

TRANSPARENCY IN URBAN GOVERNANCE

Introduction

Transparency means “sharing information and acting in an open manner”¹. “Transparency allows stakeholders to gather information that may be critical to uncovering abuses and defending their interests. Transparency systems have clear procedures for public decision making and open channels of communication between stakeholders and officials, and make a wide range of information available”². The issue of transparency has assumed a prominence in improving governance. It has been recognized as a means of ensuring an informed citizenry and for pursuing a collective vision. It exposes the public space thus allowing every stakeholder to remain aware of achievements and setbacks of the government. Though transparency the boundaries of responsibility and action are rendered visible thus easily determining the focus of accountability. In addition it limits corruption which flourishes mainly for two reasons: A lack of transparency and delays in operations or functioning. Lack of transparency provides an opportunity for public servants to extract bribes from and mislead citizens who have to transact business with them. It is thus a central pillar of good governance.

Good Governance is a necessity for development and poverty reduction, not a luxury. It is a major contribution to development while people living in ineffective or venal States suffer from a lack of economic and social development. Lately however, there is a shift towards enhancing transparency at the local level. It is being increasingly recognized that building transparency is important for addressing some of the major challenges to sustainable development at the local level.

The global campaign on urban governance argues that there has never been a more important time than now to focus on the quality of governance at the local level³. The new social contract arising out of the emerging democratic dispensation, the strong emergence of the civil society and the expansion of the public space, foster the need for taking responsibility and accounting for outcomes and impacts. In addition the forces of globalizations and the movement towards decentralization are putting cities and local governments under tremendous pressure to deliver an ever-expanding range of benefits. The realization of these expectations, however, is affected by several important realities related to urban governance. (a) The complexity of local governance makes it vulnerable to corruption and other aberrant types of organizational behavior and renders it suspect able to alienation from its citizenry. (b) Lack of clarity regarding roles and responsibilities, confusing regulatory frameworks and complex administrative procedures create numerous opportunities for officials to calculate that the chances of getting caught, or the punishment they may risk are not great.

The argument behind this article is that transparency can serve as a strategic point to catalyzing a revolution in

local governance. Cities can better achieve good result than at the national level due to their smaller scale and greater proximity of local authorities to citizens and other stakeholders. Experience suggests that a successful anti-corruption campaign at the national level requires some 10-15 years to generate significant results, whereas at the municipal level meaningful results can be achieved in as little as two years⁴. The purpose of the article is to demonstrate that the importance of transparency and good urban governance extends beyond the goal of reducing corruption. It argues that the forces of urbanization, globalization, decentralization, and democratization are fundamentally changing the way people live and concludes that the quality of urban governance will help ensure that the benefits of these forces are maximized while also mitigating potential negative consequences.

Due to urbanization, cities become the centers of ideas and learning's and is often home to active civil society organization concerned with the quality of governance and government. The effective decentralization of political, administrative and financial authority results in more equitable and efficient service delivery, improved policy making through increased public participation in decision making and more accountable local gov't. Moreover, in the absence of clear standards and benchmarks for accountability, decentralization carries the risk of increased local corruption and the misallocation of resources to favor local elites and wealthier populations who have greater political influence than to the urban poor. There is a pressing need, therefore, for greater transparency in local governance in order to increase and improve the quality of public participation, while at the same time enhancing the accountability of local government to its citizens. Promoting transparency at the local level “deepen democracy” by enhancing the quality and frequency of public participation strengthening the sense of civic responsibility and increasing the accountability of representatives.

Transparency and Urban Good Governance

The paper argues that improving transparency can promote cities to participate in the development plan and decision making, enhancing accountability of various actors and stakeholders and improving the quality of urban governance in general. Before analyzing the transparency promotes good governance and one has to clear in mind that what is meant by the term “governance”.

Governance as “the exercise of economic, political and administrative authority to manage a country's affairs at all levels”⁵. It comprises the mechanisms, processes and institutions, through which citizens and groups articulate their interests, exercise their legal rights meet their obligations and mediate their differences”. Governance implies from the definition that governance is broader than government. It is normally described as involving government, civil society and the private sector. In the urban context, it means that the responsibility for

managing a city's affairs is not limited to local government but includes a wide variety of stakeholders including national and regional governments; the private sector; non-government and community-based organization, the media, professional associations and other members of civil society. Transparency in decision making process in institutions has the potential to become a central strategy for engaging stakeholders, combating corruption and improving the quality of urban governance overall. Transparency is recognized as a core principle of good governance.

Transparency and Corruption

Corruption flourishes mainly for two reasons: (a) lack of transparency and (b) delays in operations or functioning. Lack of transparency provides an opportunity for public servants to extract bribes and mislead citizens who have to transact business with them. There is no universally agreed definition of corruption, “corruption means the misuse of office for private gain. The office is a position of trust, where one receives authority in order to act on behalf of an institution, be it private, public, or non profit. The scale of corruption is ranging from “petty corruption” which involves very small amounts of money or minor favors. “Grand corruption” that involves the distortion or corruption of central functions of a government. The end result of it can be the loss of confidence in governance rule of law and hence brings political instability. Some of the negative impact of corruption are (a) undermining of economic growth by diverting the resources to unproductive or inefficient sectors (b) undermining the poverty reduction efforts (c) undermining health, sanitation, other basic services.

If we take corruption particularly in the urban poor context, the cost of bribes relative to their income has a tremendous negative impact on the lives of the poor compared to wealthier segments of the population. Money spent on bribes can reduce resources for shelter, food, water, health and education- the basic rights and necessities of urban life. When one question on the result of corruption, the answer must include that “it is the result of socio economic and governance conditions in a city or a country. Factors such as poverty, scarcity, lack of access to basic services, lack of information overall bureaucratic institutions and low incentives for civil servants increases corruption rate. So improving governance, and enhancing transparency and public participation can go a long way in tackling the problem of corruption at the local level.

Governance approach to promote Transparency

The governance approach to promote transparency at the local level is highly essential for the development point of view. This approach is based on an institutional perspective that sees corruption as primarily a failure of institutions. As UNDP has argued “weak institutions are incapable of supplying society with a framework for competitive process and obstruct the legitimate procedures that link the political and economic areas. Empirical evidence suggests that where competitive political and economic forces are closed out of the system, we are more likely to see corruption than sustain development. In brief UNDP is arguing that corruption undermines the

institutions which are responsible for advancing a country's social and economic goals.

The crucial role for a “governance approach” to transparency is also needed because “A triangular relationship exists between government, capital and civil society. Corruption can take root in all three parties to the relationship. So it is impossible to tackle the issue effectively without participation of all three”.

Here in this section, five strategies for promoting transparency through a good governance system are discussed below:

a) Assessment and Monitoring

Understanding the types and scale of corruption and the degree of transparency at local level, while creating a base-line against which progress in improving transparency can be measured. This strategy is also valuable for increasing public awareness and mobilizing a constituency committed to tackle corruption.

b) Access to Information

Measures to improve stakeholder's access to information so that they may participate in decision making more effectively

c) Ethics and Integrity

The tools for clarifying what is expected from professionals including monitoring mechanisms to ensure that they adhere to their commitments and are punished if they break public trust.

d) Institutional Reforms

It includes both the streamlining and simplification of administrative procedures and structure innovations to promote participation and accountability.

e) Targeting specific issues

Specific issues as entry points for improving transparency. These issues must have potential to promote local development.

Concluding Remarks

Transparency is an important in every approach of governance. Take an example of the allocation of budget for the poverty eradication programme. Huge sums of money are earmarked in every budget by every government for the eradication of poverty but little is achieved in alleviating poverty. The World Bank report of “country procurement” says: files do not move in government offices without bribes. Bribe taking has almost become as legitimate as taking salaries. Corruption is no longer something that needs to be concealed. Officer from low level positions implicated in corruption. The extent of corruption is indeed frightening. Yet it is also a fault that efforts to stop corruption are not insignificant either. The main purpose of the initiative is to create a climate of good governance by reducing the rate of corruption and emphasizing the importance of transparency and accountability in order to achieve sustainable development.

(Mrs. Madhuri Padhi is working with Youth for Social Development as a part time Researcher)

RIGHT TO INFORMATION: AN ANTI-CORRUPTION TOOL

Information is the Oxygen of democracy. A right to information is a weapon to fight corruption, acquire good governance, transparency and fulfillment of human rights in a country. Continuous struggle by the Indian Civil Society through a new act i.e. Right to Information Act (Act No-22 of 2005) was passed in May 2005 and entered into force on October 2005. This act fulfills the freedom of information that allows citizens to know the happenings inside the public agencies. Further the government officials are obliged to proactively provide certain key information even in the absence of a specific request. This article provides a clear picture of need of the RTI Act, its utilization and the process of getting information. This also highlights the functioning of the Orissa Information Commission.

Need of the Right to Information Act

The Right to Information act is needed in each and every sphere of social and economic field. It is very important as a powerful tool for democracy, good governance and protection of human rights . To give information to the citizen according to their requests, it puts government officials and public authorities as the information agent. Most people don't know about government law, procedures, planning, finance, government data and government development projects. This act focused on the issue to disclose about the above information. It also ensures legal action against illegal and corrupt practices. To tackle bureaucratic forces and corrupt officials, the law provides administrative and legal procedures to understand how it can be possible? Need of the act for monitoring and making recommendations to the government for removing obstacles to access to information. It also safeguards the interests of public officials who disclose information against corrupt officers or organization. To maintain efficient record management system to meet public need, the act helps to provide the information about the record. The verification of policies and process of the government, the RTI Act can provide us to give feedback about these matters. In a democratic country people don't have the opportunity to know about appeals, complaints and to get information. So it is necessary on the part of the government to inform them about these issues. The act helps us to get information about the mechanisms through publicity, media, and open hearings, people can know everything with pure details of different schemes and functions.

Right to Information fights Corruption

Information is an important tool to fight against corruption and drive against bribe. Information as the rights of the citizen brings transparency among the government and its officials. It provides what activities are running inside public agencies, how the files move and how the public resources are allocated which directly reflects anti-corruption concerns. This act can be more useful to avoid and deny a bribe asked by public officials how a work can be done, what are the procedures and how many times it take to get the work done or problem resolved. This act can proactively or through a request discloses the detail answer to the above critical questions which reduces bribe taking and also corruption. But the question here is effective implementation of the act and simple, speedy and free procedure to provide information by the

public officials. Chances of refusal should be reduced and justified. The higher authority should justice the citizens against an appeal and an adverse decision. Core information of the public agencies should proactively publish so that the citizens can easily access the services and information.

Utilization of Right to Information

Right to Information Act can be utilized as a tool for democracy. Empowering citizens informed them their choices and democratic rights. It also utilizes to facilitate the marginalized and poor people to get information about the law and procedures. This procedural right to information law has the potential to be utilized as a tool for democracy, protection of human rights and good governance. It is a tool to fight corruption through policy formulation service delivery and resource management decisions. A democratic government uses RTI Act to make available the law and procedures, a fundamental right by which a citizen can know what public officials do with peoples' money. The following are the few examples of use of right to information by the common man to get information.

In Orissa, Baharana and Kunanga villages of Bankhandi Gram Panchayat of Gop block more than 200 women using Right to information Act for getting safe drinking water. The people of Baharana, Murkund, Kunanga, Dasabaita, Sarada villages of Bankhandi gram panchayat near Konark are facing acute drinking water scarcity². The three tube wells are not fit for use in the village. They are using rainwater for drinking and cooking. In summer they walk 2 km to a canal to fetch water. The women of these villages are using their right through RTI Act. They went on a rally to Gop block office and demanded safe drinking water facility in their villages. They deposited 108 RTI application forms at block office submitted a Memorandum to the BDO for obtaining information.

The “Drive against bribe campaign” an anti-corruption campaign was launched on 2 July 2006 across 48 cities involving groups from across society including civil society, the media, businesses and government departments³. The campaign focused on training and encouraging the public to use the Right to Information Act of 2005 to seek information from public service providers. In this connection, it was catching the imagination of the common citizen who pays the bribes at public offices. They also encouraged filing information under the RTI Act to find out the status of their applications.

In many cases the usage of the RTI Act has worked magic. Connections delayed for months on end have been provided within less than a week, garbage not cleared for months are removed every morning and much more. Many problems are being solved by the use of RTI Act. It access information about the details of grants made to government aided schools and ensure funds are spent properly.

The process of getting Information

The information will be obtained through application requested by the applicant under following steps:

The request for information will be either in writing or

¹ United Nations Development Programme

² Tool to Promote Transparency in Local Governance, TI, UN-HABITAT

³ Global Campaign on Urban Governance, UN-HABITAT

⁴ Gonzalez de Asis, Maria (2000)

⁵ United Nations Development Programme

¹ The Right to Information in India, Part- I: The Law, Public Eye, Volume 11, No.2, Public Affairs Centre Bangalore

² The New Indian Express, Bhubaneswar, June 12, 2008

³ The Right to Information in India-Utilization, Public Eye, Volume 11, No.2, Public Affairs Centre Bangalore