

GOVERNANCE

↓ G.G

Reason

↓
POOR GOVERNANCE

Client-Oriented

→ Rule of Law ✓

Public Sector Mgt

In the Govt. Sector managerial tools & techniques

Customers shall be satisfied

Efficiency
Economy
Effectiveness

Important Aspects of Governance

- RoL
- Acc
- Tran.
- Responsive
- Participation

- ✓ → Accountability ✓✓
- ✓ → Transparency - e-governance

Rule of Law

ORIGIN:-

England ✓
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Justice Edward Coke
↓

Monarchy in
real

King/Queen hold →
the real powers

→ Origin

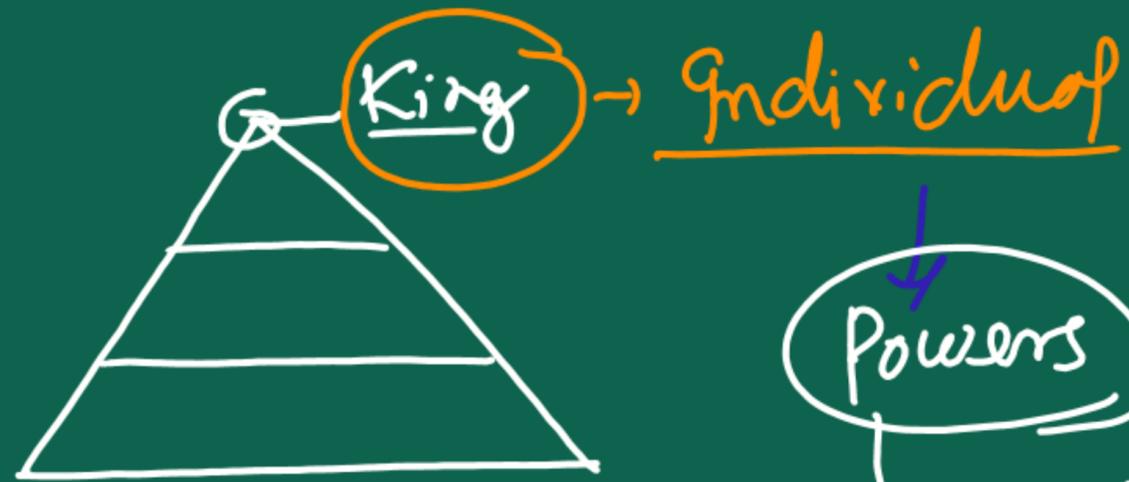
→ gets meaning

- Dicey's idea

- " views on

Administrative law

Rule of law v/s Rule by Law



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Powers

i.e. chances of arbitrariness

Dicey "wrote a book -"

"Introduction to the laws of the

→ Detailed
account of

"Constitution"

The Concept of RoL

→ Rule of Law

Means:-

© Govt./govts should be subjected to the Law

not the Law should be subjected to the govt.

① Law should rule, not any individual or authority in his/her individual capacity **even every .. authority shall be under the Law!**

→ P.M / President

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No one is above the Law

Rule of Law ① Law is supreme

adopted in England.

it changed the form/conception of

as - the governance,
Rex - lex (King is law) Rule

to
Lex - Rex (Law is King)

→ Dicey's Concept of RoL

Indian Concept of RoL

Constitution - u/A 14

has incorporated the RoL, however, it is more broader than the Dicey's Concept of RoL

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① Absence of arbitrary use of powers -
punished or made to suffer -

② Equality before the law

③ Constn. is the result of the Ordinary law of the land.

Everyone should be treated equally before the law:

Ordinary Court of law & in an ordinary manner

-ve Concept.

→ EBL:-

No discrimination } - with OR

No Privilege

to any person

→ asks the state
No to discriminate
b/w

Rank | Position

✓/ Art 14 - Provide one more concept

③ → any effort to

→ EPL - Equal protection of law of the laws

is based on the

maxim of Aristotle :-

establish equality among unequals

shall will

result in inequality!

① Equality can exist among

equals, can't exist among unequals

Dicey's

EPL

Means:-

→ State can

provide categorical
protection

Protective discrimination

① Likes should be treated alike

② While formulating the laws the circumstantial / Situational differences must be taken into consideration

+ve Concept

→ Constitution under art. 361

exception to Dicey's Concept of
RoL

① No criminal prosecution be
initiated against the PRES of India
& Governor of States

② The civil proceedings can be
initiated

Exception

3

Standards modified

served on Prag or
Governor

India as

in India

(Constitution itself is

the Law of the
Land

