



## SYSTEM OF GOVERNANCE IN ANCIENT AND MODERN PUBLIC ADMINISTRATION IN INDIA: A COMPARATIVE ANALYSIS

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### ABSTRACT

The Governance system in ancient public administration in India was planned and systematic. Governance practices adhered to during ancient public administration formed the basis for the emergence and development of the idea of 'good governance' which has become one of the features of modern public administration. Beating of drums, pulling of chain, *Jharokha Darshan*, *Jan-Sunwai* and inscription on rocks have been some of the major practices adopted during ancient public administration to keep people informed about governments' decisions. These ancient administrative practices still exist in modern public administration *albeit* in different names and forms. The present study aims to peep into the best governance practices of ancient Indian public administration. The study further makes a comparison between ancient public administrative practices and modern public administrative practices. The purpose of making a comparison between two administrative phases is to know how old administrative practices have provided a solid foundation for the development of the idea of good governance in modern public administration. The paper is theoretical in nature and secondary data for completion of the study has taken from books, articles, websites and law reports etc.

**Key Words:** - Governance, Public, Administration, Ancient, Modern, Practices

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### I. INTRODUCTION

Working and performance of the governments either ancient or modern are measured in terms of their style of governance. Primitive governments in ancient India followed several best practices of governance. Those practices paved the way for the development and emergence of the idea of 'Good governance' in modern public administration. Owing to the growth of this concept, the modern governments across the World have shifted their focus from simple governance to good governance. 'Good governance' is a term of wide import. It has been defined diversely by different scholars and World funding organisations. The Word Bank, for example, defines 'good governance' as "the manner in

which power is exercised in the management of a country's economic and social resources for development". However, in a general sense the expression 'Good Governance' describes how governments and their institutions, conduct, manage and govern public affairs in a country. Thus, it is a system or process of decision making by governments for the overall welfare of the people of the country. Good governance has several attributes like accountability, rule of law, participative decisions making, transparency, answerability and accountability. These and many other characteristics of 'good governance' have remained part of governance in ancient public administration *albeit* in different names and forms.

Having this backdrop in mind, the present study aims to discuss the best administrative practices of primitive governments while dispensing general administration. The study will also compare ancient practices of governance with modern day concept of good governance and its attributes. The study and comparison of practices would help to understand the growth and development of the modern day concept of 'good governance' in India.

## II. METHODOLOGY OF THE STUDY

The methodology adopted for the present study is theoretical in nature. In order to complete the present study, books, law journals, websites, law periodicals and magazines have been consulted.

## III. RATIONALE OF THE PRESENT STUDY

The present study is relevant to know what ancient administrative practices contributed towards the development of the idea of good governance, which has become one of the significant features of the modern day administration. Comparative study of ancient and modern administrative practices would be able to understand on what aspects modern public administration need further improvement to make present day administration more transparent and pro citizen.

## IV. 'GOVERNANCE' PRACTICES IN ANCIENT AND MODERN PUBLIC ADMINISTRATION IN INDIA : A COMPARATIVE ANALYSIS

The system of governance during ancient public administration and modern public administration in India resembles with each other in many respects. The administrative practices followed during ancient and modern times have been studied under following sub-heads.

### a) Dissemination of Information

Dissemination of information is a significant feature of modern public administration. The various decisions of the higher judiciary have spoken highly for the dissemination of information and an individual's right to know [1]. Having inspired from Constitutional mandate and taking lead from the judiciary, the governments in modern public administration also focus on dissemination of information in various ways. The information of public nature, for example, is uploaded on official websites to enable individual's accessibility to it. Beside it, the laws, policies and welfare schemes of the governments are publicized through internet, mobile apps, and newspapers, advertisements on TV and Radio and by government gazette. Similarly, the Right to Information Act, 2005 (in

short RTI, Act) ensures individuals' accessibility to information possessed by public functionaries. Under the RTI, Act, every citizen of India can access information held by public authorities. Public functionaries are also themselves obligated to provide information *suo motu* on official websites.

During ancient times, dissemination of information was also considered significant in public interest. The government's decisions were communicated to the public through beating of drums at public places. Similarly, in ancient Hindu period the sages and saints such as *Brihaspati, Narad, Yajnavalkya* and *Kautiyala* recognized importance of dissemination of information and knowledge in public interest [2]. The Indian *Upanishads, Vedas, Purans, Smritis, Dharma-Sutras, Dharm-Sastras, Niti Sastras, Epics and Arthashastra*, all focused on the importance of disclosing truth to the people to maximize their welfare. The *Rig Veda* had also stressed on truth, knowledge and information [3]. The very word '*Veda*' itself means knowledge [4]. In the same way, *Smritis* also explained and elaborated the relevance of information and knowledge. The word '*Shruti*' in itself means what is heard or revealed. Various ancient Upanishads like *Isa, Kena, Katha, Prasna Munda, Mandukya, Taittiri, Aitarey, Chandogya, Brihadaranyaka, Brahma, Kaivalya, Jabala, Svetasva, Hamsa, Aruni, Garbha, Narayana, Paramahansa, Amritabindu, Amritanada, Atahrvasirah, Atharvasikha, Maitrayini, Kaushitakibrahmana, Brihajjabala, Nrisimhatapini, Kalagnirudra, Maitreya, Subala, Tejobindu, Nadabindu, DhyanaBindu, Brahavidya, Yogatattva, Atmabodha, Naradaparivraj aka, Trisikhi, Sita, Yogachudamani, Nirvana, Mandalabrahmana, Dakshinamurti, Sarabha, Skanda, Tripadvibhuti-Mahanarayana, Advayataraka, Ramarahasya, Ramatapani, Vasudeva, Mudgala, Sandilya, Paingala, Bhiksu, Mahat, Sariraka, Yogasikha, Turiyatita, Sannyasa, Paramahamsaparivraj aka, Adhyatma, Kundika, Savitri, Atma, Pasupata, Parabrahma, Avadhutaka, Tripuratapini, Devi, Tripura, Katharudra, Bhavana, Rudrahridaya, Yoga-kundali, Bhasma, Rudraksha, Ganapati, Darsana, rasara, Mahavakya, Panchabrahma, Pranagnihotra, Gopalatapini, Krishna, Yajnavalkya, Varaha, Satyayani, Hayagriva, Dattatreya, Garuda* in India also realized the power of information to make an individual aware about decisions of the governments [5].

Thus, it becomes clear from the preceding discussion that the governments of the ancient and the modern time realized the importance of dissemination of information in public interest. The dissemination of information via beating of drums in ancient times and disclosure of information under modern transparency laws has been vital to know about the functioning of governments.

**b) Rule of Law**

Rule of law is also an important feature of 'good governance'. Rule of law means absence of arbitrary exercise of powers of governments and their administrative agencies. In modern public administration, State's institutions cannot act arbitrarily and unjustly. The Constitution of India in article 14 imposes an obligation on all democratic institutions to act in accordance with rule of law. Indian Constitution mandates that no discrimination shall be made with anyone on bases of religion, race, caste, sex, and birth of place. All citizens and non-citizens shall be entitled to equal protection of the laws. Also, in modern public administration laws are enforced and implemented by the State's agencies in an impartial manner. If any actions and decisions of the administrative authorities and governments goes against the principle of rule of law, that can be set aside by courts using power of judicial review under article 13 of Indian constitution. The principle of rule of law is thus deeply rooted principle in modern public administration.

In ancient public administration, rule of law was also adhered to in governance. The King and State officials could not act unjustly or unethically rather had to govern *Praja* (the people) as per the mandate of *Dharmshastras*[6]. The *Dharma* emphasized on polity, administration and diplomacy related issues, which fall within the domain of governance [7]. In the *Mahabharata*, *Bhishma*, the grandfather of King *Yudhishthira*, told him what should be the responsibilities and duties of a King towards the public at large. He said that the eternal duties of the kings are to make their subjects happy, to observe truth and to act sincerely. The King, his ministers and State officials who have taken the oath of their offices to uphold *Dharma* and to act in accordance with the common good, must not act unjustly.

Also, during the Mughal's administration in India, principle of rule of law was respected. Akbar after giving the Jharokha *Darshan*, had a practice to hold open court for people of all races whether Hindu and Muslims. All people high and low, men and women, were allowed to present petitions before the king. The easy accessibility of the Emperor to the public was a matter of great surprise to European travellers who visited the Court of the Mughal Emperors [8]. So rule of law has been an integral part of working style of governments in ancient and modern day public administration.

**c) Transparency**

Transparency means that nothing should be concealed from the public. The governments and their instrumentalities will have to work in a culture of openness while dispensing public administration. All

pro-people administrative decisions should be widely publicized so that all persons residing in a country may come to know about them. Plethora of laws and policies of the modern governments ensures transparency and a culture of openness in administrative functioning. For example, the Constitution of India in art. 19(1) (a) Guarantees to citizens of India the freedom of speech and expression. Besides, several anti-corruption laws like the Prevention of Corruption Act, 1988 and Indian Penal Code, 1860 etc. have been passed by the Central and State governments to make the administrative system fully transparent and corruption free. The public officials, including judges in today's administration are obligated to disclose their assets and income to ensure accountability and transparency.

Similarly, as per the mandate of section 4 of the RTI Act, 2005, the information of public interests is required to be uploaded to official websites to facilitate free flow of information. Digitalization of land records, opening of public services centres, linking of bank accounts and government schemes with Adhar card and mobile apps [9] for online payment of money have been some of the efforts implemented to ensure transparency in modern public administration.

During primitive administration, the corruption among public officials was also viewed as a serious problem, particularly in the ancient Hindu period. The corrupt government servants, judges or jailors were all subject to punishment. Only a person of integrity, honesty and wisdom were considered worthy of appointment as officers by the king. For example, during *Chandragupta Mauriyan's* reign, only capable and right person could be selected to serve as public servant. Also, the King *Asoka* had taken a number of administrative steps to improve governance and ensure transparency in its own government's functioning. The *Asoka* was concerned with the welfare of his people and rightly regarded it as one of the important part of effective administration [10]. He created the new office of *Dhamma- Mahamatas* for the temporal and spiritual well-being of his subjects. Besides, in order to run the administration smoothly, he had appointed several classes of officials viz. *Pradestr*, *Rajuka* and *Yukta*[11]. *Pradestr* was the mediator and representative between the king and the people and mainly was responsible to announce king's decisions. The status of the *rajuka* was subordinate to that of the *pradesika* and the *yukta* has been a subordinate official. The *pradesika* was the senior-most of the three.

*Asoka's* inscriptions and edicts on rocks and pillars were used to disclose to the people radical changes introduced by him to run the administration. The administration could not run in secrecy and people were kept informed about government decisions. *Ashoka* in his fourteen Rock edicts had stressed the king's duties. He said that the king and high officers

must exert themselves for the good of the people. Fourteen rock edicts were situated at different places in the country to educate the people. Rock Edicts were found in several different places. These places were Allahabad-Kosam, Bairat, Barabar Hill Caves, Broach, Brahmagiri, Delhi-Meerut, Dhauri, Gavimath, Girnar, Gujara, Jatinga-Rameshwar, Jaugada, Kalsi, Kandana, Lampaya, Lauriya-Araraj, Lauriya-Nandangarh., Mahasthan, Mansehra, Maski, Nigali-Sagar, Palkigundu, Pataliputra, Rajula-Mandagiri, Rampurya, Rummindei, Rupanath, Sahasram, Sanchi, Sarnath, Shahbazgarhi, Siddapur, Sohgaora, Sopara, Suvarnagiri, Tamralipti, Taxila, Ujjain, and Yerragudi[12]. Asoka in order to popularize his philosophy of *Dhamma* in the public, managed writing of his edicts on tablets of wood or on cloth banners and posted in the more important parts of each town, thereby giving them as much publicity as was possible[13]. They also appear to have been read aloud at public gatherings and similar occasions. This practice had ensured transparency in his administration. Similarly, *Harsha's* system of administration was also well managed and transparent. There was a council of ministers, *Mantri-parishad* who wielded real power on several occasions [14]. He had set up a Department of records and archives to preserve old records of governments. A provision for separate record room indicates to what extent he was concerned to preserve the record to maintain transparency in governance.

#### d) Responsibility

Responsibility is another key principle of effective governance. In modern times, institutions of State and their processes are designed to cater the varied interests of stakeholders. The public authorities are responsible for the decisions and actions taken in favour of common men. Governments can be held responsible for the failure of the public welfare schemes and decisions taken. Bureaucrats and governments will not interfere with the human rights enjoyment by women, children, aged, infirm and other vulnerable sections of the society. For any encroachment upon basic rights, governments can be held answerable. Each State's organs and public functionaries therefore must explain and take responsibility for their doings and misdoings. Under RTI, Act it is a responsibility of the public authorities to provide for the disclosure of information in a time bound manner. Information demanded under the RTI Act should be provided within 30 days. Similarly, under section 7(1) of the RTI Act, the information affecting the life or liberty of a person shall be disposed of within forty eight hours of submission of an application under the RTI Act. Thus, governments have to act in the most responsive way to serve the interests of all stakeholders.

During ancient public administration, governments were also duty bound to promote the welfare of common people. *Narada* states that the duty of the king is to protect the subjects, to (honour or) listen to the aged and the wise, to look into the disputes of people and to be energetic in his functions as king [15]. *Brihadaranyaka Upanishad* also focused on the king's duties toward their subjects [16]. *Kautilya's Arthashastra* also emphasizes that a king should give up his individuality in the interest of his duties. It reveals that the king was meant to act only for the welfare of people. A king could not act arbitrarily and against the public's wish. *Kautilya* states that in the happiness of the people lies the happiness of the king. The king was considered to be the father of all his subjects [17]. The *Arthashastra* also defined the roles and responsibilities of various public officials while dispensing general administration. It prescribes penalties for those officials who did not deliver services as prescribed. Thus, during ancient times and even in modern public administration element of responsibility has been significant in government's working.

#### e) Consensual and Participative Decision Making

Good governance necessitates consensual and participative decision making by governments. In modern public administration, men and women have been given voice in decision and policy making. The government's decisions and actions affecting public are not taken without public's consent. For example, the undertakings of large infrastructure projects are not carried out unless people affected due to projects give their consent. Under sections 4-9 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and Rehabilitation and Resettlement Act, 2013, the Government of India has made provisions for Social Impact Assessment study (in short SIA) and Environmental Impact Assessment study (in short EIA) have been made mandatory before undertaking of any developmental projects. Thus, the decision taken mutually and after building common consensus between governments and common men is a sign of good governance. Besides, political autonomy and political participation of local communities has been ensured in India [18]. Indian democracy thus affirms full participation and popular support of the people for the entire nation's development.

During the ancient public administration the practice of consulting the people and bureaucrats in matters of administration was also common. According to *Manu* the King was bound to act in consultation with his ministers [19]. According to *Manu* that king was foolish who tried to govern himself alone. A good king was required to consider ordinary and extra ordinary matter



of State in the midst of his ministers [20]. Similarly, according to *Sukra*, without the *Mantrins* matters of State should never be considered by the king alone [21]. Preceding discussion shows that all decisions taken by the King were consensus oriented. Neither the king nor his officers could act arbitrarily. Thus, participative and consensual decision making has been regular practice of governance during ancient and modern public administration.

#### (f) Accountability

Accountability is important tenants of good governance. In today's administration, accountability has been ensured in many respects. For example, all ministers, bureaucrats and other public functionaries from top to bottom are accountable towards the public for their doings and misdoings. The people can make direct contact with the government through Jan sunwai portals. *Jan Shikayat Padadhikari* (public grievance officer) are also appointed by Central and State governments to hear public complaints relating to callous approach of administration in discharging public functions. In India, Janta Darbar is organized by the Ministers wherein general complaints and problems of the people are addressed. For example, the government in Uttar Pradesh regularly holds Janta Darbar for listening and addressing public grievances.

Similarly, under the RTI Act, public functionaries can be held accountable and punished for failing to supply public information when demanded. Also, in order to make judges accountable, Judges' Inquiry Act, 1968 has been passed. A special provision under article 51 of Indian Constitution has been made relating to appointment and removal of judges and keeps them free from executive's control. Thus, Government's departments, statutory corporations, co-operative societies and semi-governmental institutions and judiciary have been made fully accountable under various laws.

During ancient administration, governments and their functionaries could be held accountable for the acts done by them. *Bimbisara*, *Chandragupta Maurya*, *Asoka*, *Samudragupta*, *Chandragupta II*, and *Harsa* has also done a great job to practically realize the need and importance of accountable, answerable, transparent, participatory and pro-citizen administration. During the reign of *Bimbisara* and *Ajatashatru*, the Central government kept direct contact with the villages [22]. *Bimbisara* exercised rigid control over his officers to ensure efficient administration. While he rewarded the efficient, he dismissed those who were inefficient.<sup>1</sup>The high executive, judicial and military officers were called

*Sabhathaka mahamatras*, *Voharika*, *Mahamatras* and *Senanayaka Mahamatras* respectively [23].

Also, in Muslim period, the public's participation in the government's decision making had great relevance. In various *farmans* (orders) and other documents issued by Mughals one can see, their anxiety to dispense justice and look after the interests of the people [24]. Mughal had a strong belief that prosperity cannot exist without good government and enlightened policies [25]. Akbar did commendable jobs to improve efficiency of administration. He established the record office to manage, protect and preserve the information for further reference. A separate building 84<sup>1</sup>/<sub>2</sub> ft. By 28 <sup>1</sup>/<sub>2</sub> ft. with a beautiful arcaded *verandah* all round at a little distance to the south of *Akbar's* bed room was erected at *Fatehpur Sikri* to keep old record [26]. He appointed fourteen *Bitikchis* to record all events of the court [27]. *Akbar* had divided the hours of a day for many kinds of works. The welfare of the people was a supreme concern for him. His attitude was sympathetic and indulgent that he always found time gladly to hear their cases and to respond graciously to their grievances and requests [28].

In order to ensure accountability in administration, *Shahjahan* another Mughal's ruler had also distributed the hours of the day to discharge administrative functions. He was used to appear in both the audience hall twice daily, once in the forenoon and then in the afternoon [29]. Like *Akabar*, he too went into the *harem* for the afternoon meals and engaged himself in examining petitions laid before him by the ladies. He presented himself again in public audiences and conducted the affairs of the State [30]. In addition, *Shahjahan* used to appear in the *Diwan-i-am-o-khas* after the *jharokha* where all the cases were heard by him. In *Diwan-i-khas* the great nobles and chief officers of State, were used to discuss the important matters of the government. During *Diwan-i-Khas* the business of the government was transacted in the presence of the public [31]. In *Diwan-i-Aam* everybody including the common men had access [32]. All these practices are part of modern Indian public administration albeit exist in different names and forms.

*Jahangir* also followed the practice to address the grievances of the public by continuing *Darshan*, *Aam-o-khas* and *Diwan-i-am-o-khas* [33]. The audience hall used to remain filled with persons of all rank during his regime [34]. In case of any change in timings a large drum was beaten and thus all could get notice of the change.

## CONCLUSION

The foregoing discussion reveals that numerous best governance practices were prevalent in ancient public administration. The practice of informing people about decisions of the governments through the beating of drums, Jan-sunwai and written inscriptions on rocks were the major governance practices followed. The ancient practice of beating of drums closely resembles the modern day practice of disclosure of information on government websites. Similarly, the ancient practice of Jan-sunwai is still exist and practiced by the Central and various State governments in India in modern public administration. Special Jan-sunwai portals have been started by various State Governments to address public grievances.

Asoka's written inscriptions and edicts on the rocks to keep people informed about governments' decisions also resembles with the principle of automatic disclosure of information followed by modern governments. Besides, in modern times also, the information is conveyed to the people through internet, advertisements and through different platforms like conferences, seminars and publication of information in governments' gazette etc.

Also, the practice of *Jarokha Darshan* adopted during the Muslim period is similar with modern concept of Janta Darbar. Today, Ministers frequently visit among people and popularize and propagate governments' plans, policies and schemes between them. Similarly, in Parliament, open debate takes place on different laws and policy matters. Under RTI Act, 2005 any person can obtain information held by governments' officials. The failing to supply information is viewed as serious dereliction of duty and hence the guilty can be punished. Similarly, primitive governments had given great importance to proper management of record keeping. The proper management of record keeping was viewed as potent to facilitate administration and providing information in time bound manner. In, modern public administration also, the efficient, proper and scientific management of record has been focused by Central and State governments. To ensure it, the Central and State governments are focusing on digitalization and modernization of land records. Digitalization has facilitated easy furnishing of information by public authorities when the information sought for.

Thus, the above discussion makes is amply clear that the modern style of governance is inspired from several best ancient practices of governance. The attributes of the so called modern concept of good governance like answerability, accountability, rule of law, participative decision making, equity, answerability and corruption free administration etc. were integral part of ancient public administration.

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