



The Citizens' Right To Time Bound Delivery of Goods and Services

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About the Study

AIMS AND OBJECTIVES

Assessment of provision of services on the basis of accessibility, availability, efficiency and regularity.

A comparative analysis of The Right of Citizens for Time Bound Delivery of Goods and Services and Redressal of their Grievances Bill, 2011 as enacted in 19 states.

Examining existing system of redressal and the e-governance model.



About the Study

- **METHODOLOGY** : Secondary Data Analysis
- **RESEARCH QUESTION** : What manner of deficiencies in the current grievance redressal mechanism has elicited the need for a stricter Act?
- **HYPOTHESIS** : The evolution and very existence of multiple methods of grievance redressal questions the effectiveness of fair and accessible provision of services in the first place and settling public grievances in an expeditious manner, in the second. The fact that the already existent mechanisms are failing to reduce systematic deficiencies and dissatisfaction amongst the citizens makes us question what is going wrong. Has it not been upto the mark?



Layout of the Paper

Policy Background and Context

- The Citizen's Charter
- Establishment of Organizations
- The Sevottam Model

Existing Background of Public Grievances

- Internal Mechanisms
- External Mechanisms
- E-Mechanisms

Systematic Deficiencies

Provisions and Limitations of the Central Act

Comparative State-wise Analysis

Challenges faced by the e-governance model

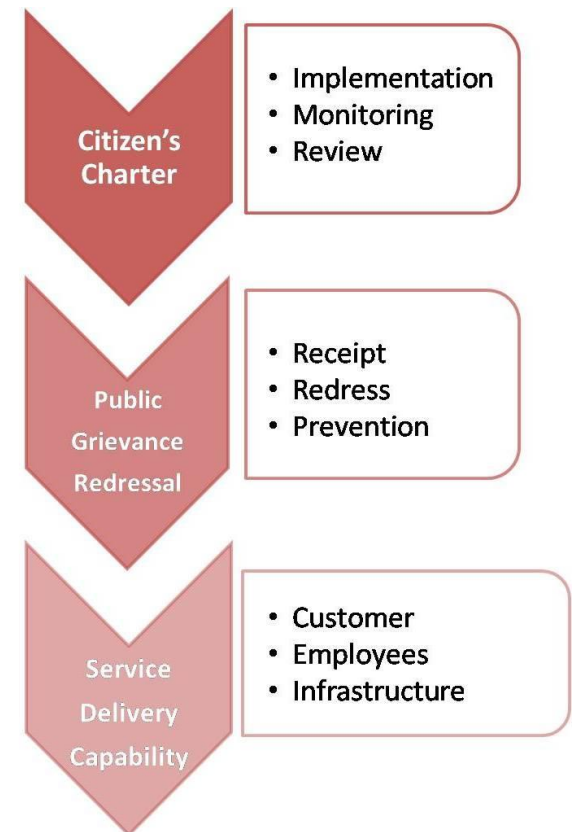
Recommendations and Policy reforms

Policy Background and Context

What are these Services?

Electricity, power connection to households and businesses, water/sewage connection, ration cards for PDS, kisan credit cards, banking services, registration and renewal of vehicles, drivers license, passports, police FIRs etc. Public transport passes, issuing caste, birth, death, marriage, income and domicile certificates, voter's card, copies of land records, sanction of building plans etc.

- **The Citizen's Charter** : 'Putting people first' + setting out standards for delivery
- **Establishment of Organizations**
 - Directorate of Public Grievances
 - Department of Administrative Reforms and Public Grievances (DARPG)
- **The Sevottam Model - Nine Criteria Model for Citizen Centricity**
Three Modules:
 - Charter Effectiveness
 - Public Grievance Redressal
 - Service Delivery Capability





Existing Model of Public Grievances

Internal Mechanisms

- Appointed Officers
- Meeting-less Wednesdays and Single Window System
- Helpline for Grievances
- Centralized Public Grievance Redress and Monitoring System (CPGRAMS)

External Mechanisms

- Legislations (eg. RTI, 2005; Consumer Protection Act 1986)
- Nodal Agencies
- Lok Adalat/Jan Sunwai Model:
- Ombudsman System
- Consumer organizations, citizen groups, consumer courts:

E - Mechanisms

The 3 Core components of the The National e-Governance Plan (NeGP) framework:

- State Wide Area Networks (SWANs)
- State Data Centres (SDCs)
- Common Services Centres (CSCs):



Systematic Deficiencies

The World Bank report 2004, broadly outlined the ways services are failing the poor into four categories:

- **Budgeting**
- **Money not reaching the frontline service providers**
- **Weak incentives for effective service**
- **Lack of demand**

Besides these, factors which are prevalent and have repeatedly come up in surveys are:

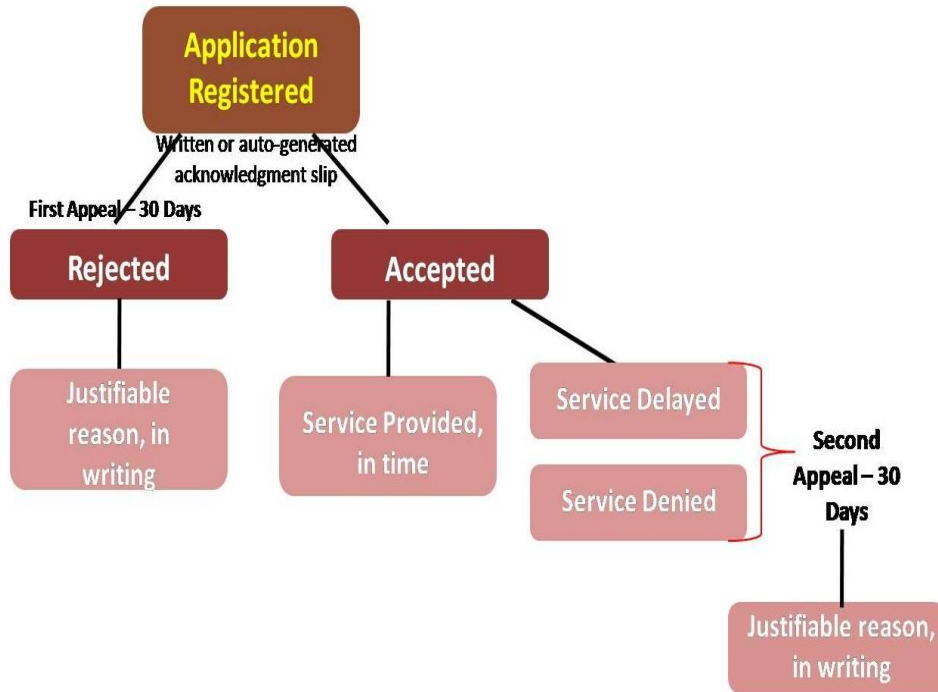
Corruption

Lack of Awareness

Non-Revision of Rules

Absenteeism

Provisions and Limitations of the Central Act



PROVISIONS:

- I. **Mandatory to Publish the Citizen's Charter**
- II. **Information and Facilitation Centre**
- III. **Organizational Structure**
 - Grievance Redress Officer (GRO)
 - Designated Authority (DA)
 - State and Central Public Grievance Redressal Commission
- IV. **Penalty and Compensation**
- V. **Disciplinary action**
- VI. **Appeal to Lokpal/Lokayukta**

LIMITATIONS of the Central Act:

- I. **Multiplicity of legislations**
- II. **Conflict with State Acts**
- III. **Speedier relief**
- IV. **Missing Lokayuktas**
- V. **Exclusion of NRIs**
- VI. **Inconsonance between powers of Designated Authority and Commissions**



Comparative State-Wise Analysis

19 states have so far enacted the RTPS. Madhya Pradesh became the first state to have implemented the Right to Public service act on 18 August 2010 and went on to win the UNPSA Award for 2012 from among 483 nominations.

A close reading of the State Acts reflected that the basic legal provisions adapted individually by each state are more or less common, notifying the following:

Glimpse of the State-Matrix

State	Name of Act	Date of Passing	No. of Services	No. of Departments	Procedure	Appellate Authority (with timeline)	Penalty		Compensation	Disciplinary Action	Nodal Agency	Incentives (if any)
							Non Delivery	Delay				
J&K	The Jammu and Kashmir Public services Guarantee Act, 2011	April 13, 2011	45	6	Two rounds of appeal. If D.O or I Appellate is aggrieved by the order of the II appellate authority he may file a revision before the special tribunal.	D.O -> I App -> II App -> General Admin Dept	Rs. 250 each day for delay or Rs. 5000 whichever is lesser. Rs. 2000 for deficiency.		Penalty amount deducted from honorarium.	May be recommended against D.O or I App.	General Administration department	N/A
Delhi	Delhi (Right of Citizen to Time Bound Delivery of Services) Act, 2011	April 28, 2011	116	22	e-sLA monitoring and tracking. One round of appeal. Application to be filed with concerned department.	Govt servant -> Competent Officer -> Appellate Officer	Rs. 10 per day up to Rs. 200 per application			recommended in case of habitual offenders	Department of Information Technology	Upto Rs. 5000 Cash incentive for no default in a year
Bihar	Bihar Right to Public Services Act, 2011	August 15, 2011	50	10	Two rounds of appeal. Application to be filed with designated officer.	D.O -> I app -> II app -> nominated officer	Rs. 500 – Rs. 5000 on D.O and I App	Rs. 250 per day upto Rs. 5000	Penalty amount deducted from honorarium.	May be recommended against D.O or I App.	General Administration department	N/A
Madhya Pradesh	Madhya Pradesh Lok Sewaon Ke Pradan Ki Guarantee	August 18, 2010	52	16	Two rounds of appeal. Application to be filed with designated officer.	D.O -> I app -> II app -> nominated officer	Rs. 500 – Rs. 5000 on D.O and I App	Rs. 250 per day upto Rs. 5000	Penalty amount deducted from honorarium.	May be recommended against D.O or I App.	Department of Public Service Management	N/A



The e-governance model in India

Types of services :

- **Government-to-citizen (G2C)** : e-citizenship, e-transport, e-health and education
- **Citizen-to-Government (C2G)** : e-democracy, e-feedback
- **Government-to-Government (G2G)** : e-secretariat, e-police, e-courts
- **Government-to-Business (G2B)** : e-taxation, e-society, e-commerce

Successful Projects : Karnataka – Bhoomi Project , MP – Project Gyandoot, Kerala – FRIENDS, Andhra Pradesh - SmartGOv, CARD, VOICE, E-cops. E-seva, Gujarat - computerized interstate checkpoints, CVC website, Haryana - e-Disha (District Level Integrated Services), Chandigarh - e-Sampark

Challenges Faced

- e-Readiness
- Digital Divide
- Infrastructural Constraints
- Lack of awareness and low literacy levels
- Lack of skill development and training:
- Political and Legal challenges
- Privacy and Security



Recommendations and Policy Reforms

Informing

- Awareness generation and educational programmes
- Usage of ICT tools to their optimum advantage

Providing

- Increasing the coverage of services
- Public private partnerships and outsourcing
- Increasing the number of front line providers and Lok seva kendras.
- Voluntary Coupon based approach
- Performance Incentives

Redressing

- Tapping the country's IT boom through e-governance
- M-governance
- IVRs - Interactive Voice Response
- Ombudsmen, public hearings and social audits
- Alternative Dispute Resolution techniques

After Care

- Citizen Surveys
- Citizen Report Cards
- Protect whistleblowers
- Capacity Building and training workshops



THANK YOU !
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