (e.g., NITI Ayog)
- In tune with the 14th FC recommendations, states will have flexibility to use central funds where they think it is important.
- To a large extent, the states need to implement crucial development and welfare policies and schemes.
  - Whether it is food security, or land legislation, a manufacturing revival or even toilets for girls in schools, the states can make or mar programmes.
THANK YOU