

## Polity:

Towards right structure, powers and functions

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### Basis of Governance Structure

To create a fair and free society, we need fair laws and policies of governance. Therefore, law making emerges as one of the key functions of governance. The enacted laws have to be implemented. Thus, we need an implementing set-up. Further, disputes may arise during the implementation of laws. In that case, we need an agency to impartially interpret the laws and adjudicate the matter. These requirements of governance have given rise to the three organs of governance, i.e., legislature, executive and judiciary.

### Nature of Government

From a political perspective, the system of government can be democratic or otherwise. It is generally held that a democratic set-up is good. However, this is not necessarily true. Two democratic systems may be poles apart in their performance and track record of implementing citizens' duties and rights.

From an economic perspective, most of the systems are mixed with varying importance given to socialism and capitalism. Mismanaged economies produce inefficiencies.

What, therefore, matters is the content of governance laws and policies. Devil lies in the details. Fewer number of simple and fair laws achieve a lot vis-à-vis a web of too many laws and restrictions. Our model, therefore, focuses on the contents of important governance areas to evaluate the quality of governance. It also recommends appropriate economic policies to manage economy right.

### Principles of distribution of powers & functions between the Federal Government and the States

Wherever a federal set-up of Government exists, there has to be a proper distribution of powers and functions between the federal

government and the states. This distribution cannot be arbitrary and must be based on certain sound / logical principles. Our model contains those principles to help distribute the powers and functions in a fair and just manner.

### Relations between the Federal Government and the States

The relations between the federal government and the states are based on mutual trust and cooperation. Apart from fair distribution of powers and functions, our model deals with revenue sharing arrangements, reciprocal system of checks and balances, cooperation across states and emergency powers. This enables smooth working in normal times and initiation of appropriate steps during abnormal times.

### Constitution – Guidelines and Principles

The constitution of a nation must lay the foundation of justice for the governance structure, powers, functions, fundamental rights with reasonable restrictions and laws. Therefore, it must deal with all the important matters of governance on the basis of certain principles. Our model provides guidance regarding what a constitution should contain. A nation can review its existing constitution to ascertain what additions/changes may be required.

### Role of Third Tier

Governance is getting complex with modern solid waste management and metro transport. To what extent the third tier of municipalities and district councils should handle these operations and what would be their role in the local governance are some of the crucial points. We provide a certain perspective in our model to ensure that in the cost benefit analysis, the benefits would outweigh the costs.

### Role of Public and Private Sector

Both public and private sector have their pros and cons. Public sector is condemned for its incompetence, inefficiency, corruption and status quo attitude. Private sector is efficient but indulges in profiteering, creation of monopolies and unhealthy business practices. Therefore, both these sectors should be involved according to their strengths.

Certain basic functions should remain with the sovereign state. Other areas can be outsourced to the private operators with the state retaining the overall control. The idea is to derive value for money and improve effectiveness of governance delivery. Our model prescribes guidelines regarding what should remain with the state, what should be outsourced while the state retaining the overall control and what should be allowed to operate in both the sectors.

### Legislature

Our model provides guidelines for the following areas relating to legislature:

- Organisational structure
- Legislature's and Members' tenure
- Powers of legislature
- House proceedings
- Relationship with executives
- Pay and allowances

### Executive

Our model provides broad guidelines for the following areas relating to executive:

- Organisational set-up
- Simplicity of rules, policies and programmes
- Code of conduct (also work culture policy)
- Human resource strength
- HR recruitment
- Pay and pension
- Tenure and stability
- Promotions

- Protection against action
- Political vendetta
- Capacity building
- Accountability
- Role of regulators

### Role of Policies

Whatever can be controlled at the policy level, should be controlled there itself so as to ensure effectiveness. This is the line our model takes to tackle the issue of corruption.

### Religion and State

Our model provides guidelines regarding the state's role with regard to religion.

### Free and Fair Elections

A free and fair election refers to an election ballot which is cast without any pressure and is secret. The idea is that the will of the people should not be manipulated at the election stage itself (it is later manipulated by the elected representatives who serve the vested interests rather than public interest). Towards this end, our model deals with the following areas and provides clear cut guidelines:

- True and fair representation of will of people
- Concept of free and fair election
- Recognition of political parties
- Conduct of elections
- Campaigning and election funding
- Election disputes
- Defections by elected party candidates
- Frequency and timing of elections

### Helping design the right structure, powers and functions

As explained, our model can help review the existing structure of governance along with its powers and functions and suggest remedial measures to help deliver good governance in an economical, efficient and effective way.