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The Role of Comptroller and Auditor General of India and Good Governance

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ABSTRACT

This paper seeks to analyse the role and functions of Comptroller and Auditor General of India (C.A.G.) along with his power and duties; it further, tries to critically examine and evaluate the working of C.A.G. and its importance in meeting challenges of good governance. This paper also seeks to analyze the present position of C.A.G. in establishing good governance with all positive and negative sides and also point out problems and suggest reforms for a powerful and strong C.A.G. for good governance.

The paper tries to explain the position of C.A.G. in our Constitution and describe its powers and duties as per statutory provisions. The paper also seeks to clarify the term "Good Governance" and also its characteristic along with role of C.A.G. towards achieving the goal of good governance. And this paper also talks about suggestions to empower the C.A.G. and to give him an independent position. So that, the objective of good governance can be achieved. This paper is limited to the role of C.A.G. only to achieve the object of good governance and not to other means. So, this paper is limited only to the position of C.A.G. and his role in meeting challenges of good governance.

I. INTRODUCTION

The Office of the Comptroller and Auditor General of India (C.A.G.) originates in the fact that an independent person should review public spending and at the same time check if you have been in accordance with the parliamentary intention. C.A.G. As an accountant, fulfils the accounts of the Centre and the State and as auditor, audits all income and expenses.

According to Dr. B.R. Ambedkar, "The Comptroller and Auditor General of India will be the most important under the Constitution of India official. He should be the guardian of the public purse and it is your duty to see that not a penny the Fund has not spent Consolidation of India or a state without the authority of the appropriate legislative power." The C.A.G. India is a constitutional post provided to protect public money. Currently, the Comptroller and (duties,

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powers and Conditions of Service) of the Auditor General Act of 1971, better known as the Audit Act regulates the functioning of C.A.G.

The Comptroller and Auditor General (C.A.G.) of India is an authority established by the Constitution of India under Article 148, which audits all income and expenses of the Government of India and state governments, including agencies and authorities substantially financed by the government. The C.A.G. is also the external auditor of state-owned enterprises and carries out additional auditing of government enterprises. The C.A.G. reports are taken into account by the public accounts committee (P.A.C.) and the Committees of public enterprises (COPUS), which are special committees in Parliament of India and the state legislatures. The C.A.G. is also the head of the Audit Commission of India and the Department of Accounts, issues which are administered by officials of Audit of India and Service Accounts, and has more than 58,000 employees nationwide. The C.A.G. is mentioned in the Constitution of India under Article 148-151.

In Britain, this officer performs a dual function. As Auditor-General, he audits and examines the Government accounts to ensure that each payment has been applied to the purpose for which it was appropriated by parliament and not to any other purpose. These audit reports prepared by him are presented direct to the House of Commons and not to the government and so he is regarded as an officer of the House.

"Policies help the poorest and weakest man?" – Mahatama Gandhi

Governance means different things in different contexts, but the general concept refers to decision-making in groups to address shared problems.³ Good governance has eight major characteristics. It is participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. It assures that corruption is minimized, the views of minorities are taken into account and that the voices of the most vulnerable in society are heard in decision-making. Indian democratic experience of the past six decades has clearly established that good governance should aim at expanding social opportunities and eliminating poverty.⁴ In his campaign for good governance and transparency, the World Bank and IMF have identified corruption as the main obstacle to

³ Daniel C Esty, Good Governance at the Supranational Scale: Globalizing Administrative Law, 115 YALE L.J. 1490 (2006); ORAN RI YOUNG, INTERNATIONAL GOVERNANCE: PROTECTING THE ENVIRONMENT IN A STATELESS SOCIETY 26 (1994) ("A governance system is an institution that specializes in making collective choices on matters of common concern...").

⁴Balmiki Prasad Singh, The Challenge of Good Governance in India: Need for Innovative Approaches, GLOBAL NETWORK OF GLOBAL INNOVATORS CONFERENCE, HARV. UNIV. (2008), available at <http://www.innovations.harvard.edu/showdoc.html?id=103461>.

sustainable economic growth, good governance and development.⁵ Good governance helps to create an environment in which sustained economic growth becomes possible and allows citizens to maximize their returns on investment.

It should be clear that good governance is an ideal which is difficult to achieve in its totality. Very few countries and societies have come close to achieving good governance *in toto*.⁶ However, to ensure sustainable human development, action must be taken to work towards this ideal with the aim of making it a reality.

II. STATUTORY PROVISIONS RELATING TO C.A.G.:-

Article 148, of Indian Constitution deals with, “Comptroller and Auditor-General of India”. Article 149, of Indian Constitution speaks about, “Duties and Powers of the Comptroller and Auditor-General”. Article 150, of Indian Constitution talks about, “Form of accounts of the Union and of the States”. Article 151, of Indian Constitution defines, “Audit Reports”.

ARTICLE 148:- As per Article 148, The CAG shall be appointed by the President and shall only be removed from office in like manner and on the grounds as a Judge of Supreme Court. The salary and other conditions of service of CAG shall be determined by the Parliament by law but cannot be varied to his disadvantage after his appointment. The CAG shall not be eligible for further office either in Central or State government after his retirement. Subject to the provisions of the Constitution and law made by the Parliament the service of persons serving in the Indian Audit and Accounts Department and administrative powers of CAG shall be such as may be prescribed by the President after consultation with the CAG.

The Administrative expenses of the office of CAG, including all salaries, allowances and pensions payable to him, shall be charged upon the Consolidated Fund of India.

The Constitution of India [Article 148] provides for an independent office to the CAG of India. He or she is the head of Indian Audit and Accounts Department. She or he has a duty to uphold the Constitution of India and laws of the Parliament to safeguard the interests of the public exchequer. The Indian Audit and Accounts Service aids the CAG in the discharge of his/her functions.

Duties and Powers of the CAG:- The CAG shall perform such duties and exercise such powers in relation to the accounts of the Union and of the States and of any other authority or

⁵ Saladin Al-Jurf, Good Governance and Transparency: Their Impact on Development, 9 TRANSNAT'L L. & CONTEMP. PROBS. 193 (1999).

⁶ Brazil and China have shown good governance measures. See, Lucian A. Bebchuk & Assaf Hamdani, The Elusive Quest for Global Governance Standards, 62 UNIV. PENN. L. REV. (2009).

body as may be prescribed by or under any law made by Parliament. The CAG shall have power to audit the accounts of the Union and of the States. The accounts of the Union and of States shall be kept in such form as the President may on advice of the CAG, prescribe. (As per Art.150).

Audit Reports:- The reports of the CAG relating to the accounts of the Union shall be submitted to the President, who shall cause them to be laid before each House of Parliament. The reports of the CAG relating to the accounts of a State shall be submitted to the Governor of the State, who shall cause them to be laid before the Legislature of the State.

III. GOOD GOVERNANCE

Good governance has 8 major characteristics. It is participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. It assures that corruption is minimized, the views of minorities are taken into account and that the voices of the most vulnerable in society are heard in decision-making. It is also responsive to the present and future needs of society.

Characteristics of Good Governance:-

Participation:- The participation of men and women is one of the key pillars of good governance. Participation may be direct or through legitimate intermediate institutions or representatives. It is important to point out that representative democracy does not necessarily mean that the concerns of the most vulnerable in society would be taken into account in decision-making. Participation must be informed and organized. This means freedom of association and expression, on the one hand, and civil society organizations in the other hand.

Rule of law:- Good governance requires fair legal frameworks that are applied impartially. It also requires full protection of human rights, particularly those of minorities. Impartial enforcement of laws requires an independent judiciary and an impartial and incorruptible force police.

Transparency:- Transparency means that decisions taken and their enforcement are done in a manner that follows rules and regulations. It also means that information is freely available and directly accessible to those who will be affected by such decisions and their enforcement. It also means that enough information is provided and which is provided in easily understandable forms and media.

Sensitivity:- Good governance requires that institutions and processes try to serve all stakeholders within a reasonable time.

Consensus oriented:- There are several actors and as many view points in a given society. Good governance requires mediation of the different interests in society to reach a broad consensus in society on what is in the best interest of the whole community and how this can be achieved. It also requires a broad and long-term perspective on what is needed for sustainable human development and how to achieve the goals of such development. This can only result from an understanding of the historical, cultural and social contexts of a given society or community.

Equity and inclusiveness:- The welfare of a society depends on ensuring that all its members feel they have a stake in it and do not feel excluded from the mainstream of society. This requires all groups, but especially the most vulnerable, have opportunities to improve or maintain their well being.

Effectiveness and efficiency:- Good governance means that processes and institutions produce results that meet the needs of society while making the best use of the resources at their disposal. The concept of efficiency in the context of good governance also covers the sustainable use of natural resources and environmental protection.

Responsibility:- Accountability is a key requirement of good governance. Not only governmental institutions but also the private sector and civil society organizations must be accountable to the public and institutional actors. Who is accountable to whom varies depending on whether decisions or actions taken are internal or external to an organization or institution. In general an organization or an institution is accountable to those who will be affected by its decisions or actions. The responsibility cannot be enforced without transparency and the rule of law.

IV. THE ROLE OF CAG IN MEETING CHALLENGES OF GOOD GOVERNANCE:-

The importance of CAG is easily understood by the following words,

Dr. B.R. AMBEDAKAR said that:-

"I am of the opinion that this dignitary or official (C & AG) is probably the most important official of the Constitution of India. He is the man who will see that the expenses voted by Parliament are not exceeded, or varied of what has been established by Parliament in what is called appropriation Act. If this officer is to carry out the duties and in my opinion they are much more important than the rights that the duties of the judiciary."

C.A.G. plays a very important role in meeting challenges of good governance. The first challenge in path of good governance is criminalisation of politics. A clear risk of generalization, I would like to refer to the criminalization of politics and corruption as the main

challenges to governance. Although there are some specific challenges for CAG ensuring good governance:-

(1) Denial of timely and thorough audit to access records. Although the RTI Law provides for sanctions for non-specific production of records / reply within the stipulated period, there is no mechanism for timely or failure to do production, awarding deterrent penalties for non-delivery or incomplete production records of CAG audit.

(2) Audit can be used to monitor policy and implementation of the Centre and States to urban local bodies and Panchayati Raj Institutions (IRP). In recent years, there has been a paradigm shift in the way they are generated, and spend public funds are managed. About 67 percent of subsidies Plan and non-Plan Centre has been disbursed directly to implementing agencies, and non-governmental organizations; development funds are transferred directly to urban local bodies; and PRI and infrastructure projects are substantially funded through public-private partnerships.

(3) Its quite disconcerting to come through an increase in cases of central ministries seeking the exclusion of the CAG audit of new institutions created or is creating. Regulators such as the TRAI, Petroleum and Natural Gas Regulatory Board, etc. They have remained wholly or partly outside of the audit mandate of CAG through their respective laws.

Accounting vis - a - vis Good Governance:- CAG derives its powers from the Constitution of India⁷ and the Comptroller and Auditor General of India (duties, powers and Conditions of Service) Act, 1971.⁸ Both laws give some responsibility to the CAG to guard the treasury and ensure accountability in the management of public finances. CAG allows creating an atmosphere of good accounting system that serves as a means for good governance.

Good accounting system refers to compliance with the fundamental purpose of accounting, that is, the use of information to improve the management and operations of the state, compliance and accountability. This system identifies errors, omissions and inconsistencies. The Report of the Twelfth Finance Commission recognized that the current accounting system provides space for fiscal opportunism and so the public accounts should be transferred from cash based to accrual based system. Therefore, there is a need for a tax reform that improves the performance and accountability.

⁷Article 279 of The Constitution of India gives the power to CAG to ascertain and certify the net proceeds of taxes levied and collected by the Union but assigned to the States or distributed between the Union and the States.

⁸Section 10 (1) (a) of the Act Comptroller and (duties, powers and Conditions of Service) of the Auditor General 1971 empowers the CAG to compile the accounts drawing up the accounts of the Union and of each state of the initial and subsidiary has paid to the audit.

These reforms can be seen in the measures taken in the Thirteenth Finance Commission Report accepts the need to improve the quality of public expenditure to improve the products and results. These reforms are in three parts i.e. nature of ownership of accounts, internal controls and auditing and accounting exercise. The role of the CAG to facilitate such reforms is in the context of accountability of Finance and Special Audits. Your goal in linking good accounting practices and better economic results that have their effect across all sectors of society.

Government accounting practices are often characterized by lack of transparency, inconsistency and incompleteness and this leads to poor quality accounts and result in an inefficient use of public resources. CAG plays a key role through its independent auditors to bring transparency and accountability to unearth such discrepancies and bringing the people involved and condemn under the rule of law.

Effectiveness of Audit on Governance: - After independence, the emphasis of the audit has been to control the compliance to examine whether an expense and then to examine the fulfilment of the objective of the costs in a cost effective way to deliver a performance audit on the that the primary goal is to provide value and bring efficiency and effectiveness in conducting the audit.

In a parliamentary democracy, the audit intends to keep an eye on the spending of the executive and ensure parliamentary oversight of revenues and government spending.⁹ It is a process through which CAG ensures transparency and accountability through its reports, highlights the various shortcomings in spending and receiving funds and includes reasons leading to misappropriation of funds resulting from overspending or spending personal benefits. These reports help in improving governance and the outcome of development programs are activated to improve the standards of the marginalized sectors of society.

Audit various functions in the elimination of challenges to good governance in itself can be seen below:

Social Audit improving governance: - based on the theme of new audit guidelines Social Audit has become an important tool for the CAG to eliminate challenges to good governance. These guidelines are based on the audit methodology intended to identify subject governance centric and facilitate good governance.

CAG audit is essentially an external audit. Their reports are recommended. The issues raised in these reports are discussed by the Legislature of the Union and the State, through its

⁹ Shashidharan, KP, <http://www.thehindubusinessline.in/2010/11/20/stories/2010112050160800.htm> CAG needs greater powers accessed on July 22, 2015.

representative legislative council on public finances and public enterprises. By contrast, Social Audit is more diverse and inclusive in nature as it brings greater stakeholder public domain under its scope. His report provides the base level of the implementation of public sector programs and creates a safeguard against corruption and fraud, which the corrupt under the rule of law and convinces them.

Social audit provides a forum on improving governance and damages. It acts as a means of ensuring accountability of program managers of the public sector and makes the multi-view monitoring and evaluation mechanism and transparent.¹⁰ It helps in sensitize people and make a trust between them representing the responsibility and autonomy is the main driving force of good governance.

E-Governance VIS-A-VIS Audit: - The challenge of the audit and subsequently a challenge for good governance to improve the delivery mechanism. This can be achieved through the application of ICT in the audit system. The main objective of developing audit is to deliver "satisfaction oriented audit client." Such a system is aimed at preventing redundant audits and audit deadlocks.¹¹ The importance of this system can be seen as it is increasingly being adopted in various countries including the United States, Britain, Canada, Australia, so that people can have access to such public document for free.

Application of electronic administration audit mechanism ensure the professionalism and productivity of the audit through the systematic management of audit data where under various government activities are constantly collected, analyzed and evaluated by linking different information systems Administrative managed by different government agencies. This database of systematic support will help detect any deviation in near real time when the project is underway and provide constructive solutions so that the objective of the project is fulfilled with time. Such proactive security audit to provide credibility and interest groups. It will also give the electronic audit fair and transparent, maximizing the effects of prevention audit and eventually reduce corruption and facilitate good governance.

CAG plays a unique role in achieving the ideals of good governance. The question perhaps is the success of CAG is in compliance with the objectives of this unique function. Are adequate legal mechanisms to combat the challenges of good governance? The answer to that question is a flagrant. CAG is an institution independent audit be powered by the Constitution of India.

¹⁰ Report of the Working Group on Social Audit, Comptroller and Auditor General of India <http://www.cag.gov.in/Social%20Audit.pdf> accessed July 22, 2015

¹¹ Asian Journal of Government Audit 2006: Page 59, http://www.asosai.org/system/upload_file/function/_20091218145603.pdf accessed on July 22, 2015.

Their reports are merely recommendatory. Its report is sent to the Public Accounts Committee of Parliament¹² and the purpose of these reports is to call the attention of the executive to gaps that arise in the process of implementing the policy guidelines. The intent is to improve the delivery system of financial administration for society experiences the efficiency and effectiveness of government institutions and good governance prevails. This brings us to the question of the importance of the audit reports.

CAG reports are the subject of discussion in the Legislative Assembly. Abnormal delay in the discussion of reports makes the report irrelevant and ineffective. Failures highlighted in the report lose their importance and subsequently ignored by executives who were responsible for dealing with them and rectify the deficiencies. This forms the challenge of governance. So to delve deeper into this situation makes clear that the executive and the legislature have a general power to ignore this report? Recent incidents say yes, there is frequent abuse of such power in the hands of the executive. Recently Telecom Minister Kapil Sibbal accused CAG Audit Report on Commonwealth Games saying it is "full of very serious mistakes". Incidents like this, questions the credibility of the government itself. We must remember that if the reports are not looked at positively, which would result in the loss of competitive advantage that would be a loss to society in general. If people in government question the functioning of the CAG itself, a governmental crisis is created. People get confused and this results in a bad government.

Accountability, Transparency and Empowerment are essential pillars of good governance. It is the prerogative of the State to provide such basic needs of its citizens. Article 38 (1) of the Constitution of India is based on the same principle that the State is obliged to promote the welfare of its people. Being of people in general can only be achieved when there is transparency in the public performance and public money is used for the general good, I prefer not to get into the pockets of a few. CAG through its accounting and auditing facilitates such good governance. Its accounting practices make better economic results. Bring out its audit discrepancies in the funds allocated and used and identify gaps to the executive so that they can be rectified and public welfare and good governance are not hampered.

Another aspect of challenge to good governance and the role of CAG in the elimination of these challenges is the availability of CAG database. The main objective of the CAG is to

¹² Refer Section 19A of the Comptroller and Auditor General (duties, powers and Conditions of Service) Act, 1971.

prepare accounts on behalf of the government.¹³ The law does not say about the methodology, how CAG acquires this data. In a practical sense, it is very difficult to CAG for relevant records as public sector additions are very reluctant to shed their data. The availability of data and the availability of such data in a reasonable time is very essential for the timely intervention that discrepancies can be avoided resulting in a good governance. As in this context the applicability of the right to information CAG is weaker than that of an ordinary citizen under the RTI Act. Deliberate delay, no production of records or incomplete production records can be addressed only by entering the no legal penal provision required under the Law of CAG (DPC) Act, 1971. CAG should have power for the remedy of this delay. There is also a need to develop new and effective standards of accounting.

Expansion opinion should also be made in the case of the legal position of CAG. While the Constitution has been the subject of more than 100 amendments and several statutes have been completely revised the law on accounting and auditing of public funds has remained largely static over the past 40 years or so. There is an urgent need to define the mandate and powers of CAG clear, in light of the amended allocation of public funds, delay in producing records and failure to comply with the regulations, and cases of irregularities and fraud.¹⁴

CAG should not become dogs' blood. It is time for the legislative and executive members such constitutional and statutory officials should respect.¹⁵ The success or failure of CAG in carrying out the mistakes of financial management in the public domain holds significant value on good governance. CAG's time to contradict the general impression that is powerless, preferring to become a strong audit institution in the same configuration with the constitutional and legal provisions applicable to it in running to the ideals of democracy and make it a popular sovereignty.

V. THE ROLE OF CAG IN THE GOVERNMENT OF INDIA: -

Main functions of the CAG:-

1. To prescribe, with the approval of the President, the way in which the accounts of the Union and the states should be kept
2. To perform such duties and exercise the powers in relations with the unions accounts or statements or any other body, as many as prescribed by any law made by Parliament.

¹³ Refer Section 11 of the Comptroller and (duties, powers and Conditions of Service) of the Auditor General Act, 1971.

¹⁴ *Supra* note 3.

¹⁵Subramanyam, S., CAG powers http://www.thehindubusinessline.in/2010/11/20/stories/2010112050140800.htm accessed July 20, 2015.

3. Inform the president or governor account country or state.

The CAG as Auditor General: -

Plays dual role, first spreading the implementation by government officials, rules and regulations issued on behalf of the administration checks, and secondly, to ensure, on behalf of the legislature, that the actions of government They have agreed with the views and needs of the legislature The objective of the audit is to "provide a financial review" and its value is in its report indicating that there is some impropriety of certain transaction and so the appropriate action to rectify.

According to Herbert Britain "The department is now publicly ridiculed by all other departments in the case to avoid the morning"

Audit of Income: - C.A.G. after some initial resistance revenue department was able to extend its dimension to the control of revenues, including tax audit assessment as income tax, Central Excise and Customs, tax sales, etc. Charging control helped bring considerable revenue for the government, noting cases of low tax settlement, and also helped to improve the functioning of the machinery of tax administration point out gaps or voids in the Act / Rules and deficiencies in the operation of the tax administration.

Audit of Commercial Enterprises: - The audit of state enterprises was brought within the scope of C & AG audit at the insistence of then CAG by introducing an appropriate provision in the Companies Act 1956, although there were initial attempts to exclude its jurisdiction. So while public accountants are required to certify the financial statements of government enterprises, C & AG has been granted the right to perform additional audits.

Sector auditing public companies: - Under Section 619 of the Companies Act 1956, the auditor (auditor) of a CAG conducted the audit of the accounts of the company. Based on supplementary and performed thereafter, the CAG issued comments on or complements the audit report of the statutory auditor.

CAG in achieving good governance:-

"The role of the audit report is very important as transparency and accountability are being established in different parts of the country through it," the CAG.

Good governance has eight major characteristics. These features are consistent with the Mission, Vision and Core Values of CAG. This could be best explained with examples:-

Participation:- to understand contemporary concerns about the interaction of development carried out by the government have increased, and institutionalized interaction with the public

and civil society to provide inputs for establishing audit priorities and benchmarks for evaluation. They have built synergies with social audit groups and other stakeholders.

Transparency:- In general, reports from government agencies are lengthy and technical, which makes them opaque to the general public. But the CAG office has done more concurrent and readable reports. A reader now has the option of going through our full reports or has a bird's eye view of the results through the thin brochures and booklets prepared for them.

Answer:- While reporting audit findings highlight best practices and innovations of the executive and make constructive recommendations for corrective action means progress regarding the above shortcomings.

Limitations:- Despite the various guarantees provided in the Constitution to maintain the independence of the Comptroller and Auditor General of the Executive and the Parliament, his / her independence appears to be limited by four factors viz. (a) the restriction of the Executive in his / her budgetary autonomy (b) overstaff Control Block (c) the indirect responsibility of the Ministry of Finance of the Union and the Finance Department of the State Government for managing accounting functions (d) lack of direct access to Parliament (unlike the Attorney General) to defend his / her official conduct, provided when asked about the floor of Parliament.

To make C.A.G. more powerful and effective towards meeting challenges of good governance, there are some suggestions, which are given below.

VI. SUGGESTIONS

- (1) In this case, the CAG Act (Rights, Powers and Conditions of Services), 1971 is the mold and if CAG exceed the limit established by the mold (the Act), then it would be ultra vires. If CAG has to be effective in fulfilling its responsibilities and must play an important role in promoting good governance, greater powers of access to information would be on par with other major democracies in the world.
- (2) It should be empowered to deduct money from the salaries and wealth of corrupt officials and raid offices and seize documents that otherwise often go missing. It should also be permitted to access personal wealth details of officials found guilty under audits.
- (3) The C.A.G. Appointment should be made by President on recommendation of multi-member committee consisting of P.M., C.J.I., and Leader of Opposition of L.S.
- (4) There should be a provision for pre-audit system; it means any money which would be spend, should be audited by C.A.G. before passing of that bill.

- (5) There should be a provision of personal liability; it means the Person who is in authority to use money should be held liable for any misuse of money.
- (6) The reforms suggested by former C.A.G. Vinod Rai was to amend the C.A.G. Act 1971 to bring all private-public partnerships (PPPs), Panchayati Raj Institutions and Societies getting government funds within the ambit of C.A.G..
- (7) The government should bring an amendment to the C.A.G. Act 1971 and give the C.A.G. Judicial power to summon and take punitive action against offenders who fail to give it information within a deadline that may be 15 days.
- (8) It should be empowered to deduct money from the salaries and wealth of corrupt officials and raid offices and seize documents that otherwise often go missing. It should also be permitted to access personal wealth details of officials found guilty under audits.

So, through that suggested reforms, we can achieve our goal of good governance to some extent.

VII. CONCLUSION

In conclusion, despite these limitations, the Comptroller and Auditor General plays a unique role in Indian democracy, to defend the Constitution and laws in the field of financial management. CAG office can access any office under the government of India. But CAG access to secret service is limited. Now a day it seems that is also being audited by CAG. Huge amounts are stolen in 2G, CWG, arms deals, etc. As we know India is a developing country, it requires large investments in infrastructure. So it should not have adequate measures to protect our money. And our government must make reforms to achieve the objectives of establishing CAG. And there should be an independent C.A.G. to perform his duty effectively and meaningfully. So that only we can ensure an effective step towards good governance.

So, in my point view, despite CAG it has a lot of energy to carry out their duty and ensure transparency in government spending, but not enough on the practical aspects and must be reformed. There is a need for Tiger with tooth in the position of CAG and it can be possible only by giving more power to C.A.G. and by making independent selection procedure.

"CAG is not a munimji or an accountant or something. It is a constitutional authority that can review the allocation of revenues and matters related to the economy. CAG is the principal auditor whose function is to enter the economy, efficiency and the efficiency of resource use by the government if the CAG will not, then who else will." - watching a bank of the Supreme

Court of India, while dismissing a petition challenging CAG reports on 2G spectrum, coal blocks allocation, etc.

So, At last, I can conclude that, the role of C.A.G. in meeting challenges of good governance is very important and for establishment of transparent and corruption free government a strong C.A.G. should be there. And through this, we can fulfil the real objective of establishment of C.A.G. and put one step towards good governance.

VIII. REFERENCES

Primary Sources:-

Authorities

- Constitution of India.
- The Comptroller and Auditor General's (Duties, POWER AND CONDITIONS service) ACT, 1971.

Secondary Sources:-

Book:-

- M. P. JAIN, INDIAN CONSTITUTIONAL LAW, (6th ed., LexisNexis Butterworths Wadhwa, 2011).

Articles / Papers:-

- Audit of Good Governance: Provide Foresight by AK Awasthi and Vani Sriram.
- Audit of Good Governance: Monitoring and Insight by PK Mallick Kataria and Upload.

URLs:-

- www.wakeupcall.org/administration_in_india/india_superpower.php
- <http://www.cag.gov.in/html/unionaudit.htm>
- www.cag.gov.in/html/unionaudit.htm
- <http://www.unescap.org/pdd/prs/ProjectActivities/Ongoing/gg/governance.asp>
- <http://www.wikipedia.org/>
