

- **Improving integration and the flow of knowledge from outside the government:** There is need to create structures which ensure the availability to policy-makers of non-Governmental inputs and subject matter expertise.
- **Assessing inter-sectoral impact:** Policy-making processes and structures should ensure the gathering of information on inter-sectoral impacts, the analysis of trade-offs, and fully informed choices between alternatives after a proper consideration of effects on different sectors

In addition, government should engage civil society groups and informed citizens in the formulation and feedback process. Timely monitoring and evaluation process should be in place.

**10. An important aspect of curtailing corruption is to minimize the discretionary powers available to government officers. Analyze. Also, suggest ways in which this can be achieved.**

**Approach:**

- Give a brief background of discretionary powers and the reasons for their existence.
- Analyze the link between discretionary powers and corruption.
- Discuss the various controlling mechanisms in place and suggest measures to curtail their misuse.

**Answer:**

Legislation conferring powers on the executive is usually drafted in broad and general terms. This leaves large area of choice to the administrator to apply the law to actual, specific and factual situations, i.e. from case to case. "Discretionary powers" arise due to the necessity to individualize the exercise of power by the administration.

Discretionary power enables the official to evaluate situations according to their own subjective knowledge and understanding. Hence, it gives leeway to use as well as abuse and misuse of such powers. This may lead to despotism and arbitrariness. Discretion breeds corruption in one form or the other as:

- It gives opportunity to nepotism and bribery to creep in. For example, in cases of a lack of fixed criteria there is misuse of discretionary power during Interview for the selection lower staffs.
- Personal prejudice and favors often lead to irrational decisions. For example handling law and order situation involving social or religious conflicts.
- It may lead to officials violating the fundamental rights of citizens. For example, misuse of police power to arrest, search and seizure, checking license etc.
- It may lead to financial indiscipline and irregularities in the administrative works.

However, discretionary powers are a necessary evil due to the complexity and varied nature of present day problems, which do not fall within the straight jacket formula of general rules. Even though controlling mechanisms both at internal (administrative review by superior officers) as well as external (legislative and judicial control along with media checks) levels are already in place, yet more needs to be done.

**Ways through which misuse of discretionary powers of government officers can be minimized:**

- Supervisory officers to carry out inspections and specifically comment on how an officer has used her discretionary powers.
- Adequate weightage to be given to the performance appraisal system in promotions.
- Precise legal drafting to avoid vague interpretation
- When violations of norms are noticed, damages must be awarded to the citizen for the wrong suffered, upholding personal responsibility of the official concerned.
- Foundational and in-service training courses could lay more emphasis on the norms to be observed when such powers are invoked.