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***Public Policy & Administration in India***

**TOPIC: Agents involved in Public Policy Making Process in India:**

**(A) Formal agents in policy formulation:** The policy formation in India is scattered in several organs and at several levels. Following are the main formal policy framing organs in India:

**(i) The Parliament:** The Parliament is the supreme body in the policy formulation. The Parliament in India makes the laws and policies and legitimizes the decisions of the government. Parliament serves as a forum for public debate on issues of public policies. Its role is primarily to influence the policy making process, to regulate the policy and to vote in favour or against the policy placed before it by the ministers.

Following are the occasion when Parliament shows concern the policy formation:

1. Presidential Address;
2. Law making events;
3. Discussion on budget;
4. Voting on grants;
5. Adjournment Motion;
6. Various Resolutions;
7. Framing Parliamentary committees

However, the Parliament is described merely as a rubber stamp. This is because in terms of policy matters, it can only influence and does not have direct power, can only advice and not command policy matters, can just criticize and not obstruct a policy. Besides, the generalist approach of the Parliament is not enough to formulate policy efficiently. It is not necessary for every policy to get assent of the Parliament.

**(ii) Executive:** In a parliamentary system of government, the executive plays a major role in policy formulation because of the greater concentration of power in the government. It is the task of the executive to decide the policies which are to be submitted to the Parliament. The executive mainly consists of:

 **(a) The Cabinet:** The cabinet is the supreme executive authority, being the inner body of the Council of Ministers. All policy related functions are performed by the cabinet functioning on the principle of unity. The Cabinet is the top policy formulation body in the government. It is the central place from where the policies originate. The overall decision and control of policy lies in the hands of the cabinet. Every ministry brings its policy matter to the cabinet which decides its future. The Minister in-charge of the particular Ministry initiates and formulates the policy in the cabinet meeting. Occupying the central place the Prime Minister becomes the torch-bearer of the policy making parade.

**(b) The Cabinet Secretariat:** The cabinet secretariat performs its duties as coordinator in policy formulation in the direction of Prime Minister. The Cabinet is serviced in its policy role by the Cabinet Secretariat headed by the cabinet secretary. The role of the cabinet secretary is of crucial importance in the policy formulation process. The choice of policies is determined by the Cabinet and the network of Cabinet Committees and Cabinet Secretariat.

**(c) Cabinet Committees:** As already mentioned that the real business of collective decision-making in the Central Government takes place in Cabinet Committees rather than the entire cabinet. Various cabinet committees are formed to facilitate decision making in the matters of policy concerns. Occasionally ad hoc committees are also set up for a specific purpose. Some of the Cabinet Committees include: Political Affairs Committee, Economic Affairs Committee, Committee on Parliamentary Affairs, etc.

**(iii) Prime Minister and his Office (PMO):** The Prime Minister (PM) is the steering wheel of the Government and responsible for the entire functions of the government. He represents the whole of the executive in a way efficient way. The PM enjoys a special position in the realm of policy formulation. The Prime Minister can exert exceptional influence over policy decisions through the assistance of the cabinet secretariat. It is now widely accepted that a Prime Minister has to obtain the support of his colleagues for his decisions. The Prime Minister is assisted by a set of staff employed in his office. Thus the PM’s Office assists in taking important decisions regarding a public policy.

**(iv)The NITI Ayog:** The NITI Ayog, (formerly known as the Planning Commission of India) was renamed on January 1, 2015, is headed by the Prime Minister as its Chairperson. The NITI Ayog plays a vital role in the development of a holistic approach to policy formulation in critical areas of human and economic development. It also plays a facilitating role in policy matters between the state governments and Union ministries. The Planning Commission works through scores of divisions and advisory bodies. There are mainly three divisions, which help the Planning Commission in the formulation, monitoring and evaluation of the plans, policies, programmes and projects, viz. Subject divisions, General Divisions and Perspective Planning Division.

**(v) National Development Council:** It is said thatnext to our Parliament the NDC is the highest body responsible for policy matters in planning. It includes Prime Minister, few Central Ministers and Chief Ministers of states considered to be the highest policy making organisation. Regarding NDC, H.M.Patel aptly observes that, “It is indeed a policy making body and its recommendations may be regarded as policy decisions and not merely as advisory suggestions.”

**(vi) The Judiciary:** In general, the judiciary of our country does not interfere with the policy matters of the Parliament or the executive, unless the policy is either against the spirit of the Constitution. However, recently, the role of judiciary particularly the Supreme Court has been greatly influencing the contents of public policies. The Judiciary in India plays a constructive role in shaping and influencing public policies in two ways:

**(i)** Power of judicial review

**(ii)** Judicial decisions.

**(iii)** Judicial Activism

**(iv)** Advisory power of the Supreme Court under Article 143 of the Constitution.

The judiciary in democratic systems has played a major role in the formation of social and economic policies. Much of the laws related to gender concerns have been developed in the courts. For example, the rights of the female employees not to be sexually harassed at the place of work as in the case of *Vishakha vs. State of Rajasthan* (1997) became established as a court made policy. Thus, judges pronounce judgments on various issues like social and economic issues, gender concerns, etc. which have wider policy implications.

**(vii) Bureaucracy:** The civil servants are permanent executive of the whole administrative system. The Ministers formulate policies and the civil servants take executive them. In practice, the civil servants exercise much more power in the formulation of public policies. Usually, the policies formulated by a Parliament are expressed in the form of acts and laws. In order to give more precise expression to these laws and acts, the bureaucrats play an important role in policy formulation. The civil servants possess vast knowledge and experience of the operation of public policies. This enables them to think about various factors while formulating policies. Thus, the bureaucrats exert influence in policy making in the following ways:

1. By expert advice to the political executive;
2. Drafting the policy and giving it legal shape;
3. Converting policy into action i,e, the implementation of policy.

**(B) Informal Agents of Policy Formulation:** Some of the informal agents of policy formulation include individual citizens; the media; political parties and civil society organizations.

**(i) Mass Media and Press:** The mass media and press plays an important role in the policy formulation process. The public opinion expressed through the mass media is central to policy formulation. Themedia bridge the information gap between the citizen and the government. Theycommunicate information to the citizens about the decisions the governments and thereby help in shaping their reactions to each other’s decisions. If a citizen is to make rationaldecisions about a public policy the media should have a high standard of reliability.

**(ii) Political Parties:** Political parties are regarded as the important agents for establishing popular control over the Government and public policies. They play an important role in reflecting the issues at stake and in setting goals for the society. Election manifestoes declared by political parties before the elections become the base of the future policy, if the party wins the election and form the Government.

**(iii) Pressure Groups and Interest Groups:** Both pressure groups and interest groups are the extra constitutional growth in our political system.Of late, the pressure groups as non-governmental agents exert influence in policy making. Pressure groups like Trade Unions, Chamber of Commerce influence the policy making through various sources. Besides, different professional groups acting as interest groups also put some impact on the national policies.

**(iv) Civil Society:** The civil society organizations also strive to influence the decisions of the government without attempting to occupy political offices. The civil society organizations range from large charity and voluntary organizations to community-based self help groups etc. They also include NGOs, research institutes, religious organizations, professional organizations, lobbying and advocacy groups, etc.

In fact, group action by way of civil society organizations serves as an effective method compared to individual action for citizens to influence public policies. For instance, women’s organizations such as All India Women’s Conference, Mahila Milan, Self-Employed Women’s Association in India (SEWA), etc. have already influenced the enactment of a number of Acts such as Anti-Dowry Act, Anti-Sati Act, Suppression of Immoral Traffic Act, etc.

**(v) Individual Citizens:** In a democratic country like India, the ultimate power lies with the people. The people are said to be the masters of their own destinies and public opinion plays a major role in the policy formulation process. The people initiate the process of legislation and policy-making by voting for candidates whose opinions and values are respected. In practice, participation of people in policy formulation is negligible. The individual citizen is hardly a significant political force.

From the above analysis, it becomes clear that the process of policy formulation and development is a complex process. It is performed by the Cabinet headed by the Prime Minister with the assistance of officials and non-officials organisations and institutions. Basically, three processes are involved in the formulation of policies –legislative, administrative and impact of non-governmental agents in policy formulation. Legislative policy making is dominated by the perspectives of elected representatives. On the other hand, administrative policy making is dominated by ideas, norms and choices of non-elected government employees.

**Problems and Weakness of policy formulation in India:**

Formulation of public policy is not something tea making process in a tea pot. It is a continuously changing process which is conditioned by a multitude of factors. As such, the policy making faces a number of shortcomings in India. Following are some of them that we can identify easily:

1. The generalist Vs. specialist influence among the policy execution agents and the claim of competence among civil servants is the major hurdle in the policy formulation process in India.
2. Frequent changes of policies without achieving the target for which the policies are formulated is another weak point.
3. Amalgamation of department into one single ministry also causes excessive fragmentation of policies.
4. It is also alleged that policies are taken hastily without proper homework on that policy. So, there is lack of systematic analysis and integration prior to policy making.
5. There is also excessive overlap between policy formulation and policy implementation. As a result, what we noticed is that emphasis is given on policy execution, ignoring the necessity of the policy.
6. Many a time it becomes evident that the Government takes policies to satisfy the interest of a small section or a few people, ignoring the mass people and its effects on them.
7. Public policies are formulated keeping in mind the development of the people. But participation of people in policy formulation is negligible. The individual citizen is hardly a significant political force.
8. Another weakness is that there is scant input of non-governmental organisations. Though the non-government agencies are given opportunity to discuss the policies within a fixed time, in actual practice the consultative suggestions are of these agencies are not obligatory on the part of the Government to accept them.
9. Though the Parliament is the supreme policy making body in the country, but it is steered by the ruling party Government backed by majority. So, the policy of the executive is considered final to be accepted by rest other party members. The powers of Parliament have been eclipsed by the Parliamentary Committees. There are evidences that debate has occurred in the Parliament after policy making.
10. Finally, in many cases weakness in the policy making process exacerbated political interference. Indeed political interference is often just a manifestation of factors ignored or missed in the policy making process in India.

**Suggestions:**

Following are some of the suggestions may be forwarded for effective public policy making:

1. There should be reduction in fragmentation in thinking and action in policy making;
2. There should be separation of policy making from implementation and decentralizing implementation authority;
3. There should be efforts to be taken for widening and enhancing the knowledge base use in policy making;
4. There should be reformation for improving integration and the flow of knowledge from outside Government;
5. Efforts must be taken to improve the competence and skills of policy formulating manpower;
6. The generalist vs. specialist controversy should be removed by adopting alternative methods.

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