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AN EMPIRICAL STUDY OF ENVIRONMENTAL CONSTRAINTS FACED BY PUBLIC PRIVATE PARTNERSHIP (PPP) IN INDIA WITH SPECIAL REFERENCE TO UTTAR PRADESH

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ABSTRACT

Private sector participation through Public Private Partnerships is increasingly being used as a means for delivering physical infrastructure amidst increasingly constrained public budgets and inadequate service delivery. The Government of India, which is currently grappling with a crippling infrastructure deficit, has pursued a number of strategies to encourage Public Private Partnerships in the infrastructure. However, these efforts have met with mixed success. The researcher has delved into the perceptual mapping of top management people of public and private sector as regards to the constraints coming across the PPP development and implementation. The environmental constraints pertaining to political, legal, financial, social and policy framework have been questioned in 5 points likert scale. Internal consistency of the questionnaire has been found statistically reliable. The core components of environmental constraints which have been identified are effect of change of ruling party, biased government procurement, non preferential political move towards corruption, restriction on participation of foreign investors, inadequate provision in law for environmental protection, under developed pension, insurance and equity markets, lack of clear authority and responsibility in PPP policy, transparency of tendering process and lack of awareness programs regarding importance of PPP projects and importance of user pays principle. It is anticipated that the identification of the relative importance of the constraints as perceived by stakeholders, will help the Uttar Pradesh government in developing measures and strategies to mitigate the constraints thus facilitating the speedy implementation and deal closure of Public Private Partnership initiatives with the ensuing benefits.

KEYWORDS

contractual partnerships, environmental constraints, infrastructure projects, public private partnership, regulatory framework.

INTRODUCTION

The most significant criteria for a continued growth rate of an economy depends on the provision of a quality infrastructure. According to the Planning Commission, an approximation of 8 percent of the Gross Domestic Product needs to be invested. This would help in acquiring a prospective economy as stated in the 11th Five Year Plan. Fund investment of over US \$ 494 billion has been conceived of according to the 11th Five Year Plan with effective from 2007 to 2012. The investment sectors under consideration are inclusive of telecommunications, electric power, transport, road, rail, air, water supply as well as irrigation which amounts to about Rs. 20,27,169 crore according to 2006-07 prices.

In order to meet such demands, various Public Private Partnerships or PPPs are being promoted for implementation of infrastructure projects. PPP is often described as a private business investment where two parties comprising government as well as a private sector undertaking form a partnership.

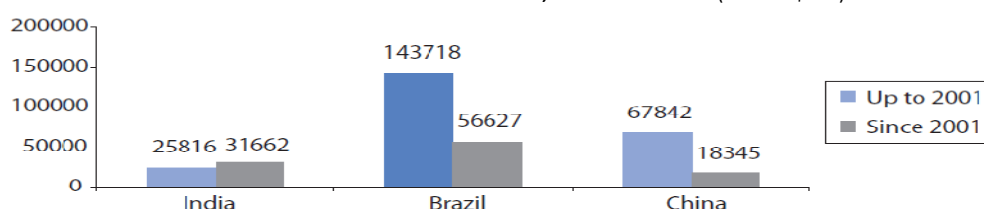
Public Private Partnerships (PPPs) broadly refer to long-term, contractual partnerships between the public and private sector agencies, specifically targeted towards financing, designing, implementing, and operating infrastructure facilities and services that were traditionally provided by the public sector.

Under the PPP format, the government role gets redefined as one of facilitator and enabler, while the private partner plays the role of financier, builder, and operator of the service or facility. PPPs aim to combine the skills, expertise, and experience of both the public and private sectors to deliver higher standard of services to customers or citizens. The public sector contributes assurance in terms of stable governance, citizens' support, financing, and also assumes social, environmental, and political risks. The private sector brings along operational efficiencies, innovative technologies, managerial effectiveness, access to additional finances, and construction and commercial risk sharing.

The emergence of PPPs is seen as a sustainable financing and institutional mechanism with the potential of bridging the infrastructure gap. The foremost benefit of adopting the PPP route is the ability to access capital funding from the private sector. PPPs deliver efficiency gains and enhanced impact of the investments. The efficient use of resources, availability of modern technology, better project design and implementation, and improved operations combine to deliver efficiency and effectiveness gains which are not readily produced in a public sector project. PPP projects also lead to faster implementation, reduced lifecycle costs, and optimal risk allocation.

India has, since the early 1990s, been looking to the private sector to fill investment gaps in infrastructure. Investment here did not initially grow as rapidly as in Latin America or East Asia, as policy reforms here were slower. However, with the increasing emphasis, over time, on public private partnerships in key sectors, such as telecom and transport, India has seen a trend increase in investment with none of the corrections seen elsewhere. The years 2004 and 2005 saw the highest levels of investment to date. This success in attracting investment has meant that over the period 1990–2005, India attracted US\$57.5 billion of investment in infrastructure projects with private participation. Since 2001, India has attracted approximately 9 % of all investment in these projects for low and middle-income countries, and is second only to Brazil, and above China (Figure 1 below).

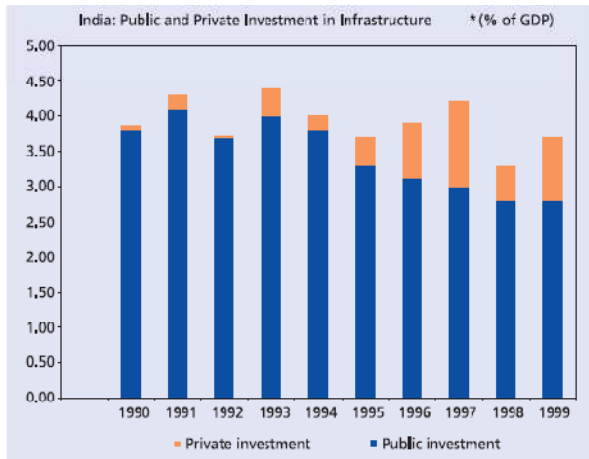
FIGURE 1: INVESTMENT TRENDS IN BRAZIL, CHINA AND INDIA (2005 US\$ mn)



(Source: World Bank/PPIAF Private Participation in Infrastructure (PPI) Project Database)

The figures given below shows public and private investment in infrastructure in India:

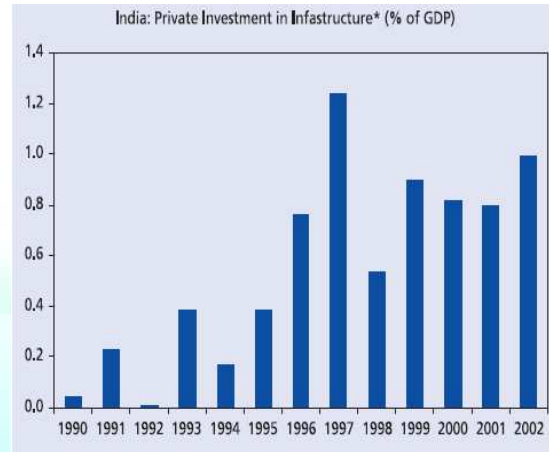
FIGURE 2: INVESTMENT IN INFRASTRUCTURE IN INDIA



* In energy, transport, telecoms and water supply & sanitation.

Source: World Bank WDI Database.

FIGURE 3: PRIVATE INVESTMENT IN INFRASTRUCTURE IN INDIA



* In energy, transport, telecoms and water supply & sanitation.

Source: World Bank WDI Database.

LITERATURE REVIEW

Aurelio Menendez (1998) summarizes the key obstacles to the expansion of PPP initiatives in case of transport projects and highlights the structuring principles that can help to define and develop those initiatives in a better way. The paper explores various institutional factors like poor regulatory framework and an unstable sector policy environment which undermine the credibility of PPP initiatives. This paper suggests measures to improve the interactions among the stakeholders in order to reduce the risks as perceived by each stakeholder (and for the project as a whole), and subsequently spur the development of transport infrastructure. The paper also identifies constraints to the expansion of PPP projects as political, regulatory, financial and methodological constraints and further explores measures to address these constraints and create opportunities for PPP Transport projects.

Stephen F. Jooste (2009) explores the problem of institutional capacity shortfalls that governments face when they employ Public Private Partnerships (PPPs) for infrastructure provision. He specifically explores the variety of organizational forms (governance bridges) that have arisen in response to this problem, using an organization field-level analysis to identify the institutional forces that these organizations are subjected to. It also presents a brief discussion of the institutional change process that surrounds them. Finally the paper draws attention to a field level aspect which is of particular salience to the study of governance bridges.

The last two decades have seen significant changes in the modes of government intervention in many developed countries. Reforms in countries like Great Britain and New Zealand have been at the forefront of this movement, largely driven by two broad factors: perceived public sector inefficiencies, and the ascendance of liberal economic ideology (Salamon, 2002). Changes have broadly involved a reduction in the role of government or, more accurately, a change in the functions it performs, and greater private sector involvement (Hood, 1991; Kaul, 1997; Osborne & Gaebler, 1992; Peters & Pierre, 2002; Rhodes, 1996; Salamon, 2002). For infrastructure development this has meant a move toward increased reliance on Public Private Partnerships (PPPs) that involve private companies in the financing and provision of infrastructure. In most countries these PPP arrangements have been aimed at overcoming two broad public sector constraints: (i) a lack of public capital; and (ii) a lack of public sector capacity – the resources and specialized expertise to develop, manage, and operate infrastructure assets (Bovaird, 2004; Kumaraswamy & Zhang, 2001).

The pervasive failures of infrastructure PPPs in recent years (Guasch et al., 2002) illustrate the need to address four challenges: (i) market failures associated with private infrastructure provision (rooted in the natural monopoly characteristics and externalities of infrastructure) (Goldberg, 1976; Mody, 1996; Savas, 2000); (ii) agency failures relating to the limited capacity of public entities; (iii) perceived legitimacy issues surrounding private provision of public infrastructure; and (iv) government opportunism stemming from the fact that infrastructure is plagued by what has been called the “obsolescing bargain” —once the facility is completed and in operation, the private developer loses much of its bargaining power in subsequent negotiations over tariffs or other matters (Ramamurti & Doh, 2004; Woodhouse, 2005).

Bovaird, T published a paper titled “Public–Private Partnerships: from Contested Concepts to Prevalent Practice” in the Review of Administrative Sciences, 70(2), 199–215 in 2004. In this paper, he analyses public-private partnership arrangements which are becoming increasingly common in numerous countries around the world. The article discusses the formation of partnerships, their pros and cons and what the future may hold for these organisations. Bovaird argues that it is still early days to make definitive judgements about their effectiveness in various sectors. He also stresses the need for the application of good governance in future PPPs and make sure their functions are relevant to the context they are implemented in.

CONSTRAINTS TO PUBLIC PRIVATE PARTNERSHIP

A comprehensive literature review enabled the identification of twenty-three constraints to the development and implementation of Public Private Partnerships in Uttar Pradesh. These include: state government support, effect of change of ruling party, fairness & transparency of government procurement, political commitment to eradicate corruption, red tapism, coordination between central & state department which act as political constraints.

In addition, restriction on participation of foreign investors, clarity of legal basis for private participation and adequate environment protection laws have been identified as legal constraints to Public Private Partnership.

Restrictive conditions imposed by lack of provision in budget for cost over-run, lack of provision in budget for cost escalation, underdeveloped pension and insurance markets, under developed bond market, under developed equity market, unavailability of long term loans act as financial constraints.

Institutional challenges such as policy obscurity of authority & responsibility, lack of clearly defined stages, lack of framework that generates profitable & affordable proposals and transparency of tendering process have been identified as policy constraints.

The social constraints have been identified as lack of public support and cooperation, absence of public perception of PPP as viable means of providing infrastructure & basic services, lack of awareness programs which focus on importance of PPP and to educate people about user-pays principle.

OBJECTIVE

The core objective is to study the environmental constraints faced by Public Private Partnership (PPP) and to develop a framework for successful implementation of PPP projects in India (with special reference to Uttar Pradesh).

SUB-OBJECTIVES OF THE STUDY

1. To study the current status of PPP projects in India and its role in economic growth and development of the country.
2. To identify the various environmental constraints faced by Public Private Partnership (PPP) projects in Uttar Pradesh.
3. To study the political and bureaucratic constraints which affect the implementation of PPP projects in Uttar Pradesh.
4. To study the legal and regulatory constraints which affect the implementation of PPP projects in Uttar Pradesh.
5. To study the financial constraints which affect the implementation of PPP projects in Uttar Pradesh.
6. To study the constraints to PPP policy framework which affect the implementation of PPP projects in Uttar Pradesh.
7. To study the constraints to social support system which affect the implementation of PPP projects in Uttar Pradesh.

RESEARCH METHODOLOGY

The primary data was collected by interaction with the top level employees in government departments, organizations and private companies that are involved in the development of PPP projects in Uttar Pradesh. An empirical questionnaire survey was undertaken from November 2011 to March 2012 to elicit the respondents' level of agreement with statements regarding environmental constraints to PPP. The quantitative data collected was analyzed using the SPSS.

Sampling Technique: Judgmental sampling and snowball sampling

Statistical Tests: Cronbach's alpha, Frequency test, Description statistics.

Sampling unit: The sampling unit consisted of twenty four top level managerial level staff of various government departments/organizations and private agencies involved in PPP projects in Uttar Pradesh. It included the following agencies: UPPWD, UPPCL, UPEIDA, Yamuna Expressway Authority, Jaypee Group, Reliance Energy, Torrent Power, etc.

RESULTS AND DISCUSSION

The data collected was analysed using SPSS. The reliability of the five point Likert scale used in the survey questionnaire was tested for internal consistency using the reliability coefficient Cronbach's alpha. Internal consistency means the ability of a scale item to correlate with other items in the scale that are intended to measure the same construct. Items measuring the same construct are expected to be positively correlated with other. If the reliability is found to be below the acceptable value, the scale can be revised by altering or deleting those items which have lower scores. Alpha values greater than 0.70 are an acceptable indication of the reliability of the scale. Hair et al. (1998) suggests that reliability estimates between 0.60 and 0.70 represent the lower limit of acceptability for reliability estimates.

TABLE 1: RELIABILITY STATISTICS OF THE CORE COMPONENTS OF ENVIRONMENTAL CONSTRAINTS

Scale	Cronbach's Alpha	N of Items
Political environment	.761	6
Legal environment	.726	3
Financial environment	.680	6
Policy framework	.704	4
Social environment	.713	4

The results of tests for reliability coefficient suggests that the Alpha values for political environment, legal environment, policy framework and social environment are greater than 0.70 which is an acceptable indication of the reliability of the scale. Only in case of financial environment, value of alpha is 0.680 which represents the lower limit of acceptability.

The tables given below show the frequency and mean of the responses obtained through respondents to understand the relative importance of various environmental constraints.

TABLE 2: POLITICAL CONSTRAINTS

S.No	Items		SD	D	NAN D	A	SA	Total	Mean
1	There exists broad state government support for PPP	Frequency	2	3	6	12	1	24	3.29
		Percent	8.3	12.5	25.0	50.0	4.2	100.0	
2	Change of ruling party has no effect on ongoing projects	Frequency	2	9	5	7	1	24	2.83
		Percent	8.3	37.5	20.8	29.2	4.2	100.0	
3	Govt procurement is fair & transparent	Frequency	2	10	3	9	0	24	2.79
		Percent	8.3	41.7	12.5	37.5	0	100.0	
4	There exists political commitment to eradicate corruption	Frequency	1	12	3	8	0	24	2.75
		Percent	4.2	50.0	12.5	33.3	0	100.0	
5	Presence of Red-tapism does not interfere with the implementation of PPP projects	Frequency	2	8	4	9	1	24	2.96
		Percent	8.3	33.3	16.7	37.5	4.2	100.0	
6	Coordination between central & state department regarding implementation of PPP projects	Frequency	0	5	6	12	1	24	3.37
		Percent	0	20.8	25.0	50.0	4.2	100.0	

Key: SD: Strongly Agree, D: Disagree, NAND: Neither Agree nor Disagree, A: Agree, SA: Strongly Agree

The table 2 shows that half of the respondents (50.0%) agree that there exists broad state government support towards PPP in Uttar Pradesh. A majority of respondents (37.5%) do not agree that there is no effect of change of ruling party on PPP projects in Uttar Pradesh. This means that the change of ruling party has a negative effect on the implementation of PPP projects initiated by the previous government.

There is a mixed response from respondents regarding fairness and transparency of government procurement with 41.7% respondents disagreeing and 37.5% respondents agreeing to the statement. A majority of respondents (50.0%) disagree about the existence of political commitment to eradicate corruption.

When asked whether presence of red-tapism does not interfere with the implementation of PPP projects in Uttar Pradesh, 37.5% respondents agree whereas 33.3% disagree. A majority of respondents (50.0%) agree that there is coordination between central and state government departments regarding implementation of PPP projects.

The mean is calculated by weighted average of responses. The mean is classified into the following three ranges:

- 1 to 2.5 = Lower range, i.e. Lower level of agreement
- 2.5 to 3.5 = Medium range
- 3.5 to 5 = Higher range, i.e. Higher level of agreement

The mean of responses in Table 2 lies in the medium range of agreement for all the items. It indicates that the overall mean of responses by public and private sector authorities for each item is not towards either extreme but lies in the middle. Thus, the respondents moderately agree with the items.

TABLE 3: LEGAL CONSTRAINTS

	Items		SD	D	NAND	A	SA	Total	Mean
1	Legal basis for private participation is clearly defined	Frequency	0	6	7	8	3	24	3.33
		Percent	0	25.0	29.2	33.3	12.5	100.0	
2	There is limited restriction on participation of foreign investors	Frequency	0	10	6	8	0	24	2.92
		Percent	0	41.7	25.0	33.3	0	100.0	
3	Environment protection is adequate with clear and transparent laws	Frequency	1	11	5	7	0	24	2.75
		Percent	4.2	45.8	20.8	29.2	0	100.0	

Key: SD: Strongly Agree, D: Disagree, NAND: Neither Agree nor Disagree, A: Agree, SA: Strongly Agree

The table 3 shows that 33.3% of the respondents agree that legal basis for private participation is clearly defined. 41.7% of the respondents disagree that there is limited restriction on participation of foreign investors. 45.8% of the respondents disagree that there exists adequate environment protection laws. In Table 3, the mean of responses lies in the medium range of agreement for all the items. The overall mean of responses by public and private sector authorities for each item lies in the middle. Thus, the respondents moderately agree with the statements.

TABLE 4: FINANCIAL CONSTRAINTS

S. No	Items		SD	D	NAND	A	SA	Total	Mean
1	There is provision in budget for cost over-run	Frequency	1	7	6	10	0	24	3.04
		Percent	4.2	29.2	25.0	41.7	0	100.0	
2	There is provision in budget for cost escalation	Frequency	0	8	6	10	0	24	3.08
		Percent	0	33.3	25.0	41.7	0	100.0	
3	There exists developed pension and insurance markets	Frequency	0	8	10	6	0	24	2.92
		Percent	0	33.3	41.7	25.0	0	100.0	
4	There exists bond market	Frequency	0	2	6	16	0	24	3.58
		Percent	0	8.3	25.0	66.7	0	100.0	
5	There exists developed equity market	Frequency	0	13	7	4	0	24	2.62
		Percent	0	54.2	29.2	16.7	0	100.0	
6	Long term loans are readily available for PPP projects	Frequency	0	5	6	11	2	24	3.41
		Percent	0	20.8	25.0	45.8	8.3	100.0	

Key: SD: Strongly Agree, D: Disagree, NAND: Neither Agree nor Disagree, A: Agree, SA: Strongly Agree

The table 4 shows that 41.7% of the respondents agree that there is provision in state government budget for cost over-run whereas 29.2% disagree. 41.7% of the respondents agree that there is provision in state government budget for cost escalation whereas 33.3% respondents disagree.

There is a mixed response to the existence of developed pension and insurance markets. 41.7% of the respondents neither agree nor disagree whereas 33.3% of the respondents disagree about the existence of developed pension and insurance markets. 66.7% of the respondents agree that there exists developed bond market for PPP projects in Uttar Pradesh.

A majority of respondents (54.2%) disagree that there exists developed equity market for PPP projects in Uttar Pradesh. When asked about long term loans, 45.8% of the respondents agree that long term loans are readily available for PPP projects in Uttar Pradesh.

The mean of responses in Table 4 lies in the medium range of agreement for all the items. It indicates that the overall mean of responses by public and private sector authorities for each item is not towards either extreme but lies in the middle. Thus, the respondents moderately agree with the items. Only in one instance, when asked about the existence of bond market, the mean tends towards a higher level of agreement. It indicates that both public and private sector respondents show a higher level of agreement towards existence of bond market.

TABLE 5: PPP POLICY FRAMEWORK

S.No	Items		SD	D	NAND	A	SA	Total	Mean
1	PPP Policy has clearly allocated authority & responsibility	Frequency	2	9	5	6	2	24	2.87
		Percent	8.3	37.5	20.8	25.0	8.3	100.0	
2	PPP has clearly defined stages	Frequency	0	4	8	11	1	24	3.37
		Percent	0	16.7	33.3	45.8	4.2	100.0	
3	Policy Framework generates profitable & affordable proposals	Frequency	0	6	6	11	1	24	3.29
		Percent	0	25.0	25.0	45.8	4.2	100.0	
4	Tendering process is transparent	Frequency	3	8	4	9	0	24	2.79
		Percent	12.5	33.3	16.7	37.5	0	100.0	

Key: SD: Strongly Agree, D: Disagree, NAND: Neither Agree nor Disagree, A: Agree, SA: Strongly Agree

A majority of respondents disagree (37.5%) that PPP policy in Uttar Pradesh has clear authority and responsibility within parts of the government. 45.8% of the respondents agree that PPP has clearly defined stages. A majority of respondents (45.8%) agree that the PPP framework generates profitable and affordable proposals. There is mixed response regarding transparency of tendering process. 37.5% respondents agree that tendering process is transparent whereas 33.3% disagree.

The mean of responses in Table 5 lies in the medium range of agreement for all the items. It indicates that the overall mean of responses by public and private sector authorities for each item is not towards either extreme but lies in the middle. Thus, the respondents moderately agree with the items.

TABLE 6: SOCIAL CONSTRAINTS

S.No	Items		SD	D	NAND	A	SA	Total	Mean
1	There exists public support and cooperation for PPP	Frequency	2	7	4	11	0	24	3.00
		Percent	8.3	29.2	16.7	45.8	0	100.0	
2	Public perceives PPP as viable means of providing infrastructure & basic services	Frequency	1	5	6	12	0	24	3.20
		Percent	4.2	20.8	25.0	50.0	0	100.0	
3	Government conducts awareness programme about importance of PPP	Frequency	3	9	5	7	0	24	2.67
		Percent	12.5	37.5	20.8	29.2	0	100.0	
4	Government conducts awareness program about user-pays principle	Frequency	2	9	5	8	0	24	2.79
		Percent	8.3	37.5	20.8	33.3	0	100.0	

Key: SD: Strongly Agree, D: Disagree, NAND: Neither Agree nor Disagree, A: Agree, SA: Strongly Agree

45.8% of the respondents agree that there exists public support and cooperation for PPP projects in Uttar Pradesh. 50% of the respondents agree that public perceives PPP as a viable means of providing infrastructure and basic services. A majority of respondents (37.5%) disagree that government conducts awareness programme about the importance of PPP projects. 37.5% of the respondents disagree that government conducts awareness programme about user-pays

principle of PPP. In Table 6, the mean of responses lies in the medium range of agreement for all the items. Thus, the overall mean of responses by public and private sector authorities for each item lies in the middle level of agreement. Thus, the respondents moderately agree with the statements.

The Table 7 shows the mean and standard deviation of the responses of Public sector and Private sector authorities. The results obtained can help us to know whether there is a difference between the perception of Public and Private sector authorities regarding constraints faced by Public Private Partnership projects in Uttar Pradesh.

TABLE 7: GROUP STATISTICS

S.No.	Item	Sector	N	Mean	Standard Deviation
1	There exists broad state government support for PPP	Public	13	3.8462	.55470
		Private	11	2.6364	1.12006
2	Change of ruling party has no effect on ongoing projects	Public	13	3.3077	1.18213
		Private	11	2.2727	.64667
3	Govt procurement is fair & transparent	Public	13	3.4615	.87706
		Private	11	2.0000	.63246
4	There exists political commitment to eradicate corruption	Public	13	3.2308	.92681
		Private	11	2.1818	.75076
5	Presence of Red-tapism does not interfere with the implementation of PPP projects	Public	13	3.4615	.96742
		Private	11	2.3636	1.02691
6	Coordination between central & state departments regarding implementation of PPP projects	Public	13	3.5385	.87706
		Private	11	3.1818	.87386
7	Legal basis for private participation is clearly defined	Public	13	3.9231	.86232
		Private	11	2.6364	.67420
8	There is limited restriction on participation of foreign investors	Public	13	3.1538	.89872
		Private	11	2.6364	.80904
9	Environment protection is adequate with clear and transparent laws	Public	13	3.3077	.85485
		Private	11	2.0909	.53936
10	There is provision in budget for cost over-run	Public	13	3.6154	.65044
		Private	11	2.3636	.80904
11	There is provision in budget for cost escalation	Public	13	3.5385	.77625
		Private	11	2.5455	.68755
12	There exists developed pension and insurance markets	Public	13	3.2308	.83205
		Private	11	2.5455	.52223
13	There exists developed bond market	Public	13	3.5385	.66023
		Private	11	3.6364	.67420
14	There exists developed equity market	Public	13	2.9231	.86232
		Private	11	2.2727	.46710
15	Long term loans are readily available for PPP projects	Public	13	3.9231	.75955
		Private	11	2.8182	.75076
16	PPP Policy has clearly allocated authority & responsibility	Public	13	3.6154	.96077
		Private	11	2.0000	.63246
17	PPP has clearly defined stages	Public	13	3.7692	.59914
		Private	11	2.9091	.83121
18	Policy framework generates profitable & affordable proposals	Public	13	3.8462	.55470
		Private	11	2.6364	.80904
19	Tendering process is transparent	Public	13	3.5385	.77625
		Private	11	1.9091	.70065
20	There exists public support and cooperation for PPP	Public	13	3.6154	.86972
		Private	11	2.3636	1.02691
21	Public perceives PPP as viable means of providing infrastructure & basic services	Public	13	3.3846	.76795
		Private	11	3.0000	1.09545
22	Government conducts awareness programme about importance of PPP	Public	13	3.3846	.76795
		Private	11	1.8182	.60302
23	Government conducts awareness program about user-pays principle	Public	13	3.4615	.77625
		Private	11	2.0000	.63246

The table above shows that there is a difference between the perception of Public and Private sector authorities regarding constraints faced by Public Private Partnership projects in Uttar Pradesh. In most of the cases, the responses of Public sector authorities lie in the higher range (3.5 to 5) which represents a higher level of agreement with the statements. On the other hand, the responses of Private sector authorities fall in the lower range (1-2.5) which represents a lower level of agreement with the statements.

However, in some cases, there is similarity in perception of Public and Private sector authorities regarding constraints faced by Public Private Partnership projects in Uttar Pradesh. These include statements asking about coordination between central & state departments regarding implementation of PPP projects, existence of bond market in Uttar Pradesh, developed equity market, public perception about PPP as a viable means of providing infrastructure & basic services.

FINDINGS

The review of literature enabled the identification of constraints to the development and implementation of Public Private Partnership projects in Uttar Pradesh. These were incorporated into a survey questionnaire aimed at determining the relative importance of the identified constraints as perceived by the top level public and private sector authorities involved in PPP projects in Uttar Pradesh. By studying Table 2 to Table 6, the most significant constraints were identified as those whose frequency of disagreement was highest with statements regarding environmental constraints to PPP. The results show that the following were identified as the most significant constraints to the development of PPP projects in Uttar Pradesh:

- 1. Political constraints:** Change of ruling party, unfair and non-transparent government procurement and lack of political commitment to eradicate corruption.
- 2. Legal constraints:** Restriction on participation of foreign investors and inadequate environment protection laws.
- 3. Financial constraints:** Underdeveloped pension and insurance markets and lack of equity market to finance PPP projects.
- 4. Policy framework:** Unclear authority and responsibility within parts of the government and non-transparent tendering process.
- 5. Social constraints:** Government does not conduct awareness programme regarding importance of PPP projects and to educate public about the importance of user pays principle.

By studying Table 2 to Table 6, the comparatively less significant constraints were identified as those whose frequency of disagreement was less with statements regarding environmental constraints to PPP. Although having low frequency, it does not mean that the constraints below are totally absent in the PPP projects in Uttar Pradesh:

1. **Political constraints:** Lack of state government support towards PPP projects, presence of red-tapism and lack of coordination between central and state government departments regarding implementation of PPP projects.
2. **Legal constraints:** Lack of clearly defined legal basis for private sector participation in PPP.
3. **Financial constraints:** Inadequate provision in state government budget for cost over-run and cost escalation, unavailability of long-term loans readily to PPP infrastructure projects in Uttar Pradesh.
4. **Policy framework:** Unclearly defined stages of project identification, selection and contracting, non-generation of profitable and affordable project proposals for private players.
5. **Social constraints:** Low level of public support and cooperation for PPP infrastructure projects, lack of perception of PPP as viable means of providing infrastructure and basic services.

RECOMMENDATIONS

Governments embarking on PPP programs should develop new policy, legal, financial and institutional frameworks to provide the required organizational and individual capacities. These should extend beyond that needed to originate and financially close PPP deals, and they must also ensure that these deals are affordable to users and the public sector and provide ex-post evaluation of the success of PPPs in meeting their objectives. This framework needs to be in place in Uttar Pradesh to ensure a robust and successful PPPs program.

When infrastructure is developed as PPPs the process is often characterized by detailed risk and cost appraisal, complex and long bidding procedures, difficult stakeholder management, and long-drawn negotiations to financial closure. This means that PPPs are critically dependent on sustained and explicit support of the sponsoring government. To deal with these procedural complexities and potential pitfalls of PPPs, governments need to be clear, committed, and technically capable to handle the legal, regulatory, policy, and governance issues.

CONCLUSION

The findings from the study suggests that there is a difference between the perception of public and private sector authorities regarding constraints faced by PPP projects in Uttar Pradesh. This is probably due to the reason that public sector respondents avoided choosing extreme options in order to portray themselves or their organization in a more favorable light. On the other hand, the responses of private sector authorities were probably more unbiased as their frequency of disagreement with the statements was higher. The public sector authorities should shed this defensive attitude and focus on the constraints to PPP and the remedial measures to overcome these constraints. The government authorities should accept that they are accountable to the public. In recent times, "Bijli-Sadak-Paani" is emerging as the voter's mandate from the erstwhile "Roti-Kapda-Makaan". PPPs result in improved delivery of public services and also promote public sector reforms. Therefore, the government should take concrete steps to overcome the constraints to PPP through pragmatic regulatory and policy measures.

The findings from the study are valuable in the process of identifying strategies and measures to facilitate the speedy implementation and completion of PPP projects. In addition, the findings provide an insight into the kind of constraints to PPP projects in Uttar Pradesh. This information will be beneficial to the government planning for undertaking infrastructure project through Public Private Partnership route.

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