



REFORMS NEEDED



BY NAVA THAKURIA

“Apart from restructuring the federal Union, we need administrative reforms, Parliamentary reforms and over all reforms for good and clean citizen-friendly governance” >>>

It was an unusual gathering where jurists, legal luminaries, political visionaries, Parliamentarians, social reformers and journalists expressed their views in a brainstorming discussion highlighting various ambiguities in the Indian governance mechanism. Most of the speakers agreed that there is an urgent need of electoral and political party reforms as India adopted a partial colonial model of Constitution after independence. Moreover, the excessive political power exercised by the Union Government creating tremendous problems in governance was also conversed in the meeting.

The speakers and the participants in the seminar-cum-workshop on ‘Urgency of Reform in the Indian Political System: Revisiting the Constitution’ in Kolkata this past week also insisted that in a democracy like India, all the sovereign powers should belong to the people. Organized by the Bar Association of Calcutta High Court and Divya Jeevan Foundation, the seminar-

cum-workshop at Calcutta High Court auditorium was attended by hundreds of illustrious personalities from different sections of the society.

Delivering the keynote address, Dr Subhash C. Kashyap, an authority on the Constitution and Law, argued that India is passing through critical times. Our polity is under severe strain. Faith of the people in the quality, integrity and efficiency of governmental institutions stands seriously eroded. Case for a review of the working of the institutions and for urgency of political reforms is unassailable, he asserted.

Dr Kashyap, who is chief of Rashtriya Jaagriti Sanstha, argued that with India’s independence, people did not feel the glow of freedom or the transfer of power to their hands. Only the masters changed. Even after the Constitution, the colonial model continued. “The Indian Constitution was largely an adoption or adaptation of the 1935 Act. The model adopted was not the British parliamentary system but its colonial version. We did not

become citizens of a free country and masters in a democratic republic. We remained subjects,” he added.

“Good governance is necessarily democratic, participatory, transparent, accountable and citizen-friendly. Administration has to become clean and citizen-friendly. There must be fundamental change in the mindset and attitudes of Ministers, Members and Civil servants. They must cease to regard themselves as privileged masters and honestly behave like servants of the people,” Dr Kashyap pointed out.

He also stated that time has come for a review of the Union-State relations and local governance institutions. The only way to make the Union secure is to make it lose extra weight and to shed its tendency to dominate the States and to monopolise power. The Union must concentrate only on the essentials. To preserve India as a Union of States, it is necessary to build it as a federal Union or Union of autonomies with multi-tier government and sharing of powers from the lowest grassroots

levels to Parliament and Central Government.

Dr Kashyap wrapped up saying, "Apart from restructuring the federal Union, we need administrative reforms, parliamentary reforms and over all reforms for good and clean citizen-friendly governance. Moreover, if the sovereignty belongs to the people, they should be allowed to be governed by themselves (without unnecessary interference from the Union Government), because the political power must return to the people."

The day-long seminar was also addressed by Justice J.S. Verma (former Chief Justice of India), Justice Kalyan J. Sengupta, Himangshu Dey (Bar Association of Calcutta High Court), Dr Devi Pal (advocate, Supreme Court of India), Prof A.K. Mukhopadhyay, Pritish Nag (distinguished Academician), Rangan Dutta (retired IAS officer), Major General (retired) Vinod Saigal, D. Bandopadhyay (MP, Rajya Sabha), Manas Chaudhury (MLA, Meghalaya), B.K. Nath (proprietor of Jugasankha publications), Sabyasachi Dutta (Secretary, Divya Jeevan Foundation) with many journalists.

Addressing the gathering, S.C. Jamir, former Nagaland Chief Minister and former Governor of Maharashtra and Goa, highlighted that there is nothing wrong in the Indian Constitution or Parliament. He insisted that keeping the spirit of the Constitution alive many problems can be addressed even today.

Jamir also argued that any amendment to the Constitution at the expense of the interest of tribals and minorities would only rebound. He justified for a greater autonomy to the Naga people within the framework of Constitution. "New Delhi is still very far from North-East India and we the people of the region are guardians for the whole nation. India has a potential competitor (also threat) in China and we

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Justice JS Verma

have to face the challenge. In that sense also, the north-eastern people must not be ignored," Jamir asserted.

Delivering the welcome address, Dr B.B. Dutta, chairman of Divya Jeevan Foundation and a former MP, Rajya Sabha, pointed out that India as the largest democracy in the globe may be a prime source of inspiration for many other nations, but the country is itself facing crisis on many fronts. "The deep crisis of governance and administration, regional imbalance, strain in Centre-State relationship, unabated corruption, and Indian civil society as a whole with a blurred vision only show the symptom of the calamity we are waiting for," said Dr Dutta.

With countries becoming independent one after another after the Second World War, the spirit of democracy is on the rise but Western models and the eastern ethos of politics and culture have come in conflict, Dr Dutta highlighted, adding that



Dr BB Dutta

'this is where the problem lies, leaders are afraid to make experiments lest we get derailed by chaos and anarchy'.

"People are unhappy as their aspirations are not reflected in the governance

and administration. The conflict in tribal part of India particularly in North-East amply brings this point to the fore as the battle between tribal democracy and Parliamentary democracy has dominated the scene since the beginning of Independence," he asserted.

Dr Dutta concluded saying that we have drawn enough from the rich West, which is rich in science, technology and modern ideas. "But now let us turn to our own masters like Gandhi, Ravindranath, Raja Rammohan Roy, Sri Aurobindo and Swami Vivekananda and share their dreams. Let us share the dream of great rulers like Akbar and Ashoka with the spirit of Lalon Fakir and Moinuddin Chisti and relocate ourselves in society, culture and politics," he added.