
UNIT 3 PUBLIC POLICY PROCESS IN INDIA: FORMULATION AND IMPLEMENTATION*

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3.0 OBJECTIVES

After reading this Unit, you should be able to:

- Understand the policy process as a system;
- Describe the policy-making process in India;
- Discuss the problems of implementation of public policy; and
- Highlight issues related to policy formulation.

3.1 INTRODUCTION

Policy-making is a continuing process. It does not come to an end once a policy is approved or adopted. As Anderson observes: “Policy is being made as it is being administered and administered as it is being made” (Anderson, 1975). Yet,

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each stage or phase of the policy process -formulation, implementation, evaluation-differs from the other.

The policy process consists of stages of policy activity such as formulation, implementation and evaluation. Birkland observes that ‘policy process’ is a “system that translates policy ideas into formulation, implementation, evaluation actual policies that are implemented and have positive effects” (Birkland, 2011). For example, the main characteristics of the Eastonian (systems) model is that of viewing policy process in terms of received inputs (demand, support), in the form of flows from the environment, mediated through input channels (interest groups, media); demands within the political system (with inputs) and their conversion into policy outputs.

3.2 STAGES IN THE POLICY PROCESS

Thomas Dye (2004) sets out the following stages in his analysis of the policy process:

- 1) Problem Identification: The identification of policy problems through demands for government action.
- 2) Agenda Setting: Focusing the attention of the mass media and public officials on specific public problems as a prelude to decision making.
- 3) Policy Formulation: The development of policy proposals by interest groups, officers of the chief executive’s office, committees of the legislature, think tanks, etc.
- 4) Policy Legitimation: The selection and enactment of policies through political actions by the executive, the legislature, and the courts.
- 5) Policy Implementation: The implementation of policies through organised bureaucracies, public expenditures, and the activities of executive agencies.
- 6) Policy Evaluation: The evaluation of policies by government agencies themselves, outside consultants, the press, and the public.

Hogwood and Gunn (Policy Analysis for the Real World, 1984) have identified nine important stages in the policy process: deciding to decide (agenda setting), deciding how to decide (issue filtration), issue definition, forecasting, setting objectives and priorities, options analysis, policy implementation, monitoring and control, evaluation and review and policy maintenance, succession and termination.

The policy cycle of May and Wildavsky (1978) includes agenda-setting, issue analysis, implementation, evaluation and termination. Similarly, James Anderson has also dealt with description of the policy process. His model of the policy process has five stages: (i) problem identification, and agenda formulation (ii) formulation, (iii) adoption, (iv) implementation, and (v) evaluation (Anderson, 1984).

There are basic linkages in a policy framework for the systematic analysis of information and its use in a policy-related context. The basis to the framework is information for policy analysis, which is derived from system or programme performance in terms of interaction among:

- inputs, which indicate needs and demands
- processes concerning the provision of services for long-term care
- outputs in terms of the use of services and cost of care
- outcomes, which identify the end results of certain courses of action.

For example, in the context of the National Health Policy (2017), the inputs (in terms of need and demands) comprise health, illness, and the quality of life, expressed in physical, psychological, social, and environmental terms. Needs are the conditions that call for action. They are among the most important predictors of utilisation, and are mostly described in terms of diagnosis, functional limitation, perceived illness, symptoms, or poor health status. On the other hand, demands are expressed as desires in relation to the services sought, whether they are needed or not. Other inputs include resources, such as manpower (doctors, nurses, and para-medical staff) hospitals, primary health centres, medical equipment and facilities, medicine, and performance standards.

On the process linkage, it is concerned with the delivery of services to meet the needs and demands of clients and professionals. Services are described in such terms as their types, delivery, management and controls of cost and quality. Other services include supports such as legal aid, income support, consumer education, and professional development. The outputs of service related programmes are described in terms of the use of those services, the costs and the quality of care. Finally, the outcomes are the responses to the services expressed in terms of the levels of well-being and health, and client and professional satisfaction that are attained as a result. The foregoing analytical framework facilitates programme evaluation, which is expected to lead to rational policies and decisions about health services. In the next section, we will describe the various stages in policy process.

3.2.1 Identifying Underlying Problem

For an analytic approach, the first step is to identify whether and why there is a problem at all. Defining the problem involves moving from mundane descriptions to a more abstract, conceptual plane. Here, an attempt is made to diagnose the form of market failure that is confronted. For example, an environmentalist who is investigating alternative pollution control measures for the Ganges will find that the water is being polluted by the dumping of industrial wastes and untreated sewage into the river. Having identified the context of the problem, the next step is to determine what objectives are to be achieved in tackling the issue. Too often, we lose sight of the basic objectives. Paying careful attention to the objectives is, therefore, important. For example, the provision of the services of doctors is merely a means to the end of improving people's health.

3.2.2 Determining Policy Alternatives

The next step is to determine alternative courses of action. Government intervention can take any form. It is important to determine which kind of intervention is most positive in a given situation.

In the case of pollution of the Ganges, consider the following possibilities:

- i) Abutters in some catchments or adjoining areas of the river might be put under an obligation by the government to clean water. The government would then have the right to sue a polluter.

- ii) The government may require the industrialists concerned, and urban dwellers concerned to stop dumping waste and untreated sewage into the river. It may otherwise impose restrictions on them on the quantity of dumping. The government may permit polluters to purchase rights to discharge a certain amount of pollutants. Polluters may be required to pay effluent charges and to install pollution control devices.
- iii) The state government or the local authority itself can directly undertake the work of cleaning and removing the pollutants that others dump.

These are some of the alternatives for pollution control. As difficulties are identified and additional information becomes available, refinement of alternative courses of action will continue throughout the analysis. Determining alternatives for policy choice generally requires expertise or special knowledge in the relevant areas.

3.2.3 Forecasting and Evaluating Alternatives

Having identified the underlying problem and having determined the alternatives for policy choice, the policy analyst evaluates the consequences of each of the alternatives. For this, he will turn to a relevant model for forecasting consequences. In the case of the pollution control problem, the models needed would be far more complex. It is necessary here to predict all the effects of the proposed policies, not just the economic effects desired by the decision-maker.

If the consequences of an alternative course of action are uncertain, and especially if the possible outcomes differ widely from one another, the analyst may wish to develop a decision tree and evaluate the probability of each outcome. Very often it is difficult to have a rational policy choice unless the relative merits of alternative options are analysed systematically. The costs involved in regulation and administration needs to be evaluated. Evaluation of the outcomes is of great importance as it reminds us to look carefully at the cost-benefit analysis of a particular policy choice.

3.2.4 Policy Selection

The next step in policy analysis relates to making the preferred choice (course of action). The situation may be so simple for the policy-maker that he can simply look at the consequences predicted for each alternative and select the one that is best. In contrast, it may be so complex that the policy analyst will have to set out the order of preferences among the various possible outcomes, that is, in terms of how different sets of stakeholders might respond to the possible choices and their outcomes.

The policy process may be represented in a diagrammatic form, as shown in figure 3.1. It has been observed that countless policy studies have led nowhere. Sometimes the fault is attributed to the public decision-makers who do not take advantage of readily accessible data. Too often, it is the analysts themselves who have to share a major portion of the blame when things go wrong. But, by enhancing the capability of the analyst to forecast the consequences of the alternative courses of actions, and providing a framework for evaluating those consequences, the techniques of policy analysis lead to better decisions and policies.

3.2.5 Policy Implementation (Policy Action)

In the final analysis, the success of public administration can be measured only in relation to the implementation of policies. Policy implementation is of critical importance to the success of government. However good the political system, however noble the goals, however sound the organisational system, no policies can succeed if the implementation is poor.

In its most general form, implementation is a phase between a policy statement and operation. It seeks to determine whether an organisation is able to carry out and achieve the stated objectives of its policies. The exercise involves developing and pursuing a strategy of organisation and management to ensure that the policy process is completed with the minimum of delays, cost overruns and problems. More specifically, the task of implementation is to form a bridge that allows the objectives of public policies to be achieved as outcomes of governmental activity. It involves the creation of a policy delivery system in which specific mechanisms are designed and pursued in the hope of reaching particular ends.

Constraints in Policy Implementation

Policies can become very difficult to implement if the implementers are not given sufficient autonomy and flexibility in carrying out their tasks. Political pressures in a democratic context constitute a major constraint. A third constraint is that the bureaucracy does not have the necessary professional skills needed for the implementation of the policies. Lack of resources, such as personnel, financial and technical, also becomes a hindrance in the implementation of public policy. Another problem in policy implementation might arise due to lack of response from the target groups. Sometimes, people do not evince adequate interest in the implementation of a programme; because they may not be aware of the objectives and goals of a programme. Lack of people's participation often upsets implementation.

3.2.6 Policy Monitoring

Monitoring is essentially a subset of the implementation process. It is an activity which occurs in the course of implementing a policy or programme. It is in the process of monitoring that the implementer actually gets to begin seeing the results of policy. The objective of policy monitoring is to ensure through the policy implementation process that resource inputs are used as efficiently as possible to yield intended results. The standards which are used for both efficiency of resource utilisation and effectiveness of policy implementation are inherent in the policy-making process. The monitor has to be able to appraise resource use, technical activities and policy implementation results with an amount of detail which permits him to make changes or corrections when necessary.

An effective monitoring of public policies aids in cost reduction, time saving and effective resource utilisation. The key issue in monitoring is to create an information system that enables policy makers and policy implementers to make timely decisions and policies. Therefore, it is important that monitoring and control processes should be given due importance and be designed properly.

One of the serious problems in monitoring relates to poor design of the implementing system. Second, time is a constraint for policy monitoring. Too

often, the implementing staff feels so pressed to achieve results that they take shortcuts and avoid monitoring and control. Third, a common constraint for the policy implementation manager is the shortage of corrective actions, which would be applied when the programme is found to be deviating in some respect from projected performance. Fourth, a pervasive obstacle to policy monitoring is ignorance about its role and methods. This is often due to lack of requisite skills on the part of the key functionaries.

3.2.7 Policy Outcomes

The next stage in the policy cycle is the policy outcomes. They are different from outputs. Policy outputs are the actual decisions of the implementers. The concept of outcomes lays stress on what actually happens to the target groups intended to be affected by the policy. If the intended changes on target groups do not occur, something is wrong. State housing schemes for the poor may be used to illustrate this point. Although one can find the fulfilment of targets, including the physical presence of houses, it was observed that in a majority of the instances the beneficiaries chose not to occupy them because they were not to their liking in terms of the size, ambience or quality of construction or some other deficiencies. The policy outputs were achieved, but not the outcomes.

3.2.8 Policy Evaluation

The final stage of the policy process, in the sequential pattern of activities, is the evaluation of policy. Evaluation is concerned with what happens, once a policy has been put into effect. It is an assessment of the overall effectiveness of a programme in meeting its objectives, or assessment of the relative effectiveness of programmes in meeting the expected objectives.

Evaluation performs several functions in policy analysis. In the first place, it provides reliable information about policy performance. It measures the impact of policies on society. It reveals the extent to which particular goals have been achieved (for example, increase in the life expectancy at birth). It also helps us to understand the degree to which policy issues have been resolved. Secondly, evaluation helps clarify the values that underline the selection of goals and objectives. Thirdly, evaluation may result in efforts to restructure policy problems. It may also contribute to the emergence of new goals and potential solutions. Evaluation during the implementation process of a policy might suggest its termination of the political together. In short, evaluation is primarily an effort to analyse policy outcomes in terms of the set objectives. It is, therefore, helpful in bringing out the utility of the policies under consideration.

3.2.9 Design of Evaluation

Evaluating a public programme involves the listing of the goals of the programme, measuring the degree to which these goals have been achieved, and finally, suggesting changes that might bring the performance of the organisation more in line with the intended purposes of the programme. Evaluation has a sensitive side of it. It may sometimes become a point of conflict or reinforce pre-existing conflicts. Negative evaluation of the performance of a public programme may result in its termination. The content of an evaluation, the goals that are contained in it, and even the organisation performing the functions, all of them will affect the final assessment. Therefore, there is a need for a careful design of evaluation

work by competent persons. This requires adequate information feedback, resources and political will.

3.3 FORMULATION OF PUBLIC POLICY

3.3.1 Constitutional Framework for Policy-Making

Policy-making in India is shaped within the framework of the constitutional system, of which four features stand out most prominently: democratic and sovereign republic, parliamentary system, the federal character of the Constitution and a broad socio-economic philosophy - reflected especially in the preamble, the chapters on Fundamental Rights and the Directive Principles of the state policy.

3.3.2 Institutional Factors

In addition to these four constitutional factors there are other factors that govern policy-making in India.

Legislature

Parliament in India is the supreme public policy-making body. It reigns supreme because the council of ministers headed by the Prime Minister is dependent upon the support of a parliamentary majority to remain in force. It enacts laws which will bring the policies into effect. It also legitimises the policy decisions of the government.

In reality, however, it does not reign supreme. It does not determine policies except in a formal sense. It influences public policies through general discussions and debates. Most of the legislation in India is prepared within the executive and introduced in the legislature by the minister concerned. The executive is assured of a legislative majority for the policy proposals it presents.

Executive

It is the constitutional task of the executive to decide the policies which are to be submitted to Parliament. The executive at the Union level in India consists of the President of India, the Council of Ministers and the machinery of government. The main bodies engaged in policy formulation in the executive are:

- i) **Cabinet:** The real executive is the Council of Ministers consisting of the Prime Minister, cabinet ministers, ministers of state and the deputy ministers. It is well-known that the Council itself hardly meets, and all the policy functions are performed by the Cabinet.
- ii) **The Prime Minister:** Within the Council of Ministers in general and the cabinet in particular, the Prime Minister enjoys a special position in the realm of policy-making. The Prime Minister is expected to exercise control over the cabinet decision-making process.
- iii) **Secretariat-Department and Ministry:** The secretariat is an administrative organisation to assist the government in the discharge of its executive and legislative responsibilities. It is a complex of departments and ministries whose administrative heads are known as secretaries and whose political

heads are the ministers. The secretary acts as the chief adviser to the minister. He assists the minister(s) in the formulation of public policies. As policies can be framed only on the basis of availability and adequacy of data, the secretariat makes relevant information available to the minister, thus helping him to formulate policies.

Judiciary

The judiciary in India also plays a constructive role in shaping and influencing public policies in two ways: a) by its power of judicial review, and b) judicial decisions.

The Constitution empowers the Supreme Court, and High Courts at the state levels to exercise a judicial review of legislation. Judicial review is the power of the courts to determine the constitutionality of actions of the legislature and the executive. They are not only specifying the government's limits with regard to certain actions, but also stating what it must do to promote public interest. Besides, the higher judiciary is also exercising its influence through its decisions in Public Interest Litigation cases.

3.3.3 Non-Governmental Institutions

Some non-governmental organisations such as political parties, pressure groups, media and citizenry are also informal participants in the policy process. Their views and influence are of critical value to the policy-making process.

Political Parties and Pressure Groups

The pressure exerted by pressure groups and political parties is an important factor in the making of policies. The political parties provide impetus to policies through their election manifestoes, and by enlisting support at the time of elections. Pressure groups strive to influence the decisions of the government in manifold ways. Often, these groups are found to have conflicting values on a particular policy issue. Obviously, well-organised and active pressure groups have more influence than groups whose members are poorly organised and inarticulate.

The Individual Citizen and the Media

The people initiate the process of legislation and policy-making by voting for candidates with specific policy preferences. A democratic government is supposed to reflect the wishes of the people. Yet, in reality citizen's participation in policy-making is very negligible. Acting alone, the individual citizen is rarely a significant political force. The media can also influence public opinion in a situation. Media influence, however, depends upon the level of responsiveness from the government.

External Agencies Influencing Policy

External agencies and non-state actors are an important source in the initiation of new public policies or modification of pre-existing policies, especially in Third World countries like India. They include agencies such as the United Nations and its allied agencies (WHO, ILO, UNEP, UNDP, etc.) the World Bank, the International Monetary Fund, the Organisation for Economic Cooperation and Development (OECD) and other multilateral agencies is of critical importance in shaping policy outcomes.

Check Your Progress 1

Note: I) Use the space given below for your answers.

ii) Check your answers with those given at the end of the Unit.

1) Explain major stages in a policy cycle.

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2) Bring to light major constitutional factors governing policy-making.

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3.4 POLICY IMPLEMENTATION

3.4.1 Importance and Meaning

In the final analysis, the success of public administration for development can be measured only in relation to the implementation of policies. Implementation determines the extent to which an organisation is able to carry out and achieve the stated objectives. It involves developing and pursuing a strategy to ensure that the policy process is completed with the minimum of delays, costs and problems. Implementation involves the “creation of a policy delivery system in which specific mechanisms are designed and pursued in the hope of reaching particular ends”. Thus, public policies in the form of statement of goals and objectives are put into action-programmes that aim to realise the ends stated in the policy.

Putting policy into effect involves not the end of policy-making, but a continuation of policy-making by other means. At the minimum, implementation requires:

- 1) adequate personnel and the financial resources to implement the policy;
- 2) the administrative capability to achieve the desired policy goals; and
- 3) support from the legislative, executive and judicial wings of the government for the successful implementation of policy.

3.4.2 Implementers

Public policies in India, as in other countries, are implemented by a complex system of administrative organisations and agencies. The main agency which implements government activities and public policies is the bureaucracy. This is

an important institution which performs most of the day-to-day work of government. It is the bureaucracy which controls the personnel, money and other resources of the government, and has legal authority for their deployment. Since so much power and control over implementation is held by the bureaucracy the legislature, the chief executive and judiciary set limits to its discretion and indirectly control its excesses, if any. Though discretion and delegation are inevitable in a complex policy apparatus specific strategies exist to exercise control over bureaucracy's operations if things go wrong. In the process the legislature and the judiciary tend to participate in policy implementation.

3.4.3 Conditions for Successful Implementation

Implementation is seen varying along a continuum ranging from most successful to failure. Successful implementation involves many operations and procedures as well as time and resources. Sabatier and Mazmanian (1979) identify five conditions for effective policy implementation. These are:

- 1) The programme is based on sound assumptions relating changes in target group behaviour in consonance with the programme objectives.
- 2) Unambiguous policy directives and structures of the implementation process to enable target groups to maximise their performance.
- 3) The leaders of the implementation agencies possess substantial managerial and political skill and are committed to statutory goals.
- 4) The programme is actively supported by organised groups and by a few key legislators (or the chief executive) throughout the implementation process, with the judiciary being neutral or supportive.
- 5) The relative priority of statutory objectives is not significantly undermined over time by the emergence of conflicting public policies or by change in relevant socio-economic conditions.

Policy-making does not end once a decision is reached. The implementation of a decision is just as important as the policy itself. No policy formulator can assume that decisions will automatically be implemented as envisioned. Policy implementation requires a wide variety of actions, including,

- a) issuing policy directives that are clear and consistent;
- b) creating organisational units and assigning personnel with the information and authority necessary to administer the policies;
- c) coordinating personnel resources and expenditures to ensure benefit to target groups; and
- d) evaluating implemental actions of the personnel.

None of these steps is easy. The implementation of policy thus involves not the end of policy-making, but a continuation of policy-making by other means.

3.5 POLICY-MAKING PROCESS IN INDIA

Policy-making is a vital function at all levels of government in India. For the conduct of government business, certain rules have been framed under Article

77(3) of the Constitution. The Rules of Business govern the procedure for decision-making and within the ambit of these rules, policy decisions are taken by the Council of Ministers, particularly by the cabinet. But nowhere in the rules does there seem to be any distinction drawn between those decisions which are concerned with policy and those that are not. Policy and administration are intimately related and are an integral part of executive government. Indeed, it may be said that some important decisions on policy are often taken informally. The Prime Minister or a particular colleague, if he is confident of being able to carry a particular policy through, may announce a decision, either in parliament or in public. However, this is not frequent, especially in a coalition government.

The cabinet makes use of the committee system to facilitate decision making in specific areas. Depending upon the membership of any cabinet committee, its decision is either final on behalf of the government, or its decision may be placed before the full cabinet committee for ratification. A vast number of decisions are, of course, taken by individual ministers within the ambit of the rules for the business of the government and these are considered as authoritative decisions of the government. It often depends upon the personality and political image of a minister as to what matters he will decide, and what he will refer to the Prime Minister or to the cabinet. But the cabinet as a whole has to be persuaded of the rightness of such decisions. It is, therefore, observed that cabinet decisions are taken by the Prime Minister together with the minister concerned.

Technically speaking, most of the decisions on various matters involving policy issues of less importance are taken by the administrative secretaries or committee of secretaries some of which service a cabinet committee. The secretary to government in the particular ministry, senior civil servants of the ministry, heads of government departments and other officials at levels below the departmental heads are vested, in specific matters, with delegated authority. For the conduct of government business, there are large volumes of departmental rules of procedure and of guidance in the making of decisions in each particular agency. Where a matter is seen to be of concern or interest to a ministry or department other than the one in which it is being considered, it is incumbent upon the former to consult the affected ministry or department at the appropriate levels.

This is a somewhat sketchy account of the policy making process and decision-making procedures. In a complex system such as the Union government or that of a State government in India, a vast number of social, political, economic and administrative factors influence the choice of a policy. The election manifesto of the political party in power, interest groups, political parties, the administrative and judicial courts, the NITI Aayog, the Goods and Service Tax Council, a system of centre-state consultations, international agencies or other non-state actors and many other institutions have functions with a direct or indirect bearing on policy-making. Thus, within the constitutional ambit, these institutions or their decisions may exercise influence on government policy. The extent of influence may vary, depending upon a wide range of contextual factors. The policy-making process has, to a large extent, been regarded, by David Easton, as a 'black box' which converts demands into policies but whose structure is seen to be unknown and inaccessible to observation.

Policy-making is "an extremely complex analytical and political process to which there is no beginning or end and the boundaries of which are most uncertain" (Lindblom, 1968). Somehow, a complex set of forces engage in 'policy-making',

and taken as a whole, produce effects, called policies. The Parliament is empowered by the Indian Constitution with the function of representing the people in making policy through the passing of laws. The legislative process is, therefore, a fundamental mechanism for expressing public policy. At the same time, legislation permits more specific policy-making by the executive branch of the government within the legislative and constitutional framework, and the review functions of the judiciary.

Check Your Progress 2

Note: i) Use the space given below for your answers.

ii) Check your answers with those given at the end of the Unit.

- 1) Discuss major conditions identified for effective policy implementation.

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- 2) Describe the policy-making process in India.

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3.6 CONCLUSION

The use of the policy process can bring benefits to the analysis of public policy. Perhaps more attention could have been paid to implementation and policy evaluation. As with any set of headings, it can guide or suggest things to be looked at, in an orderly manner, when someone in government is faced with a particular policy problem. It is even possible that the results of the analysis, based on a policy cycle, may be better than without one. In methods according to the steps in analysis is more than a method or techniques. It is a way of thinking about problems, of organising data, and of presenting findings. Policy analysis develops their own styles and their personalised ways of orchestrating information. However, we believe beginning analysts can develop a set of basic skills and a general approach that will provide a foundation for analytical development”.

Policy-making in a federal system like ours often tends to be complex. The constitutional order sets the parameters of the policy-making process. The Constitution asserts that policy-making should be deliberative. Federalism makes sweeping national changes in policy decisions more arduous lengthy constitution and the maze of laws are mainly responsible for litigation as well as slowness with regard to policy making and implementation.

3.7 GLOSSARY

Problem: The term usually refers to an undesirable situation that according to people or interest groups can be alleviated by government action.

Policy analysis: Policy analysis as a data-based technique, which is put to use in estimating and measuring the consequences of public policies. Its purpose is two fold: it provides maximum information with minimal cost about i) the likely consequences of proposed policies; and ii) the actual consequences of the policies already adopted, The dictionary of Public Administration defines policy analysis as a systematic and data-based alternative to intuitive judgements about the effects of policy or policy options. It is also used for problem assessment and monitoring, as a 'before the fact' decision tool, and for evaluation.

Policy Implementation: Implementation is a process of interaction between the setting of goals and actions geared to achieve them. In simple words, it is putting policy into effect.

Public Interest: Broadly it refers to broader desires and needs of the public in whose name a policy is made.

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3.9 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) Your answer should include the following points:
 - Problem Identification
 - Agenda Setting
 - Policy Formulation
 - Policy Legitimation
 - Policy Implementation
 - Policy Evaluation
- 2) Your answer should include the following points:
 - Legislature
 - Executive
 - Judiciary

Check Your Progress Exercise 2

- 1) Your answer should include the following points:
 - Programme based on sound assumptions
 - Unambiguous policy directives
 - Substantial managerial and political skills of the implementers
 - Active support of organised groups
 - Relative priority of statutory objectives
- 2) Your answer should include the following points:
 - Formulation and implementation process
 - Constitutional implications