

**The Constraints in Policy Implementation; An analytical Perspective of Jammu and Kashmir.****Khursheed Butt****Ph.D Scholar (public Administration)****Department of political science and Public Administration****Vikram University Ujjain, M.P**

“The government, which was designed for the people, has got into the hands of the bosses and their employers, the special interests. An invisible empire has been set up above the forms of democracy.”

— **Woodrow Wilson.**

**Abstract**

Human civilization is the combination of various societies and in every society, there must exist some problems. These problems can hamper economical growth of a particular country. These problems could be in the areas of politics, commerce, education, agriculture, communication, housing, transportation, health etc. In order to address these problems as they might exist at given points in time, government is always seen formulating policies in response to them and in relation to the objectives of growth, national development and well being of the citizens. This is necessary because if attempts are not made to address these problems as they arise, they may degenerate into uncontrollable stages with the society's social-economic growth and development endangered. Today the concept of Governance carries an important ground. It is the use of political authority and use of control over policy matters to achieve the goal of people's welfare and to address various problems of the country. The objective of good governance is to achieve harmony of society, rule of law, economic stability and improved life standards of people and this is done by devising policies. Policy is taken as a choice made by the individuals or groups of individuals that define a line of action. Usually, policies are made or formulated by the legislative arm of the government in both the federal, state or local government tiers and implemented by the public bureaucracy. In most cases, however, it is the public bureaucracy that is saddled with the responsibility of policy implementation. But it has been observed that policy implementation process has become a biggest challenge for developing nations as implementation process gets halt which results in various number of constraints in the way of effective policy implementation. It has been observed that policy implementation is one of the major problems confronting developing nations The present study is an attempt to highlight various constraints in the way of effective policy implementation in Jammu and Kashmir. Finally the paper will suggest various measures for effective policy implementation in Jammu and Kashmir.

Key words:- Policy, implementation, constraints, bureaucracy .

**Research Methodology:**

Research data is collected from both primary and secondary sources in order to make an objective and systematic study of the problem. Primary source include data collected by undertaking field visits and by interacting with general public, administrative officials and political leaders in the state. Secondary sources comprised of data collected from research papers, official gazettes, journals, periodicals, news papers, magazines, internet, official documents, and reference books. The data collected has been systematically analyzed and a well-organized report has been written.

**Introduction:**

Public policy as it is the case in social sciences, does not have generally acceptable definition. This is partly because, the term means different thing to different people. Thus, scholars and policy makers conceptualize public policy implicit in their experience, environmental consideration and objectives they intend to achieve. In spite of this problem, scholars and experts have attempted with fair degree of objectivity to conceptualize the term for concise understanding and intellectual explication. According to Dye, "Public policy is whatever governments choose to do or not to do ... Governments do many things; they regulate conflict within societies; they distribute a great variety of symbolic rewards and material service to members of the society; and they extract money from society, most often in the form of taxes ... Public policy may regulate behaviour, organize bureaucracies, distribute benefits, or extract taxes - or all these things at once..."

The above definition by Dye suggests that public policy is the action of government in addressing identified problems in the state. This action however, is distinguished from the action taken by corporate bodies or agencies in resolving a particular problem (private problem). Thus, such action embarked upon by appropriate and competent governmental agency to address critical problem of public concern, always have far- reaching implication on many individuals and organizations in the state. This position however captures the views of Dror (1968:3) that:

"The major problem with the contemporary public policy making is the constantly widening gap between what is known about policy making and how policy is actually made ... corporations, private institutions, government organizations, all need to have their decision-making tools continually improved..."

Therefore, public policy must be clearly distinguished from what most policy analysts refer to as „empty rhetoric’s“ by those who mischievously found themselves at the seat and Corridors of power (Egonmwan, 1991). Thus, public policy should be conceived as what governments do to improve the

living standard of the people in the state as well as concerted efforts to address the challenges of insecurity, power/electricity failure, poor standard of education, climate change unemployment problems, poor infrastructure, industrial unrest, environmental degradation, among others. Thus, the formulation and implementation of such policies by the government is capable of addressing other socio-economic problems existing in the state. Also, the evaluation of such policies to ascertain if they have been able to achieve the objectives for which they were designed and formulated is another critical step of improving policy making process (Ikelegbe, 1996). Consequently, public policy should be viewed as what governments do rather than what they did not do (Laxmikanth, 2009). This, however, implies that Dye's definition of public policy as whatever government chooses to do or not to do is refuted in this paper. This study perceives public policy as simply the action of the government strategically designed and adopted to resolve issues of public concern. The issues of public concern are those that have far-reaching impacts or implications on the lives of the majority of the citizenry, whether in the developed or developing countries of the contemporary globe.

#### **Policy implementation:**

Implementation has been defined as “the carrying out of a basic policy decision , usually incorporated in a statute but can be in form of important executive orders or court decisions”(mazmanian and sabatier 1983). It has also been defined as those actions by people that are directed at achievement of objectives set forth in the policy decision (van meter and van Horne 1974). Thus Policy implementation is what develops between an intention of the government to do something and its ultimate impact following action (o toole 2000). Implementation is said to commence once goals and objectives have been established by policy decisions and funds committed (van horn and van meter 1974). Implementation involves both organizational systems and processes and actions of members of the organization. Implementation studies are to be found at the intersection of public administration, organizational theory, public management research and political science studies (Schofield and Sausman 2004). Edwards (1980) defines policy implementation as a stage of policy making between the establishment of a policy (such as the passage of a legislative act, the issuing of an executive order, or the promulgation of a regulatory rule) and the consequences of the policy for the people whom it affects. It also involves a wide variety of actions such as issuing and enforcing directives, disbursing funds, making loans, assigning and hiring personnel, etc.

Implementation problem occurs when the desired result on the target beneficiaries is not achieved. Such problem is not restricted to only the developing nations. Wherever and whenever the basic critical factors that are very crucial to implementing public policy are missing, whether in developing or developed nations, there is bound to be implementation problem. These critical factors are communication, resources, dispositions or attitudes, and bureaucratic structure. The four factors operate simultaneously and they interact with each other to aid or hinder policy implementation.

### **Effective factors in Policy implementation**

According to the Mental Health Policy Implementation Guide 2005, there are some important steps for developing policy implementation as comes in the following:

- Local services and local organizations must develop focused definitions of dual diagnosis which reflect local patterns of need and clarify the target group for services;
- Citizens should aware of learning policy implementations;
- All should aware of policy implementation process in their sphere;
- All staff must be trained and equipped to work with dual diagnosis;
- Adequate numbers of staff in crisis resolution, early intervention, community teams and services must also be suitably trained;
- All social economies must map services and need for having good policy and Implementing policy;
- Small and time limited local project teams and substance misuse specialists working should prepare the focused definition together with governance guidelines.

### **Constraints to effective policy implementation in Jammu and Kashmir**

Stripped of all technicalities, implementation problem in Jammu and Kashmir is the problem of a widening gap between intentions and results. Our Central Government is framing various policies for states governments in order to achieve desired goals. These policies are being framed in various sectors like education, health, tourism, transport and social development. Some states of our country have achieved great results by implementing various policies for all round development of the state as well as the country. But when it comes the name of Jammu Kashmir here results are different from other states of India. If we just analyse some public polices like Sarava Shiksha Abhyan (SSA) , Rashtriya Madhyamik Shikhsha Abhiyan (RMSA), Himayat, MNREGA, J&K RTI Act 2009, Toursim policy(Tulip Garden in Kashmir) etc these policies often dissatisfy the public in general. There is wide spread dissatisfaction against these

policies. It clearly defines faulty bureaucracy and political executives which are responsible for policy making and policy implementation. Bureaucracy is known and desired essentially for its reliability, efficiency, speed, dependability and effectiveness in implementing policies. This is what it actually is, to a very reasonable extent, in developed nations. In Jammu and Kashmir, the bureaucracy appears to be obviously far from being such as its operations and activities is very much fraught with some challenges arising from the existence of certain negative factors and circumstances. Key among these factors include the followings:-

1. Transparency International, the Berlin based watchdog, has declared Jammu and Kashmir as the most corrupt state of India. This is the biggest problem in Jammu and Kashmir as last decade has observed constant growth in corruption. The bureaucracy in Jammu and Kashmir is dominated by corrupt leadership. The leadership corruption, and ineptitude, for instance, affects the content and quality of policy at formulation stage. For instance, policies are, more often than not, made for purposes of the selfish and egoistic interest of the political leaders and sometimes only to attract public acclaim and attention with less regard to their appropriateness in addressing given problems or the possibility of their effective practical implementation by the public bureaucracy. Indeed, most policy making goals in Jammu and Kashmir are subordinated to the personal rewards and interests of the political leaders and their colleagues with the result that a policy is judged more on its political merits with the real development need rarely factored into consideration. For these, most policies in Jammu and Kashmir are either inappropriate or lack well defined objectives and programmes for their effective implementation.

For instance, Rashtriya Madhyamik Shiksha Abhiyan (RMSA) was implemented in 2009 and from 2009 to 2012, 526 middle schools were upgraded to high school level in J&K (259 schools in Kashmir and 267 in Jammu) under the scheme but the posts in the upgraded schools are yet to be filled. According to official sources, the upgradation of schools has resulted in creation of 4700 vacancies including 526 posts of headmasters, 3132 posts of subject specific masters, 526 posts of junior assistants and 526 posts of lab assistants in the state. As per RMSA guidelines, each school upgraded in 2010-11 will get 7 post-graduate subject specific masters while as each school upgraded in 2011-2012 will get 5 subject specific post graduate masters. The scheme was launched by the Department of School Education & Literacy, Ministry of Human Resource Development, Government of India in March 2009, in order to enhance access to secondary education and to improve its quality by upgrading both infrastructure and staff. According to provisions of the scheme, both the school and the staff of the upgraded schools should be elevated and for the purpose, center and state will provide funds in the ratio of 75:25.

After the implementation of scheme in the state, most of the schools upgraded in the valley are without proper infrastructure and staff, which is taking a heavy toll in proper functioning of the upgraded schools. "Due to lack of necessary teaching staff, the students of these schools are the worst hit, and it clearly defines the failure of said policy in implementation.

2. Another critical factor inhibiting effective implementation of policies in Jammu and Kashmir is that some agencies or institutions saddled with the responsibility of implementing given policies do not possess the requisite manpower and financial resources to effectively implement them. On the issue of inadequate resources, for instance, Government, sometimes, do not budget adequately to enable the public bureaucracy properly implement formulated policies. Indeed, to effectively implement policies, the implementing agency needs resources inadequate and timely manner and such not being the case in Jammu and Kashmir explains, in part, the failure of certain public policies to achieve desirable ends. Sometimes, though, government gives out sufficient fund but the corrupt activities within the public bureaucratic organizations do not allow for its judicious use to effectively execute policy programs. In any case, insufficient financial resources have resulted to situations where laws could not be enforced, services were not provided and reasonable regulation not developed and applied. For instance, Government of India is implementing a number of Centrally Sponsored Schemes (CSS) in the areas of rural development, urban development, health and family welfare, education, agriculture, women and child development, sanitation, housing, safe drinking water, irrigation, transport, border area development, social welfare throughout the Country, including Jammu and Kashmir. The main objectives of all these schemes are to generate employment, reduce poverty & economic inequality and improve the quality of life. Besides, some of these schemes aim at creation of basic infrastructure and assets essential for economic development in rural areas. Despite of the fact that huge allocations have been made by the Central Government through Centrally Sponsored Programme of ICDS in Jammu and Kashmir, the development in basic infrastructure and improvements in amenities/facilities has been inadequate, especially in rural areas of the state.

3. Another constraining factor to effective policy implementation in Jammu and Kashmir is undue pervasive political influence on the public bureaucracy. Usually, the political leaders formulate policies and as well control and direct the implementation activities of the policy. This situation is not proper as such control and directive are mostly motivated by selfish personal or political interests. Indeed, the bureaucracy cannot effectively implement policies and meaningfully contribute to national development if it is fettered, controlled and directed by political authorities. This is more so as in extreme cases of such political control, in Jammu and Kashmir, the bureaucrats are not even allowed to take decisions or

actions on basic routine administrative matters without consultation and the consent of relevant political authorities. In this process, much time and energy is wasted and prompt actions required for effective implementation of policies hampered. For instance, in order to boost tourism industry of Jammu and Kashmir, Asia largest tulip garden was developed in Kashmir valley. No doubt this garden attracts thousands of people to move towards Kashmir. But the biggest industry associated with this tulip garden is floriculture sector of Jammu and Kashmir. Every year almost 3 lac tulip bulbs (seed) are being imported from Holland in order to sow these tulip bulbs so that tulip flowers can bloom in order to boost the tourism industry of Jammu and Kashmir. But the most surprising thing is that the same tulip seed can be best propagated in Kashmir because of suitable climate conditions for seed propagation of floriculture industry. Experts from Holland have declared Kashmir as the best place for flower seed propagation. But in Jammu and Kashmir political direction is always for their personal interests as they are getting huge bribe by importing these bulbs from Holland as bureaucrats are not allowed to take decisions in this matter.

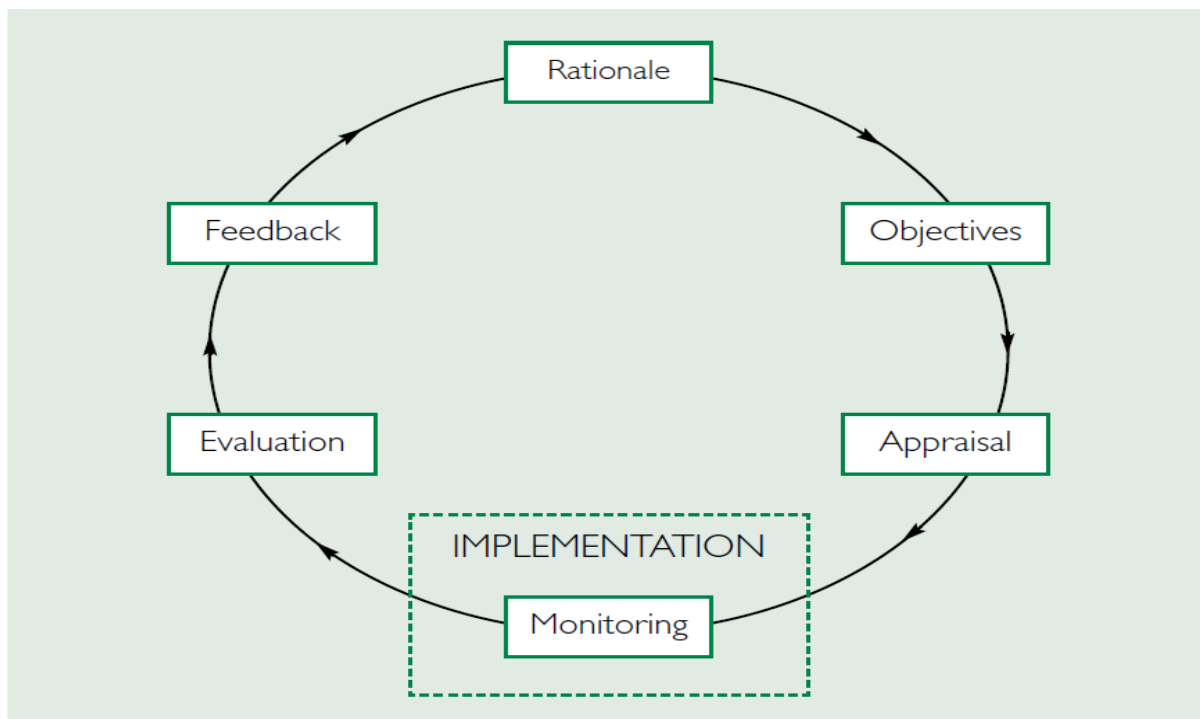
4. Another factor that constitutes an obstacles for the bureaucracy in effectively implementing policies is the over ambitions nature of some public policies in Jammu and Kashmir. Some policies actually tend to be over ambitions, sweeping and overly fundamental in nature. In most cases, the formulation of such over ambitions policies is not even borne out of genuine or sincere effort to bring about rapid and radical development but just to boast the ego of the political leaders. An example of such policies is policies having as their basic objectives the provision of free education or free health services to all the citizens or the total eradication of poverty amongst the citizens. For such policies, there are usually inadequate resources (men and materials) for the public bureaucracy to effectively implement them. For instance, the policy of free education and free health services for all in some states in Jammu and Kashmir have witnessed such very ineffective implementation resulting in deterioration in quality and standard of service that some people prefer to send their children to private primary and secondary schools and to seek medical services from private hospitals, even though their service fees are very high.

#### **Suggestions for developing effective policy implementation**

There are some applicable suggestions for developing policy implementation. Some are summed as:-

1. Exploring and discussing contemporary issues affecting policy implementation.
2. Recognizing and interpreting the requirements.
3. Identifying and interpreting best practice implementation planning, resourcing, monitoring, evaluating, sustaining and learning.
4. Exploring tools and techniques for transforming policy.

5. Managing stakeholder expectations.
6. Developing skills and behaviours to lead policy implementation.
7. Attention should be paid to both the manpower and financial resources which will be needed to implement the policy.
8. There must be effective communication between the target beneficiaries and the implementers of policy programmes.
9. The ROAMEF policy cycle developed by United Kingdom, should be also used for Public policy Analysis. In this 'ROAMEF' cycle, each stage follows on rationally from the previous one, so that a rationale is developed, then objectives are set, then options are appraised. The ROAMEF cycle presents policy making as a controllable sequence where 'the government' produces a 'policy' that addresses a clear goal. The policy represents a set of planned actions that are then implemented, with monitoring to assess the extent to which the goal was fulfilled. The framework is technocratic, with politics, values and events seen as external 'noise' that needs to be minimised.(fig 1).



(fig.1) The ROAMEF policy cycle: Source: HM Treasury, The Green Book, 2003



**Conclusion:**

Policy implementation in Jammu and Kashmir seems to be a challenging task. Yet, despite over a decade of sustained efforts to improve policy implementations, civil servants, politicians and academics continue to express concerns about the way policy is made, and whether it is ready to meet future challenges. These concerns need to be taken seriously. The strength of policy implementation is integral to the strength of government as a whole, and that of the country at large. When policies fail, the costs (whether monetary or otherwise) can be significant. Past experiences in Jammu and Kashmir reveal that there is great need to reform Public Policy Analysis system. Government of Jammu and Kashmir need to embark on a programme for improving working conditions of the public bureaucrats as this will help to build their morale, dedication and commitment to implementing policies. Specifically, an improvement in pay packages will, for instance, significantly diminish the corruption tendencies among the public bureaucrats in and hence allow for the proper use of allocated fund for implementing policies.

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