



An initiative of **MADE EASY** Group

# GOVERNANCE IN INDIA

**Civil Services Examination**



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### **Governance in India**

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# Aspects of Governance

1

## 1.1 Governance

With the beginning of civilization, there arose a need for smooth administration and division of responsibilities. Since the population started to increase, people grew concerned about their welfare and able ruling. This led to the rise of an organizational structure which dealt with the nuances of firm ruling and governance.

Oxford English Dictionary defined the governance as “the act or manner of governing, of exercising control or authority over the actions of subjects; a system of regulations.

According to The International Encyclopedia of the Social Sciences, Governance is the act of governing.

Governance refers to all manners of exercising control and authority in the allocation of resources (World Bank, 1994). Governance issues are thus closely tied to the processes and mechanisms through which people access resources. These include issues of property rights, social relationships and gender, as well as social capital through which people access resources.

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To distinguish the term governance from government; “governance” is what a “government” does. It might be a geo-political government (nation-state), a corporate government (business entity), a socio-political government (tribe, family etc.), or any number of different kinds of government, but governance is the actual exercise of management power and policy, while government is the instrument (usually collective) that does it.

Thus, governance means the process of decision-making and the process by which decisions are implemented (or not implemented). Further, governance can be used in several contexts such as corporate governance, international governance, national governance and local governance etc.

## 1.2 Good Governance

The concept of good governance is not new. Kautilya in his treatise Arthashastra elaborated the traits of the king of a well governed State thus: “in the happiness of his subjects lies his happiness, in their welfare his welfare, whatever pleases himself, he does not consider as good, but whatever pleases his subjects he considers as good”. Mahatma Gandhi had propounded the concept of ‘Su-raj’. Thus, Good governance often refers to the task of running the Government in an effective manner. It is qualitatively and conceptual superior to a mere good government.

Further, Good Governance is not a phenomenon which can be easily described in words; it is rather a phenomenon which can be felt by people. Good governance does not depend only on the executive but depends on the efficient functioning of legislature, executive, judiciary, private institutions, NGOs, as well as the co-operation of the people.

According to the World Bank, good governance entails sound public sector management (efficiency, effectiveness and economy), accountability exchange and free flow of information (transparency), and a legal framework for development (justice, respect for human rights and liberties). Good governance has the following eight attributes which link it to its citizens.

**As per World Bank Good Governance focuses on four major components, namely:**

- Legitimacy: government should have the consent of the governed
- Accountability: ensuring transparency, being answerable for actions and media freedom);
- Competence: effective policymaking, implementation and service delivery)
- Respect for law and protection of human rights.

### Key Characteristics

Good governance aims at providing an environment in which all citizens irrespective of class, caste and gender can develop to their full potential. In addition, good governance also aims at providing public services effectively, efficiently and equitably to the citizens. The 4 pillars on which the edifice of good governance rests, in essence are:

- Ethos (of service to the citizen),
- Ethics (honesty, integrity and transparency),
- Equity (treating all citizens alike with empathy for the weaker sections), and
- Efficiency (speedy and effective delivery of service without harassment and using ICT increasingly)



As per 2<sup>nd</sup> ARC, 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.

### Participation

Participation by both men and women is a key cornerstone of good governance. Participation could be either direct or through legitimate intermediate institutions or representatives. Participation needs to be informed and organized. The involvement of citizens in a wide range of policy making activities, including the determination of levels of service, budget priorities, and the acceptability of physical construction projects in order to orient government programs toward community needs, build public support, and encourage a sense of cohesiveness within neighborhoods.

### Rule of Law

Good governance requires fair legal frameworks that are enforced 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 police force.

### 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 that it is provided in easily understandable forms and media.

### Responsiveness

Good governance requires that institutions and processes try to serve all stakeholders within a reasonable time frame. When the governance is good, public services are delivered, and requests and complaints are responded to within a reasonable time frame.

### 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

A society's well-being depends on ensuring that all its members feel that they have a stake in it and do not feel excluded from the mainstream of society. This requires all groups, but particularly 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 resources at their disposal. The concept of efficiency in the context of good governance also covers the sustainable use of natural resources and the protection of the environment.

### Accountability

Accountability is of utmost importance in good governance. Not only governmental institutions but also the private sector and civil society organizations must be accountable to the public and to their institutional stakeholders. 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. Accountability cannot be enforced without transparency and the rule of law.

### Examples of Good Governance: Making Right to Information Simple

#### Jaankari – RTI Facilitation on Phone in Bihar:

- Bihar's unique attempt to accept Right to Information (RTI) applications through phone calls ('Jaankari' project) has been selected for the first prize for 'outstanding performance in citizen centric service delivery' at the National Awards for e-Governance.
- Under this facility, anyone can make a phone call at the specified number (a call centre) and the call centre person will record all the details, charges for making the RTI application are included in the phone call charges.
- Simplifying, Redesigning, Rationalizing Processes (Issue of government documents such as – driving license, pan card, passport, other certificates etc).
- Eg. there have been many reforms in the license issuing procedure over the last several years, important among them being the launch of 'Vahan' and 'Sarathi' – a computer application to process various issues connected with the issuance of driving licenses.
- Vahan can be used to issue Registration Certificates and Permits. Sarathi can be used to issue a Learner's Licence. Permanent Driving Licence. Conductor Licence and also Driving School Licence to the applicants.

### Good Governance and Citizen Centric Administration

The concepts of good governance and citizen centric administration are intimately connected. Citizen centricity with the aim of ensuring citizens' welfare and citizens' satisfaction, is critical for any government, local, state or national; which aims to provide good governance. Following are the pre-requisites of citizen centric governance:

- (a) Sound Legal Framework.
- (b) Robust institutional mechanism for proper implementation of laws and their effective functioning.
- (c) Competent personnel staffing these institutions; and sound personnel management policies.
- (d) Right policies for decentralization, delegation and accountability.

### Also following are the core principles for making governance citizen centric:

- Rule of Law - Zero tolerance strategy.
- Making institutions vibrant, responsive and accountable.
- Decentralization.
- Transparency.
- Civil Services Reforms.
- Ethics in Governance.
- Process Reforms.
- Periodic and independent evaluation of the quality of Governance.

Finally, to make governance more citizen centric, there are certain tools and mechanisms, which can be usefully employed to make the administration citizen centric. These are:

- (a) Re-engineering processes to make governance 'citizen centric'.
- (b) Adoption of Appropriate Modern Technology.
- (c) Right to Information.
- (d) Citizens' Charters.
- (e) Independent evaluation of services Grievance redressal mechanisms.
- (g) Active citizens' participation – Public-private partnerships

## 1.3 Citizens' Participation

Citizens' participation in governance embodies a shift in the development paradigm from citizens as the recipients of development to one that views them as active participants in the development process. Equally, it involves a shift from a "top-down" to a "bottom-up" approach to development involving increasing decentralization of power away from the Government and closer to grassroots levels. The concept of citizens' participation in governance is essentially based on the premise that citizens have a legitimate role in influencing decision making processes that affect their lives, their businesses and their communities. In other words, citizens' participation refers to the mechanism and modalities by which citizens can influence and take control over resources and decision making that directly impacts their lives.

At the ideological level, direct citizens' participation in governance is seen as contributing to a healthy democracy because it enhances and improves upon the traditional form of representative democracy to transform it into more responsive and thus a participative grassroots democracy. It is now widely accepted that active citizens' participation can contribute to good governance in the following ways:





- It enables citizens to demand accountability and helps to make government more responsive, efficient and effective.
- It helps to make government programmes and services more effective and sustainable.
- It enables the poor and marginalized to influence public policy and service delivery to improve their lives.
- It helps to promote healthy, grass root democracy.

### **Mechanisms for Citizens' Participation**

#### **Citizens Seeking Information**

Access to information is a fundamental pre-requisite for ensuring citizens' participation in governance. Making procedural information available is the first step in any strategy to empower citizens for their interaction with government. Right to Information Act in India has in essence already laid down the ground-work for ensuring this pre-requisite for citizens' participation in governance but it is only by greater citizens' awareness of their rights under this Act that its vision of transparency can be realized.

#### **Citizens Giving Suggestions**

Listening to the voice of citizens not just during periodic elections but on an ongoing basis is the starting point of participation of citizens in governance. Such listening could be done through public hearings, surveys, etc., where citizens can give their suggestions with regard to their problems as well as the possible solutions. Citizens are in the best position to articulate their needs and suggest the appropriate solutions which is why there is often need to complement local knowledge and skills with governmental expertise. Such participation can lead to proactive engagement with the policy making process thus creating entry points for further participation and mobilization of citizens to enter the arena of governance. For Example: the Bangalore Agenda Task Force (BATF) was set up in 1999 with the goal of transforming Bangalore into a world class city with the participation of its leading citizens including the heads of its major IT companies, as well as prominent members of the Bangalore civic community. While no uniform model for receiving the suggestions of citizens or holding consultations can be suggested, it should be mandatory for all government organizations to develop a suitable mechanism for this purpose.

#### **Citizens Demanding Better Services**

The objective of citizens' participation is to make sure that government organizations work for the constituencies which they are meant to serve. However, for this to happen, government servants should be accountable not only to their superiors but also to citizens. It is only when this is realised by government agencies that citizens can voice their grievances with assurance that due attention is given to them.

For example, the Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB) created a campaign called the Customers' meet campaign which "compelled senior managers to leave the comfort and security of their offices to interact directly with citizens in neighbourhoods throughout the city. The campaign not only provided valuable customer feedback to the Metro Water Management, but also sparked pressure from citizens for further reform by raising expectations. The campaign was covered extensively in the media, thereby magnifying its impact.

The efficiency of a government organization is best judged by its responsiveness to complaints/demands from its clients. For this, every government organization must ensure a fool-proof system for registration of all complaints and a prescribed time schedule for response and resolution. Also, a monitoring and evaluation mechanism to ensure that the norms prescribed are complied with.

#### **Citizens Holding Service Providers and Government Agencies Accountable**

Making public agencies work and ensuring that their service delivery would meet the criteria of efficiency, equity and customer satisfaction, requires citizens to voice their grievance and their dissatisfaction in an organized manner. Citizens should be given the opportunity to rate the services provided by government organizations, on a periodic basis. Regular citizens' feedback and survey and citizens report cards should therefore be evolved by all departments for this purpose. This would not only give a voice to the citizens but also enable the agencies concerned to judge satisfaction ratings and the need for improvement.

#### **Active Citizens' Participation in Administration/ Decision-Making**

Giving citizens on-going access to the decision-making process, beyond periodic consultations is a more mature and intensive form of citizens participation in governance which can help them negotiate with government for better policy, better plans, better projects etc. Through this, the citizens no longer merely voice their grievances with government, but it involves government actually working with citizens. Some examples are as under:

Examples of such participation would include participatory municipal budgeting, allowing citizens to vote directly through a referendum on specific proposals for changes in public policies, projects and laws; mandatory public hearings before approval of projects or decisions such as changes in land use plans, that affect the environment and/or the local community, giving citizens' representation on management committees for local hospitals and schools, social audit, empowering the Gram Sabha to decide on issues of implementation in government welfare schemes etc.



## 1.4 Challenges

The reasons for Governments not being citizen centric can be attributed to the attitude and work of some government servants, the deficiencies in existing institutional structures and also to some citizens. While the laws made by the Legislature may be sound and relevant, very often they are not properly implemented by government functionaries. The system often suffers from problems of excessive centralization and policies and action plans are far removed from the needs of the citizens, results in a mismatch between what is required and what is being provided. Inadequate capacity building of personnel who are to implement the laws also results in policies and laws not being implemented properly. Further, lack of awareness about rights and duties and callous approach to compliance to laws on the part of some of the citizens also create barriers to good governance.

### Social Audit

Social audit generally refers to engagement of the stakeholders in measuring the achievement of objectives under any or all of the activities of a government organization, especially those pertaining to developmental goals. The basic aim here is to have an understanding of an activity from the perspective of the vast majority of people in society for whom the institutional/administrative system is designed and to improve upon it. Various participation techniques are used to involve all stakeholders in measuring, understanding, reporting and improving the social performance of an organization or activity. The whole process is intended as a means for social engagement, transparency and communication of information, leading to greater accountability of decisionmakers, representatives, managers and officials. It can be a continuous process covering all the stages of the target activity/programme.

### Attitudinal Problems of the Civil Servants

There is a growing concern that the Civil Services and administration in general, have become wooden, inflexible, self-perpetuating and inward looking. Consequently, their attitude is one of indifference and insensitivity to the needs of citizens coupled with the enormous asymmetry in the wielding of power at all levels which has further aggravated the situation and result. The officers perceive themselves as dispensing favours to citizens rather than serving them and given the abject poverty, illiteracy, etc. a culture of exaggerated deference to authority has become the norm.

### Lack of Accountability

A common reason usually cited for inefficiency in governance is the inability within the system to hold the Civil Services accountable for their actions. Seldom are disciplinary proceedings initiated against delinquent

government servants and imposition of penalties is even more rare. It is primarily because at most levels authority is divorced from accountability leading to a system of realistic and plausible alibis. Cumbersome disciplinary procedures have added to the general apathy towards discipline in Government. Moreover, the safeguards provided to civil servants, which were well intentioned – have often been misused. Another reason for lack of accountability is that performance evaluation systems within government have not been effectively structured, complacency that the system breeds has resulted in employees adopting an apathetic or lackadaisical attitude towards citizens and their grievances.

### Red Tapism

Bureaucracies the world over are expected to adhere to rules and procedures which are of course important for good governance. However, at times these rules and procedures are ab-initio ill-conceived and cumbersome and therefore, do not serve their purpose. Also, government servants sometimes become overly pre-occupied with rules and procedures and view these as an end in themselves.

### Low Levels of Awareness

Low levels of Awareness of the rights and duties prevent citizens from holding erring government servants to account. Similarly, low levels of compliance of Rules by the citizens also acts as an impediment to good governance; when citizens do not adhere to their duties they infringe on the freedom and rights of other citizens. Thus, awareness of rights and adherence to duties are two sides of the same coin. A vigilant citizenry, fully aware of its rights as well as its duties is perhaps the best way to ensure that officials as well as other citizens, discharge their duties effectively and honestly.

### Ineffective Implementation of Laws and Rules

There is a large body of laws in the country, each legislated with different objective – maintaining public order and safety, maintaining sanitation and hygiene, protecting rights of citizens, giving special protection to the vulnerable sections etc. Effective implementation of these laws creates an environment which would improve the welfare of all citizens and at the same time, encourage each citizen to contribute his best towards the development of society. On the other hand, weak implementation can cause a great deal of hardship to citizens and even erode the faith of the citizenry in the government machinery.

In conclusion, 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 its totality. However, sustainable human development actions must be taken to work towards this ideal with the aim of making it a reality.



### 2.1 Introduction

The “e” in e-Governance stands for ‘electronic’. Thus, e-Governance is basically associated with carrying out the functions and achieving the results of governance through the utilization of what has today come to be known as ICT (Information and Communications Technology). It is the application of information and communication technologies (ICT) to transform the efficiency, effectiveness transparency and accountability of informational and transactional exchanges within government between government and government agencies of National, State, Municipal and Local levels citizen and businesses. It also empowers citizens through access and use of information.

e-Governance is not only meant for introducing or using technological tools. But it also strives to bring about a change in the mindset and work culture to integrate government processes to serve the citizens better. The interaction between a citizen and a government agency normally takes place in a government office. With emerging Information and Communication technologies it is possible to locate service centers closed to clients. In all the cases, public traditionally looks for information and services addressing his or her needs and in both cases quality relevance and efficiency are of paramount importance.

#### SMART Governance

e-Governance or ‘electronic governance’ is basically the application of Information and Communications Technology to the processes of Government functioning in order to bring about ‘Simple, Moral, Accountable’. Responsive and Transparent’ (SMART) governance.

The emergence of Information and Communications Technology (ICT) has provided means for faster and better communication efficient storage retrieval and processing of data and exchange and utilization of information to its users be they individuals, groups, businesses organizations or governments. With growing computerization and increasing internet connectivity this process has presently reached a stage where more and more users are motivated to modifying their ways of doing things in order to leverage the advantages provided by ICT.

With the increasing awareness among citizens about their rights and the resultant increase in expectations

from the government to perform and deliver the whole paradigm of governance has changed. Government today is expected to be transparent in its dealings accountable for its activities and faster in its responses. This has made the use of ICT imperative in any agenda drawn towards achieving good governance.

#### Objectives

The Government's network infrastructure must be aimed at solving the political economic and social problems of the state and provide:

- Realization of the right of citizens to access public government information;
- Making available to the public with objective and reliable information on the activities of public authorities which strengthens the credibility of the state and its politics;
- Interaction and ongoing dialogue with the citizens of the state and public institutions as well as the necessary level of public control over activities of state bodies and organizations;
- Integration of information resources and services of state and local governments to strengthen national information space;
- Improving public administration optimizing the structure of the state apparatus reducing the financial and material costs for its maintenance a gradual transfer of government services that have value in a system of government online services that meets the real needs of citizens and organizations;
- Effectively support the economic activities of public entities that are engaged in economic activities allowing them to effectively integrate into a national and global economic space;
- Interaction and cooperation with government authorities in other countries and international organizations.

#### A Brief History

The introduction of e-governance in India started in the late 60s and early 70s with an emphasis on computerization of applications for defence services, economic planning, national census, elections, tax collections etc. However, from the early 90s e-governance has taken on a broader dimension using IT for wider sectoral applications with

a policy emphasis on reaching out to rural areas and taking in greater inputs from NGOs and the private sector. While the emphasis was initially on automation and computerization the later forays began to encompass connectivity networking setting up systems for processing information and delivering services. The implementation of the National e-Governance Plan (NeGP) in May 2006 was with the vision of making all government services accessible to the common man in his/ her locality through common service delivery outlets to ensure efficiency transparency and reliability of such services at affordable costs.

### Stages of e-Governance in India

The rise of e-governance has been one of the most striking developments of the web. As the Internet supported digital communities and assuming that they do indeed grow to incorporate individuals around the country (and globe). They present the national governments with a number of challenges and opportunities. Governments in democratic states are primarily a representative mechanism whereby the selected few debate and enact the legislation for and on behalf of the nation state's citizens. There are several aspects to this that might prove to be important in the context of e-governance.

Global shifts towards increased deployment of IT by governments emerged in the nineties with the advent of the World Wide Web. The technology as well as e-governance initiatives have come a long way since then. With the increase in Internet and mobile connections the citizens are learning to exploit their new mode of access in wide ranging ways. They have started expecting more and more information and services online from governments and corporate organizations to further their civic professional and personal lives thus, creating abundant evidence that the new "e-citizenship" is taking hold.

The effective use of ICT services in the Government has greatly enhanced existing efficiencies driven down communication costs and increased transparency in the functioning of various departments. It has also given citizens an easy access to tangible benefits be it through simple applications such as online form filling bill sourcing and payments or complex applications like distance education and tele-medicine.

## 2.2 E-Governance: Interactions and Applications

These initiatives are discussed under the following categories:

1. Government to Citizen (G2C) initiatives.
2. Government to Business (G2B) initiatives.
3. Government to Government (G2G) initiatives.
4. Government to Employee (G2E) initiatives.

### Government to Citizen (G2C) Initiatives

The e-Governance scenario in India has come a long way since computers were first introduced. The focus now is on extending the reach of governance to have a major impact on the people at large. A large number of initiatives have been taken in this category by the Union and the State Governments. Some of these are described in the following paragraphs.

- **Computerisation of Land Records:** It ensured that landowners get computerized copies of ownership crop and tenancy and for transparency and speedy dispute resolution.
- **Bhoomi Project Karnataka:** It is a self-sustainable project for the computerized delivery of 20 million rural land records to 6.7 million farmers in the State of Karnataka. As land records were not open for public scrutiny in the traditional system it resulted in manipulation and favouritism.
- **Gyandoot (Madhya Pradesh):** It was started with the twin objective of providing relevant information to the rural population and acting as an interface between the district administration and the people. The basic idea behind this project was to establish and foster a technologically innovative initiative which is owned and operated by the community itself. The services offered through the Gyandoot network include Daily agricultural commodity rates (mandi bhav), income certificate, caste certificate, public grievance redressal, etc.
- **Lokvani Project in Uttar Pradesh:** Lokvani is a public-private partnership with an objective to provide a single window self sustainable e-Governance solution with regard to handling of grievances land record maintenance and providing a mixture of essential services.
- **Project FRIENDS in Kerala:** FRIENDS (Fast, Reliable, Instant, Efficient Network for the Disbursement of Services) is a Single Window Facility providing citizens the means to pay taxes and other financial dues to the State Government.
- **e-Mitra Project in Rajasthan:** This initiative builds upon the experiences gained through the Lok Mitra and Jan Mitra pilot projects launched in 2002. While Lok Mitra was centred in the city of Jaipur. Jan Mitra was piloted in Jhalawar district to provide information and services under one roof to urban and rural populations. E-Mitra is an integration of the two projects.
- **Revenue Administration through Computerized Energy (RACE) Billing Project, Bihar:** The Patna Electric Supply Undertaking (PESU) which is one of the seven area boards of the Bihar State Electricity Board (BSEB) caters to the energy requirements of the Patna Urban Area. The entire billing and payment process was manual and anomalies in the system were resulting in harassment to the consumers and loss of revenue to

the Board. To address these problems it was decided by the BSEB to take the assistance of ICT in providing value added and consumer-friendly service to the clients.

- **Admission to Professional Colleges – Common Entrance Test (CET):** With the rapid growth in the demand as well as supply of professional education the process of admission to these institutions became a major challenge in the early 1990s. Recourse was then taken to ICT to make the process of admission transparent and objective. Use of ICT in the admission process has helped in making the admission process totally transparent fair and objective. Consequently, most of the institutions have now switched over to similar ICT based admission process.

### Government to Business (G2B) Initiatives

G2B initiatives encompass all activities of government which impinge upon business organizations. These include registrations under different statutes. Licenses under different laws and exchange of information between government and business. The objective of bringing these activities under e-Governance is to provide a congenial legal environment to business expedite various processes and provide relevant information to business.

- **e-Procurement Project in Andhra Pradesh:** Prior to the introduction of an e-Procurement system in Andhra Pradesh procurement in Government departments was done through a manual tendering process. The manual tender system suffered from various deficiencies, including discrimination, cartel formation, delays, lack of transparency etc. It reduces the time and cost of doing business for both vendors and government.
- **MCA 21:** The Ministry of Corporate Affairs has implemented the MCA 21 Mission Mode Project under the National e-Governance Plan. The project aims at providing easy and secure online access to all registry related services provided by the Union Ministry of Corporate Affairs to corporates and other stakeholders at any time and in a manner that best suits them.

### Government to Government (G2G) Initiatives

Within the government system there is large scale processing of information and decision making. G2G initiatives help in making the internal government processes more efficient. Many a time G2C and G2B processes necessitate the improvements in G2G processes.

- **Khajane Project in Karnataka:** It is a comprehensive online treasury computerization project of the Government of Karnataka to track every activity right from the approval of the State Budget to the point of rendering accounts to the government. The project aimed to get rid of the issue in the manual system in the treasury.

- **SmartGov (Andhra Pradesh):** SmartGov has been developed to streamline operations enhance efficiency through workflow automation and knowledge management for implementation in the Andhra Pradesh government. The solution automates the functioning of all levels of Government entities and provides a well defined mechanism for transforming the “hard copy environment” to a “digital environment”.

### G2E (Government to Employees)

The initiative is a two-way interactive process between the organisation and the employee. E-governance helps in making these interactions fast and efficient in addition to increasing the satisfaction levels of employees. It involves giving and taking of information regarding diverse work assignments as may come from time to time evolution of performance management policy for personnel training and development of employees and career advice. The G2E model is a blend of providing information and services by the government organization to their employees to enable communication and learning.

- **E-Postal Ballot:** The government issued a notification through which a certain section of electorate can cast their vote electronically. The benefit of postal ballots has been extended to the members of armed forces and supplementary forces and certain government employees deployed in remote/inaccessible areas and those posted abroad. All of these must have registered with electoral authorities as registered voters. It may later be extended to special voters and those in preventive detention.

## 2.3 NeGP 2.0 or e-Kranti

The electronic delivery of public services in India has got a major boost as the government embarked on the National e-Governance Plan (NeGP) 2.0, also referred to as e-Kranti. The NeGP 2.0 is a part of the government's broader Digital India initiative and aims to scale up and boost e-governance initiatives across the country. It will help in moving all government-to-citizen transactions in the education, health, banking and public services sectors onto online platforms to digitally empower citizens of all strata. Based on the experience with NeGP and also on the forgoing analysis, the principles have been formulated to guide the design and implementation of the e-Kranti Program.

### Objectives

1. To redefine NeGP with transformational and outcome oriented e-Governance initiatives.
2. To enhance the portfolio of citizen centric services.
3. To ensure optimum usage of core Information & Communication Technology (ICT).

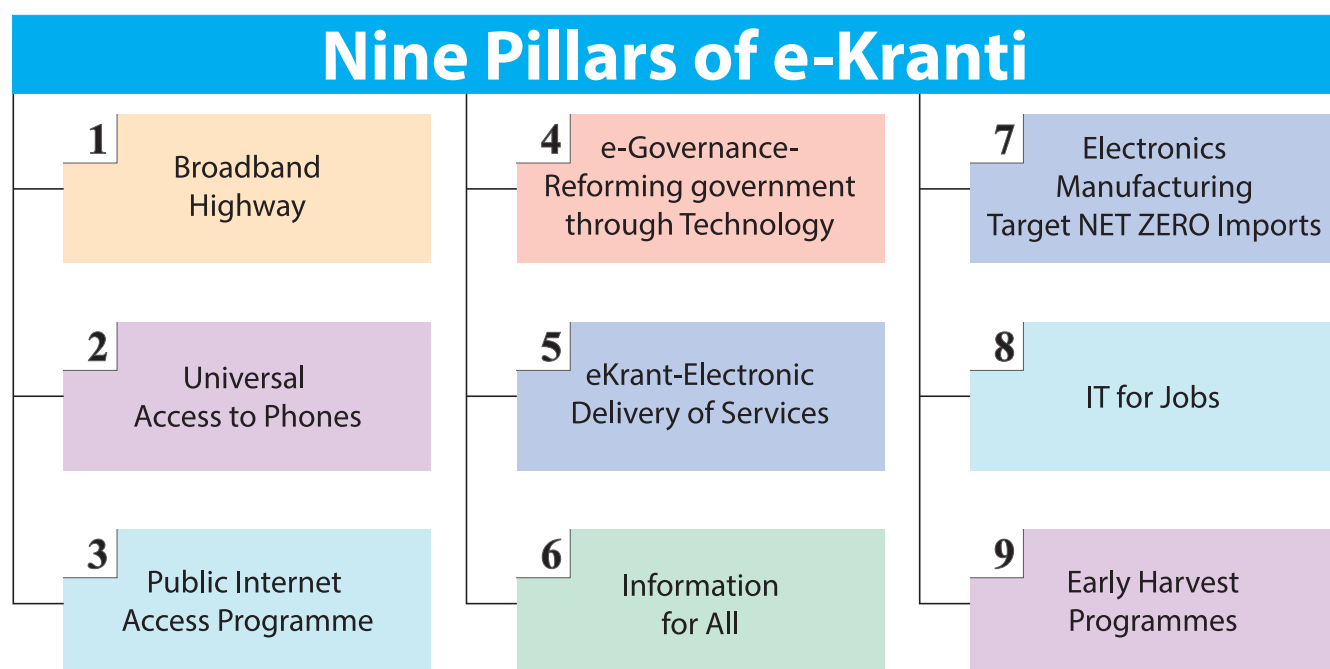
4. To promote rapid replication and integration of e-Governance applications.
5. To leverage emerging technologies.
6. To make use of more agile implementation models.

### Key Principles

- **Transformation and not Translation:** All project proposals in e-Kranti must involve a substantial transformation in the quality, quantity and manner of delivery of services and significant enhancement in productivity and competitiveness.
- **Integrated Services and not Individual Services:** A common middle ware and integration of the back-end processes and processing systems are required to facilitate integrated service delivery to citizens.
- **Government Process Re-engineering (GPR):** To mandate GPR as the essential first step in all new MMPs (Mission mode projects) without which a project may not be sanctioned.
- **ICT Infrastructure on Demand:** Government departments should be provided with ICT infrastructures, such as connectivity, cloud and mobile platform on demand. In this regard, National Information Infrastructure (NII), which is at an advanced stage of project formulation, would be fast-tracked by DeitY (Department of Information and Technology).
- **Cloud by Default:** The flexibility, agility and cost-effectiveness offered by cloud technologies would be fully leveraged while designing and hosting applications. Government Cloud shall be the default cloud for Government Departments.

- **Mobile First:** All applications are designed/redesigned to enable delivery of services through mobile.
- **Fast Tracking Approvals:** To establish a fast - track approval mechanism for MMPs, once the Detailed Project Report (DPR) of a project is approved by the Competent Authority, empowered committees may be constituted with delegated powers to take all subsequent decisions.
- **Mandating Standards and Protocols:** Use of e-Governance standards and protocols as notified by DeitY be mandated in all e-governance projects.
- **Language Localization:** It is imperative that all information and services in e-Governance projects are available in Indian languages as well.
- **National GIS (Geo-Spatial Information System):** NGIS to be leveraged as a platform and as a service in e-Governance projects.
- **Security and Electronic Data Preservation:** All online applications and e-services adhere to prescribed security measures including cyber security. The National Cyber Security Policy 2013 notified by DeitY must be followed.

The approach and methodology of e-Kranti are fully aligned with the Digital India programme. The programme management structure approved for Digital India programme would be used for monitoring the implementation of e-Kranti and also for providing a forum to ascertain views of all stakeholders, overseeing implementation, resolving inter-Ministerial issues and ensuring speedy sanction of projects.





## Implementation

- **NII 2.0:** National Information Infrastructure 2.0 will consolidate and integrate the currently available and proposed network infrastructure, such as the National Knowledge Network, the State Wide Area Network and the National Optical Fibre Network.
- **PayGov India:** This is an online national payment gateway for citizens to pay fees for availing any government services.
- **MeghRaj:** The Government of India's cloud will enable departments and agencies at the central and state levels to leverage cloud computing for the effective delivery of e-services.
- **eGov App Store:** Using this, a large number of successful and time-tested applications can be hosted for immediate adoption by departments and agencies.
- **Mobile Seva:** The Mobile Seva platform is aimed at mainstreaming mobile governance in the country. Mobile Seva provides all possible mobile-based channels for service delivery, including SMS, unstructured supplementary service data, interactive voice response systems and mobile applications. It now aims to provide location-based and cell-based services.
- **e-Pramaan:** It is a framework for the e-authentication of users who access online services through the web or mobile phones. It fully incorporates and uses the Aadhaar authentication mechanism provided by the Unique Identification Authority of India.
- **e-Governance standards:** Open standards offer innovative solutions that can fix one particular challenge faced by government departments the high licensing costs associated with the acquisition and deployment of ICT.
- **Language localisation:** All e-Kranti governance applications will be developed in constitutionally recognised Indian languages to improve their uptake.
- **e-Taal 2.0:** This will be an enhanced version of e-Taal and incorporate additional features such as business intelligence tools, an e-services directory, a local language interface, a weighted average system for various services, a geographical orientation to service delivery points, and a comparative analysis of states and e-services in terms of e-transactions.
- **Social media:** Recognising the power of social media, the government has notified a policy on its use by government departments and agencies.
- **Better access to information and quality services for citizens:** ICT would make available timely and reliable information on various aspects of governance. In the initial phase information would be made available with respect to simple aspects of governance such as forms, laws, rules, procedures etc later extending to detailed information including reports (including performance reports), public database, decision making processes etc. The ultimate objective of e-Governance is to reach out to citizens by adopting a life-cycle approach i.e., providing public services to citizens which would be required right from birth to death.
- **Simplicity and efficiency in the government:** Application of ICT to governance combined with detailed business process re-engineering would lead to simplification of complicated processes weeding out of redundant processes simplification in structures and changes in statutes and regulations. The end result would be simplification of the functioning of government enhanced decision making abilities and increased efficiency across government – all contributing to an overall environment of a more accountable government machinery. This in turn would result in enhanced productivity and efficiency in all sectors.
- **Expanded reach of governance:** Rapid growth of communications technology and its adoption in governance would help in bringing government machinery to the doorsteps of the citizens. Expansion of telephone network, rapid strides in mobile telephony, spread of internet and strengthening of other communications infrastructure would facilitate delivery of a large number of services provided by the government. This enhancement of the reach of government – both spatial and demographic – would also enable better participation of citizens in the process of governance.
- **Transparency:** Transparency is broadly accepted as a vital principle of good governance. It ensures that the stakeholders have the necessary information to make decisions for the progress of their lives. Transparency in government operations improves the confidence of citizen towards their government while reminding government about the need to be transparent to citizens in their decisions and associated impact. Current governing process leaves many ways to conceal the information from all the people. E-governance helps make the information available online eliminating all the possibilities of concealing of information.
- **Reduced Corruption:** E-Governance can help in combating the menace of corruption through information exposure and better service delivery. Instant access to the information quick and efficient transaction enables them to understand rules and

## 2.4 Advantages

E-Governance is about reform in governance facilitated by the creative use of Information and Communications Technology. The benefits expected out of e-governance are as under:

regulations. These procedural changes have provided the strength to the citizen to question the authorities and seek explanation. The transparency thus generated by the use of e-governance may lead to reduction in corruption.

- **Accountability:** Once the governing process is made transparent the Government is automatically made accountable. Accountability is answerability of the Government to the people. It is the answerability for the deeds of the Government. An accountable Government is a responsible Government.
- **Cost Reduction:** With the expansion of e-governance government expenditure involving paper-works like stationary printers and pages would see substantial reduction. Also, communication through phones and internet further reduces government expenditure saving valuable money for the Government.
- **Environment Friendly:** Increasing use of information and Communication in governance would call for less use of papers in addition to less use of physical travel thus saving energy and costs of petrol/diesel for masses. This would see substantial benefit to the environment.
- **Speed:** Use of technology makes communication quick, Internet, Phones. Cell Phones have reduced the time taken in normal communication which saves a lot of time for the government as well as people. The time saved can be used for other productive works.

## 2.5 Problems

E-governance has a whole gamut of inter-related issues which have to be addressed systematically.

### Technical Issues

- **Integration:** E-Governance needs to make sure it is integrated with all ministries all state governments and at lower levels of administration. Integration of data is main problem. The challenge is to capture the data in web based form and transferring it in common format for processing and sharing the information.
- **Privacy:** Privacy of any transaction or information provided by the citizen to the government agency must be ensured. Otherwise the information can be misuse by the private sector or competitors and the users may be reluctant to access the services provided.
- **Security:** Transaction security is another major problem in e-governance. The tax fine and bill payment must be secured and the system design should be full proof.
- **Authentication:** The authentication of citizens requesting services needs to be verified before they access or use the services. The digital signature plays an important role in providing the authenticity but this is expensive and requires frequent maintenance.
- **Reliability:** Though the security measures are pretty high there have been incidences of hacking of websites which make it tough for people to share personal details. The growing concern about the security of cyber space and misuse of data is still holding back the citizens to full adaptation of facilities like Aadhar card.
- **No accountability in case of breakdown:** Many a times the delay in service to customers is attributed to technological errors like server has gone down, server is slow, technological glitch etc. These lead to several problems for masses. For Example: server breakdown at railway ticketing centre.

### Social Issues

- **Accessibility:** E-governance service should be accessible for anybody from anywhere at any time. Even if internet population is growing exponentially there is a very big portion of the population who may not be able to access e-governance for various reasons.
- **Usability:** All the users may not be expert of ICT transactions or the technology used for e-governance. Therefore, the service provided must be usable or user friendly. To make the system usable the guidance of operation may be provided to the users.
- **Acceptance:** E-governance requires reconfiguration of internal and external structure of public sectors. The main aim is to improve the system efficiently and to provide high quality services to the citizens. E-governance is for citizen convenience instead of convenience of government. The power conflicts over the departmental and functional boundaries become more prominent in integration process.
- **Use of local languages:** The access of information must be permitted in the local languages for user comfort. There should be language software or some other technologies to translate the information from English to local languages.
- **Awareness in rural areas:** In India there are very high percentage of villages where awareness of e-governance is required since large portion of rural populations are not aware of new technologies and computer educations.
- **User-friendliness especially for the illiterates and the elderly:** e-governance has an interface which elderly and uneducated person finds difficulty with. As there are no special facilities to help these people it acts as a hindrance for them. In general senior citizens do not have much computer education and they would have to approach a customer service officer for assistance. And also in case of rural people it gives scope for middle man who distort the information.



- **Lack of Trust:** Trust in e-government is of vital importance for the effective adoption and use of electronic public services. The use of information and communication Technology tools in e-governance has witnessed an increasing diffusion and adoption worldwide. Despite these positive results e-government has not yet reached its full potential because of lack of trust in the technology. Recent news like website hack of Ministry of Home Affairs which has the most secretive documents enforces lack of trust in divulging personal details.
- **Lack of Personal Touch:** As the interaction is virtual without any physical meetings there is no person to person interaction which is much valued in the Indian culture.

### Economic Issues

- **Cost:** Implementation, operations and maintenance cost of service provided should be low enough for high cost benefit ratio.
- **Maintainability:** IT has been continuously evolving and software are frequently upgraded. Thus, the system must be compatible and maintainable for easily fulfillment of emerging needs.
- **Reusability:** E-governance should be considered as nationwide plan and the implemented modules must be reusable by other administrations.
- **Portability:** The primary requisite for portable applications is independence of components from hardware or software platforms to help in possible reuse by other administrations.

### Other Issues

Some of the challenges and associated way ahead are as under:

- **Willingness:** Decades of following a particular mode of governance procedure tends to develop inertia and resistance to change. Further, old skills and habits will require to be replaced with new skills and new processes if e-Governance is to sustain. There has to be a strong will from within the government itself to crossover from the present system to e-Governance.
- **Political support at the highest level:** The vast scope of e-Governance combined with the enormous task of process re-engineering which will be necessary at various levels and the infrastructural and financial requirement necessarily call for commitment to the vision of e-Governance at the highest political level. A bottom-up approach will not suffice.
- **Providing Incentives:** Weaning government entities from the mechanical application of technology to adoption

of e-Governance tools will require incentivizing e-Governance among different entities and individuals. These incentives need to be reflected in the budgetary allocations. The best practices in the area of e-governance need to be documented so that other States can also take up these initiatives. e-Governance projects are best implemented in the Mission Mode.

- **Developing Awareness:** Apart from building capabilities within the government there is need for generating widespread awareness among the public at large. The success of e-Governance lies in increasing the number of electronic interactions between citizens and the government and not merely in building the infrastructure of e-Governance.
- **Overcoming resistance to change:** e-Governance has to be a collective effort. However, in every organization there are people who would not be convinced about its benefits or who would perceive it as a challenge to certain entrenched interests. Such resistance would need to be overcome by demonstrating the potential benefits of e-Governance; how it strengthens the organization internally creates goodwill externally and above all enhances citizens' satisfaction.
- **Training and capacity building:** Training would have to be imparted to government officials starting right from the cutting edge level so that any apprehensions of intrusive technology is removed and e-Governance is accepted as an achievable and desirable target.
- **Creating Infrastructure:** To ensure that the benefits of e-governance reaches to every corner especially the rural and backward regions more e-government projects have to be implemented by building adequate e-infrastructure. In comparison with the large scale at which e-governance training is being undertaken by countries such as China there is a significant gap in the training infrastructure and programmes being implemented in India.
- **Training:** Any large scale e-governance initiative can succeed only if there is an on-going and sustained programme for such training at the State and district levels. Further, there is also a need for training officials at IT policy level to take policy decisions and handle issues of strategy. Such officers could be expected to lead large e-governance programmes or become IT Secretaries in States etc. The training should include domestic and international components and such officers should be given exposure to such training/conferences/workshops internationally at frequent intervals.
- **Business Process Re-engineering:** It is essential to recognize that e-government is all about discarding old procedures and transforming the process of

decision-making. Technology is merely a tool and a catalyst for such transformation. e-Governance cannot be achieved simply by drafting a law or issuing an order. It requires changing how officials think and act. How they view their jobs, how they share information between departments with trade commerce and business and with common citizens.

## Conclusion

Technology by itself is not panacea for solving all the problems and it requires enabler in the form of human resource management and leadership of organization to reap greater benefit of it. Ultimately, the success of an e-Governance initiative lies in how efficiently it has enhanced people's participation in government functioning through wide ICT access bringing government and the services it offers closer to its citizens promoting accountability, transparency and responsiveness in government functioning and ensuring that government works better at lesser costs. These are the sine qua non for good governance and a vibrant democracy.

The e-governance process needs continuous input and feedback from the 'customers'— the citizens, resident, businesses and officials who use electronic public services. Their voices and ideas from the grass roots are essential to making e-governance work. Hence e-governance has to be a shared vision with all the stakeholders – government and non-government – participating in defining this vision.

## 2.6 Data Led Governance and Policy Making

### Objectives

Evidence based policy making should be made integral to the overall governance structure in New India, 2022-23. To achieve this, timely generation and dissemination of robust data at all levels of governance would be a pre-requisite. This would require:

- Collecting data for new measurable parameters using latest technologies and improving efficiencies in processes related to existing data collection by government departments and agencies.
- Expanding warehousing facilities for storing and integrating data from different sources.
- Making data available for industry practitioners, academicians, researchers, etc. wherever feasible.
- Integrating data analysis and interactive data visualization into all policy formulation.

### Current Situation

- Countries, where large-scale developmental efforts are needed, require their policy delivery mechanisms to be robust and efficient. However, paradoxically,

these countries have very little data needed for the selection, implementation and evaluation of effective policies.

- Rapid advancements in technology have led to an explosive growth in the volume of data produced. Hence, public services and governance systems in India can better harness the value of this data.
- One important step taken towards creating the availability of non-sensitive data for public consumption on a common platform was the launch of National Data Sharing and Accessibility Policy (NDSAP) in 2012. This led to the creation of the Open Government Data initiative where the domain data.gov.in was registered in 2012.

### Constraints

The following constraints need to be overcome to enable India's transition to a data-led governance structure:

- There is over-reliance on data collection through surveys e.g., population census comes out once in ten years, the latest National Family Health Survey-4 was released in 2015-16 after a period of 10 years but huge delays, diminishes their usefulness in policymaking. There is a dearth of availability of real time operational/ administrative data.
  - One challenge in this regard is that considerable number of stakeholders are involved in enabling data collection systems that are premised on a "bottom-to-top" approach. It will be a huge challenge to get all these stakeholders on board for a streamlined data collection and reporting mechanism as envisaged for 2022-23.
- There is a problem with the usability of data that is currently generated.
  - Large volumes of data collected by different government agencies and departments are not shared, even among the departments.
  - The data shared is often not available in machine readable format or cannot be integrated with data from other sources to help develop multi-dimensional insights.
  - Enabling adoption of the latest technology at the grass roots level would involve substantial investment along with skill development of local functionaries.
  - Furthermore, planning will be required to integrate different technologies so that ground level data can be aggregated.
- Lastly, there is considerable lack of awareness regarding currently available data sources.

## Steps Required

- **Data Collection Methods:**
  - Both administrative and survey data need to move from paper based to digitally driven operations. This would require the adoption of latest technologies that require recording in digital format, geo-tagging etc. This will address the issues related to time lags, data cleansing, etc., associated with surveys to a large extent.
  - Enable data sharing in real time through Application Programming Interfaces (API) between data stored across different databases and across ministries in a central location for easy access to public.
- **Data Integration and Quality assurance:**
  - Most of the administrative and survey data are generated at the state level. It is recommended that after going through the process of quality assurance, where discrepancies are removed, and formats are standardized, the data should be integrated in a state data repository.
  - Necessary reform of our statistics and data collection system must be undertaken for quality assurance as soon as possible to achieve quality evidence based policy making.
  - Some state governments like Andhra Pradesh, Gujarat, and Rajasthan have taken important steps to leverage technology for evidence-based policymaking. However, these steps need to be further streamlined and adopted by all states. This will empower the officer on the ground to take data led decisions and technology would help in informed policy making.
- **Data Protection:** The issue of confidentiality has to be addressed while dealing with citizen level data. Justice Sri Krishna Committee Report submitted its recommendation in July 2018. Its recommendations are under active consideration to formulate a data protection law in India.
- **Role of tertiary Big Data:** For better governance and evidence-based policymaking, it is recommended that tertiary big data collected by private third parties should be used. Over time, the National Data Analytics Portal aims at collecting, analyzing and disseminating various types of tertiary data of different levels of granularity.
- **Skill Development and Restructuring:**
  - Government statistical organizations responsible for data collection and reporting needs to be updated on new technologies.
  - Data scientists with multiple skills in the areas of statistics, analytics, computer science and programming are rare in the Indian government.
  - Ministry of Statistics and Programme Implementation (MoS & PI) needs to have an adequate number of data scientists to take advantage of new technologies.
  - Re-skilling needs to be promoted across government agencies, both at the state level and at the centre.
  - A roadmap for strengthening various government agencies including MoS & PI needs to be formulated and implemented in a time bound manner.

■■■■

# Citizens Charter and RTI

3

It has been recognised across the globe that good governance is essential for sustainable development, both economic and social. The three essential aspects emphasised in good governance are transparency, accountability and responsiveness of the administration. Citizen charter and RTI are two important steps which not only help in boosting transparency and accountability but also improves citizen administration interface.

## 3.1 Citizen Charter

### Introduction

The Citizens' Charter is an instrument which seeks to make an organization transparent accountable and citizen friendly. A Citizens' Charter is basically a set of commitments made by an organization regarding the standards of service which it delivers.

Every citizens' charter has several essential components to make it meaningful; the first being the Vision and Mission Statement of the organization. This gives the outcomes desired and the broad strategy to achieve these goals and outcomes. This also makes the users aware of the intent of their service provider and helps in holding the organization accountable.

Secondly, in its Citizens' Charter the organization must state clearly what subjects it deals with and the service areas it broadly covers. This helps the users to understand the type of services they can expect from a particular service provider. These commitments/promises constitute the heart of a citizens' charter. Even though these promises are not enforceable in a court of law each organization should ensure that the promises made are kept and in case of default a suitable compensatory/remedial mechanism should be provided.

Thirdly, the Citizens' Charter should also stipulate the responsibilities of the citizens in the context of the charter.

The Citizens' Charter when introduced in the early 1990's represented a landmark shift in the delivery of public services. The emphasis of the Citizens' Charter is on citizens as customers of public services. The Citizens' Charter scheme in its present form was first launched in 1991 in the UK. The aim was to ensure that public services are made responsive to the citizens they serve. In the

"Introduction to the First Report on Citizens' Charter" that was released by Prime Minister John Major in 1992 it was clearly defined as follows.

"The Citizens' Charter sees public services through the eyes of those who use them. For too long the provider has dominated and now it is the turn of the user. The Citizens' Charter will raise quality increase choice secure better value and extend accountability (Cabinet Office. U.K. 1992)".

A Citizens' Charter is a public statement that defines the entitlements of citizens to a specific service the standards of the service the conditions to be met by users and the remedies available to the latter in case of non-compliance of standards. The Charter concept empowers the citizens in demanding committed standards of service. Thus, the basic thrust of Citizens' Charter is to make public services citizen centric by ensuring that these services are demand driven rather than supply driven. In this context the six principles of the Citizens' Charter movement as originally framed were:

- **Quality:** Improving the quality of services;
- **Choice:** For the users wherever possible;
- **Standards:** Specifying what to expect within a time frame;
- **Value:** For the taxpayers' money;
- **Accountability:** Of the service provider (individual as well as Organization);
- **Transparency:** In rules, procedures schemes and grievance redressal.

**These were revised in 1998 as nine principles of service delivery in the following manner:**

- Set standards of service;
- Be open and provide full information;
- Consult and involve;
- Encourage access and promote choice;
- Treat all fairly;
- Put things right when they go wrong;
- Use resources effectively;
- Innovate and improve; and
- Work with other providers.

## Indian Experience

### Background

Government of India in 1996 commenced a National Debate for Responsive Administration. A major suggestion which emerged was bringing out Citizens' Charters for all public service organisations. The idea received strong support at the Chief Ministers' Conference in May 1997; one of the key decisions of the Conference was to formulate and operationalise Citizens' Charters at the Union and State Government levels in sectors which have large public interface such as Railways, Telecom, Post & Public Distribution Systems, Hospitals and the Revenue & Electricity Departments. The momentum for this was provided by the Department of Administrative Reforms & Public Grievances (DAR & PG) in consultation with the Department for Consumer Affairs. The Department of AR & PG simultaneously formulated guidelines for structuring a model charter as well as a list of do's and don'ts to enable various government departments to bring out focused and effective charters.

Key Principles of Citizen Charter	
Six principles of original Citizen's Charter Movement (1991)	Nine principles of 'Service First' (1998) framed by Labour govt., UK
<ul style="list-style-type: none"> <li>• <b>Quality:</b> Improving quality of services</li> <li>• <b>Choice:</b> Wherever possible</li> <li>• <b>Standards:</b> Specify what to expect and how to act if standards are not met</li> <li>• <b>Value:</b> For the tax payers money</li> <li>• <b>Accountability:</b> Individual and organizations</li> <li>• <b>Transparency:</b> Rules/ procedures/ schemes/ grievances</li> </ul>	<ul style="list-style-type: none"> <li>• Set standards of service</li> <li>• Be open, provide full information</li> <li>• Consult and involve</li> <li>• Encourage access and promotion of choice</li> <li>• Treat all fairly</li> <li>• Put things right when they go wrong</li> <li>• Use resources effectively</li> <li>• Innovate and improve</li> <li>• Work with other providers</li> </ul>

In May 1997, the programme was launched in India by different ministries, departments. Directorates and other organizations at the Union level have formulated 115 Citizens' Charters. There were 650 such Charters developed by various Departments and agencies of the State Governments and Union Territories (as on February 2007).

The DARPG set out a series of guidelines to enable the service delivery organisations to formulate precise and meaningful Charters to set the service delivery parameters. These were as follows:

- To be useful the Charter must be simple;
- The Charter must be framed not only by senior experts but by interaction with the cutting edge staff who will finally implement it and with the users (individual organizations);
- Merely announcing the Charter will not change the way we function. It is important to create conditions through interaction and training for generating a responsive climate;
- Begin with a statement of the service(s) being offered;
- A mention is made against each service about the entitlement of the user service standards and remedies available to the user in case of non-adherence to standards;
- Procedures/costs/charges should be made available on line/display boards/ booklets/inquiry counters etc at places specified in the Charter;
- Indicate clearly that while these are not justiciable the commitments enshrined in the Charter are in the nature of a promise to be fulfilled with oneself and with the user;
- Frame a structure for obtaining feedback and performance audit and fix a schedule for reviewing the Charter at least every six months; and
- Separate Charters can be framed for distinct services and for organizations/ agencies/attached or subordinate to a Ministry/Department.

#### Some of the recommendations for charter formation were:

- Need for citizens and staff to be consulted at every stage of formulation of the Charter.
- Orientation of staff about the salient features and goals/ objectives of the Charter; vision and mission statement of the department; and skills such as team building, problem solving, handling of grievances and communication skills.
- Need for creation of database on consumer grievances and redress.
- Need for wider publicity of the Charter through print media, posters, banners, leaflets, handbills, brochures, local newspapers etc., and also through electronic media.
- Earmarking of specific budgets for awareness generation and orientation of staff and for replication of best practices in this field.



## Review

- **Poor design and content:** Most organizations do not have adequate capability to draft meaningful and succinct Citizens' Charter. Most Citizens' Charters drafted by government agencies are not designed well. Critical information that end-users need to hold agencies accountable are simply missing from a large number of charters. Thus, the Citizens' Charter programme has not succeeded in appreciably empowering end-users to demand greater public accountability.
- **Lack of public awareness:** While a large number of public service providers have implemented Citizens' Charter only a small percentage of end-users are aware of the commitments made in the Citizens' Charter. Effective efforts of communicating and educating the public about the standards of delivery promise have not been undertaken.
- **Inadequate groundwork:** Government agencies often formulate Citizens' Charters without undertaking adequate groundwork in terms of assessing and reforming its processes to deliver the promises made in the Charter.
- **Charters are rarely updated:** Charters reviewed for this report rarely showed signs of being updated even though some documents date back from the inception of the Citizens' Charter programme nearly a decade ago. Only 6% of Charters reviewed even make the assurance that the document will be updated some time after release. In addition, few Charters indicate the date of release. Needless to say, the presence of a publication date assures end-users of the validity of a Charter's contents.
- **End-users and NGOs are not consulted when Charters are drafted:** Civil society organizations and end-users are generally not consulted when Charters are being formulated. Since a Citizens' Charter's primary purpose is to make public service delivery more citizen-centric agencies must investigate the needs of end-users when formulating Charters by consulting with ordinary citizens and civil society organizations.
- **The needs of senior citizens and the disabled are not considered when drafting Charters:** Just one Charter reviewed for this report assured equitable access to disabled users or senior citizens. Many agencies actually do cater to the needs of the disadvantaged or elderly, but do not mention these services in their charter.
- **Resistance to change:** The new practices demand significant changes in the behavior and attitude of the agency and its staff towards citizens. At times, vested interests work for stalling the Citizens' Charter altogether or in making it toothless.

## Increasing Effectiveness

2<sup>nd</sup> ARC has briefly dealt with the issue of Citizens' Charters in its Fourth Report on 'Ethics in Governance'. The Commission observed that in order to make these Charters effective tools for holding public servants accountable the Charters should clearly spell out the remedy/penalty/compensation in case there is a default in meeting the standards spelt out in the Charter. It emphasized that it is better to have a few promises which can be kept than a long list of lofty but impractical aspirations.

- **Internal restructuring should precede Charter formulation:** As a meaningful Charter seeks to improve the quality of service mere stipulation to that effect in the Charter will not suffice. There has to be a complete analysis of the existing systems and processes within the organization and if need be these should to be recast and new initiatives adopted. Citizens' Charters that are put in place after these internal reforms will be more credible and useful than those designed as mere desk exercises without any system re-engineering.
- **One size does not fit all:** This huge challenge becomes even more complex as the capabilities and resources that governments and departments need to implement Citizens' Charters vary significantly across the country. Added to these are differing local conditions. The highly uneven distribution of Citizens' Charters across States is clear evidence of this ground reality. For example, some agencies may need more time to specify and agree upon realistic standards of service. In others, additional effort will be required to motivate and equip the staff to participate in this reform exercise. Such organizations could be given time and resources to experiment with standards grievances redressal mechanisms or training. They may also need more time for internal restructuring of the service delivery chain or introducing new systems. Therefore, the Commission is of the view that formulation of Citizens' Charters should be a decentralized activity with the head office providing broad guidelines.
- **Wide Consultation Process:** Citizens' Charters should be formulated after extensive consultations within the organization followed by a meaningful dialogue with civil society. Inputs from experts should also be considered at this stage.
- **Firm commitments to be made:** Citizens' Charters must be precise and make firm commitments of service delivery standards to the citizens/consumers in quantifiable terms wherever possible. With the passage of time an effort should be made for more stringent standards of service delivery.
- **Redressal mechanism in case of default:** Citizens' Charter should clearly lay down the relief which the organization is bound to provide if it has defaulted

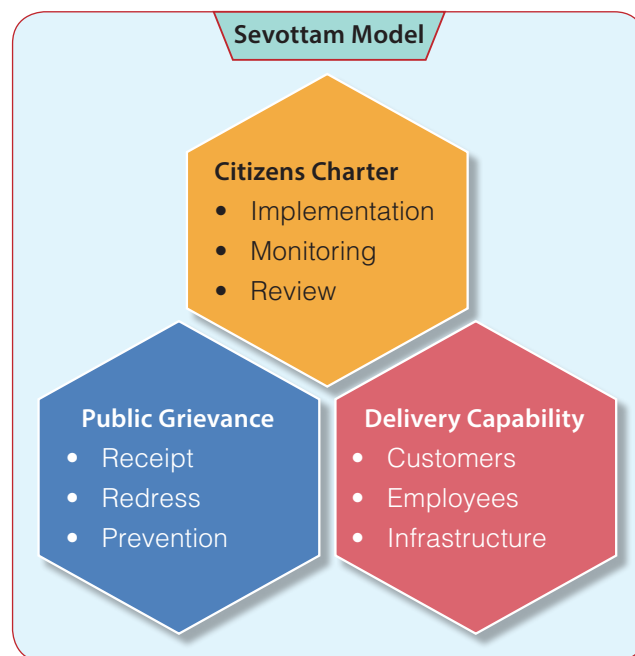
on the promised standards of delivery. In addition, wherever there is a default in the service delivery by the organization, citizens must also have recourse to a grievances redressal mechanism. This will be discussed further in the next chapter on grievances redressal mechanisms.

- Periodic evaluation of Citizens' Charters:** Every organization must conduct periodic evaluation of its Citizens' Charter preferably through an external agency. This agency while evaluating the Charter of the organisation should also make an objective analyses of whether the promises made therein are being delivered within the defined parameters. The result of such evaluations must be used to improve upon the Charter. This is necessary because a Citizens' Charter is a dynamic document which must keep pace with the changing needs of the citizens as well as the changes in underlying processes and technology. A periodic review of Citizens' Charter thus becomes an imperative.
- Benchmark using end-user feedback:** Systematic monitoring and review of Citizens' Charters is necessary even after they are approved and placed in the public domain. Performance and accountability tend to suffer when officials are not held responsible for the quality of a Charter's design and implementation. In this context end-user feedback can be a timely aid to assess the progress and outcomes of an agency that has implemented a Citizens' Charter. This is a standard practice for Charters implemented in the UK.
- Hold officers accountable for results:** All of the above point to the need to make the heads of agencies or other designated senior officials accountable for their respective Citizens' Charters. The monitoring mechanism should fix specific responsibility in all cases where there is a default in adhering to the Citizens' Charter.
- Include Civil Society in the process:** Organizations need to recognize and support the efforts of civil society groups in preparation of the Charters their dissemination and also facilitating information disclosures. There have been a number of States where involvement of civil society in this entire process has resulted in vast improvement in the contents of the Charter its adherence as well as educating the citizens about the importance of this vital mechanism.

### 3.2 Sevottam Model

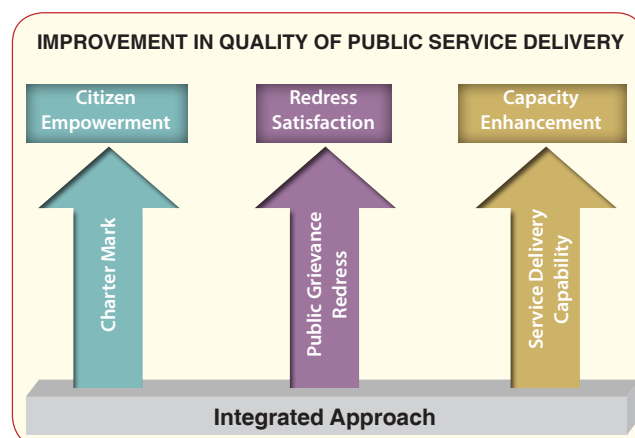
Department of the Administrative Reforms and Public Grievances, GOI has come out with a framework for improving delivery of public services, which is known as the Sevottam framework and the same is presented below. The framework is the Indian Standard IS: 15700:2005 of

delivery of public services. It is a quality management framework which provides a systematic approach to improving public service and any public organization may acquire the said certification by complying with the steps. The Sevottam framework is applicable to all public services delivered by the central and state governments. The framework has three different modules as shown below:



- Citizen Charter for defining the level of services to be provided to the citizen.
- Improving capability for delivery of services to the desired standard.
- Grievance redress standard.

The rationale of the Sevottam Framework is that the service standard should be defined first so that every citizen knows what to expect in terms of service types and standards. The next task is to receive feedback and complaints from the clients to know what has gone wrong in not meeting the service standard. The third task is to meet the service standard by developing capability of the delivery system.





## A New Approach for Making Organizations Citizen Centric

The Citizens' Charter cannot be an end in itself it is rather a means to an end - a tool to ensure that the citizen is always at the heart of any service delivery mechanism. The IS 15700: 2005 of the Bureau of Indian Standards is an Indian Standard for Quality Management Systems. The Standard stipulates that a Quality Management System helps an organization to build systems which enable it to provide quality service consistently and is not a substitute for 'service standards'. In fact they are complementary to each other.

The Sevottam model seeks to assess an organization on (i) implementation of the Citizens' Charter; (ii) implementation of grievances redressal system and; (iii) service delivery capability. The Sevottam model is in the take off stage. It has been pointed out that a model to make administration citizen centric should be easy to understand both by the citizens and the organizations. Therefore, prescribing a rigid model and implementing it, following a top-down approach is not always the best option. Since the maximum interaction of citizens takes place with field formations, it is necessary that reforms for enshrining a citizens' centric administration take place at that level rather than following a trickle down approach by concentrating on reforms at the apex level.

The same approach is also necessary for Citizens' Charter. Today most of the field formations either do not have a Citizens' Charter or they adopt a generic one provided by the Headquarters.

### The ARC Seven Step Model for Citizen Centricity



This model draws from the principles of the IS 15700:2005, the Sevottam model and the Customer Service Excellence Model of the UK. Each organization should follow a step by step approach which would help it in becoming increasingly more citizen centric. This approach should be followed not only by the top management but also by each unit of the organization that has a public interface. The top management has the dual responsibility of setting standards for itself as well as guiding the subordinate offices in setting their own standards. Besides, all supervisory levels should ensure that the standards set by the subordinate offices are realistic and are in synergy with the broad organizational goals. Thus, though each office would have the autonomy to set standards, these would have to be in consonance with the organizational policies.

### Step 1: Define Services

All organizational units should clearly identify the services they provide. Here the term service should have a broad connotation. Enforcement departments may think that enforcement is not a service. But this view is not correct. Even the task of enforcement of regulations has many elements of service delivery like issue of licenses, courteous behaviour etc. Normally, any legitimate expectation by a citizen should be included in the term 'service'. Defining the services would help the staff in an organization in understanding the links between what they do and the mission of the organization. In addition, the unit should also identify its clients and if the number of clients is too large it should categorize them into groups, which would be the first step in developing an insight into citizens' needs.

### Step 2: Set Standards

It has been well said that 'what cannot be measured never gets done'. Once the various services have been identified and defined, the next logical and perhaps the most important step is to set standards for each one of these services. A good starting point would be getting an input from the clients as to what their expectations are about each one of the identified services. Thereafter, based on their capability the organization's overall goals and of course the citizens' expectations, the unit should set standards to which they could commit. It is very important that these standards are realistic and achievable. Complaints redressal mechanism should form an integral part of this exercise. These standards should then form an integral part of the Citizens' Charter.

### Step 3: Develop Capacity

Merely defining the services and setting standards for them would not be sufficient unless each unit has the capability for achieving them. Moreover since the standards are to be upgraded periodically. It is necessary that capacity

building also becomes a continuous process. Capacity building would include conventional training but also imbibing the right values, developing a customer centric culture within the organization and raising the motivation and morale of the staff.

#### Step 4: Perform

Having defined the standards as well as developed the organizational capacity, internal mechanisms have to be evolved to ensure that each individual and unit in the organization performs to achieve the standards. Having a sound performance management system would enable the organizations to guide individuals' performance towards organizational goals.

#### Step 5: Monitor

Well articulated standards of performance would be meaningful only if they are adhered to. Each organization should develop a monitoring mechanism to ensure that the commitments made regarding the quality of service are kept. Since all commitments have to form a part of the Citizens' Charter, it would be desirable that an automatic mechanism is provided which signals any breach of committed standard, it would involve taking corrective measures continuously till the system stabilizes. Compliance to standards would be better if it is backed up by a system of rewards and punishments.

#### Step 6: Evaluate

It is necessary that there is an evaluation of the extent of customer satisfaction by an external agency, is evaluation could be through random surveys, citizens' report cards, obtaining feedback from citizens during periodic interactions or even an assessment by a professional body. Such an evaluation would bring out the degree to which the unit is citizen centric or otherwise. It would also highlight the areas wherein there have been improvements and those which require further improvement. This would become an input in the continuous review of the system.

#### Step 7: Continuous Improvement

Continuous improvement in the quality of services is a continuous process. With rising aspirations of the citizens, new services would have to be introduced, based on the monitoring and evaluation, standards would have to be revised and even the internal capability and systems would require continuous upgradation.

The Commission is of the view that the approach outlined in the model described is quite simple and there should be no difficulty for any organization or any of its units to adopt this approach and make it citizen centric. Commission would like to recommend that the Union Government as well as State Governments should make this model mandatory for all public service organizations.

### 3.3 Right to Information

#### Introduction

Right to information has been seen as the key to strengthen participatory democracy and ushering in people centered governance. Without good governance, no amount of developmental schemes can bring improvements in the quality of life of the citizens. Good governance has four elements transparency, accountability, predictability and participation. Transparency refers to availability of information to the general public and clarity about functioning of governmental institutions. Right to information opens up government's records to public scrutiny making the government more accountable. Information about functioning of government also enables citizens to participate in the governance process effectively. In a fundamental sense, right to information is a basic necessity of good governance.

Recognizing the need for transparency in public affairs, the Indian Parliament enacted the Right to Information Act in 2005. It is a path breaking legislation empowering people and promoting transparency. The act casts important obligation on public authorities so as to facilitate the citizens of the country to access the information held under their control and imposes penalty for refusal by public authority to provide such information.



#### Objectives of RTI Act, 2005

The basic objective of the Right to Information Act is to empower the citizens, promote transparency and accountability in the working of the Government, contain corruption, and make our democracy work for the people in real sense. An informed citizen is better equipped to keep necessary vigil on the instruments of governance and make the government more accountable to the governed. The Act is a big step towards making the citizens informed about the activities of the Government.

#### Official Secrets Act and Other Laws

The most contentious issue in the implementation of the Right to Information Act relates to official secrets Act. By the very nature of things, transparency should be the norm

in all matters of governance. However, it is well recognised that public interest is best served if certain sensitive matters affecting national security are kept out of public gaze. The Act recognizes the confidentiality requirements in matters of State and Section 8 of the Act exempts all such matters from disclosure. The Official Secrets Act, 1923 (here in after referred to as OSA), governs all matters of secrecy and confidentiality in governance. The law largely deals with matters of security and provides a framework for dealing with espionage, sedition and other assaults on the unity and integrity of the nation.

The Right to Information Act has a non-obstante clause, "Sec. 8(2), Notwithstanding anything in the Official Secrets Act, 1923 nor any of the exemptions permissible in accordance with sub-section (1), a public authority may allow access to information, if public interest in disclosure outweighs the harm to the protected interests".

The provisions of the Act which allow disclosure of information even where there is a clash with the exemption provisions of Sec. 8(1) enjoy a general immunity from other Acts and instruments by virtue of Sec. 22 of the Act; "The provisions of this Act shall have effect notwithstanding anything inconsistent there which contained in the Official Secrets Act, 1923, and any other law for the time being in force or any instrument having effect by virtue of any law other than this Act".

Section 5 of OSA, is the catch of all provisions. As per this Section, any person having information about a prohibited place, or such information which may help an enemy state, or which has been entrusted to him/her in confidence, or which she has obtained owing to his/her official position, commits an offence if she communicates it to an unauthorised person, uses it in a manner prejudicial to the interests of the State, retains it when she has no right to do so, or fails to take reasonable care of such information. Any kind of information is covered by this Section if it is classified as 'secret'. The word "secret" or the phrase "official secrets" has not been defined in the Act. Therefore, public servants enjoy the discretion to classify anything as "secret".

The Law Commission in its 43<sup>rd</sup> Report (1971), summarised the difficulties encountered with the all-inclusive nature of Section 5 of OSA, in the absence of a clear and concise definition of 'official secret', in the following words: "The wide language of section 5(1) may lead to some controversy. It penalizes not only the communication of information useful to the enemy or any information which is vital to national security, but also includes the act of communicating in any unauthorized manner any kind of secret information which a Government servant has obtained by virtue of his office. Thus, every noting in the Secretariat file to which an officer of the Secretariat has access is intended to be kept secret."

The Law Commission also recommended consolidation of all laws dealing with national security and suggested a "National Security Bill". The observations made by the Law Commission reproduced below are pertinent: "The various enactments in force in India dealing with offences against the national security are: (i) chapters 6 and 7 of the Indian Penal Code; (ii) the Foreign Recruiting Act, 1874; (iii) the Official Secrets Act, 1923; (iv) the Criminal Law Amendment Act, 1938; (v) the Criminal Law Amendment Act, 1961; and (vi) the Unlawful Activities (Prevention) Act, 1967."

## **2<sup>nd</sup> ARC Recommendations**

**A.** The Official Secrets Act, 1923 should be repealed, and substituted by a chapter in the National Security Act, containing provisions relating to official secrets.

**B.** The equivalent of the existing Section 5, in the new law may be recommended as:

- If any person, having in his/her possession or control any official secret which has come into his/her possession or control by virtue of:
  - His holding or having held an office with or under government, or
  - A contract with the government, or
  - It being entrusted to him in confidence by another person holding or having held an office under or with the government, or in any other manner:
    - ♦ Communicates, without due authority such official secret to another person or uses it for a purpose other than a purpose for which he is permitted to use it under any law for the time being in force; or
    - ♦ fails to take reasonable care of, or so conducts himself as to endanger the safety of the official secret; or
    - ♦ willfully fails to return the official secret when it is his duty to return it, shall be guilty of an offence under this section.
- Any person voluntarily receiving any official secret knowing or having reasonable ground to believe, at the time he receives it, that the official secret is communicated in contravention of this Act, shall be guilty of an offence under this section.
- A person guilty of an offence under this section shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

**C.** The Central Civil Services (Conduct) Rules prohibit unauthorized communication of information (similar provisions exist for the state government employees under their respective Rules).

2<sup>nd</sup> ARC has recommended that Civil Services Rules of all States may be reworded on the following lines: "Communication of Official Information: Every Government

servant shall, in performance of his duties in good faith, communicate to a member of public or any organisation full and accurate information, which can be disclosed under the Right to Information Act, 2005."

## Key Issues

### Issues Faced on the Demand Side

- **Low public awareness:**
  - **Women:** The awareness level among women was found to be low in comparison to men.
  - **Rural population:** The awareness level in rural population was found to be low compared to urban population.
  - **Awareness on provisions of appeals and complaints:** The Awareness on Section 18 was 48% amongst the citizens who were not satisfied with the response they got from the PIOs.
- **Issues in filing applications:**
  - **Non-availability of User Guides for RTI implementation for information seekers:** It was highlighted in the information provider survey that nodal departments have often not published these guides which is mandated in section 26.
  - **Standard forms for RTI application:** There are significant advantages of using a standard form 15 for a RTI application. However, some states have not provided the standard forms.
  - **Inconvenient submission channels for RTI application:** Inadequate efforts have been made to receive RTI applications through electronic means i.e. on email/ website etc., which can be done by the appropriate Government using Section 26(3)(c).
  - **Inconvenient payment channels for submission of application fees:** While it is desirable for the State Government to have various channels for fee, public authorities have chosen a subset of the allowed payment channels.
- **Poor quality of information provided:** Poor quality information supply due to lack of knowledge and indifferent attitude to the person engaged in supplying information under RTI Act.
- **Constraints faced in inspection of records:** If trained properly, the PIOs can provide an option to the citizens to inspect the records. This may help in providing timely and accurate information to the applicant.

### Issues Faced on the Supply Side

- **Obsolete record management Guidelines:** Ineffective record management system and collection

of information from field offices leading to delay in processing of RTI applications. A permanent mechanism with sufficient authority, expertise, and responsibility needs to be created in each Public Authority to coordinate and supervise proper record-keeping.

- **Non-availability of basic Infrastructure:** The Implementation of RTI requires the PIOs to provide information to the applicant through photocopies, soft copies etc. It is a challenge to get information from Block/Panchayat level.
- **Lack of motivation among PIOs:** In addition to lack of resources, PIOs lack the motivation to implement RTI Act. During the RTI workshops organized in the surveyed states, PIOs cited that there were no incentives for taking on the responsibility of a PIO.
- **Ineffective implementation of Section 4(1) (b) i.e. disseminate information on suo-moto basis:** As per the Act, one of the basic responsibilities of the Public Authorities (PAs) is to disseminate information on suo-moto basis:
  - The internal processes within the Public Authorities are not defined, so as to take care of the requirement of the relevant suo-moto clauses.
  - Information proactively disclosed is not updated regularly leading to obsolescence of information provided.
  - The PIOs are also not aware that they can disseminate information on suo-moto basis.
  - At places where suo-moto information is being provided, the quality of disclosure is quite low and does not cater to the information needs of the citizens.

### Issues Faced at Information Commissions

- **Centralized Database:** There is no centralized database of RTI (at the State/Centre level) applicants.
- **Perception of less number of penalties being imposed:** There is a very strong perception in the citizens and the Civil Society Organizations that the Information Commission is lenient towards the erring PIO.
- **Lack of Monitoring and Review mechanism:** There are inadequate processes and records available with the Information Commission to take the required steps. A few states conduct reviews to understand issues leading to non-compliance by Public Authorities. There is a lack of follow up mechanism on orders passed.
- **High level of pendency:** High level of pendency due to the increase in number of RTI appeals is becoming a major challenge.



- **Geographical spread of the Information Commissions:** Majority of the Information Commissions are situated in the State capitals, which results in appellants undergoing an additional cost in order to attend the hearings.

### Issues in Implementation

The implementation of the RTI Act is an administrative challenge which has thrown up various structural, procedural and logistical issues and problems, which need to be addressed in the early stages.

**Facilitating the access:** For seeking information, a process as prescribed under the Act has to be set in motion. The trigger is filing of a request. Once the request is filed the onus of responding to it shifts to the government agency. The steps involved in processing a request for information are given in the below chart.

The 2 <sup>nd</sup> ARC has recommended the following Measures to Improve the Access
<ul style="list-style-type: none"> <li>• In addition to the existing modes of payment, appropriate governments should amend the Rules to include payment through postal orders.</li> <li>• States may be required to frame Rules regarding application fee which are in harmony with the Central Rules. It needs to be ensured that the fee itself does not become a disincentive.</li> <li>• State Governments may issue appropriate stamps in suitable denominations as a mode of payment of fees. Such stamps would be used for making applications before public authorities coming within the purview of State Governments.</li> <li>• As all the post offices in the country have already been authorized to function as APIOs on behalf of Union Ministries/Departments, they may also be authorized to collect the fees in cash and forward a receipt along with the application.</li> </ul>

**Inventory of Public Authorities:** The Act defines public authorities to include a vast array of institutions and agencies. Section 2(h) of the act defines criteria under which a body can be declared as “public authority” under the RTI act. For people to access information, a catalogued and indexed list of all public authorities is necessary. The 2<sup>nd</sup> ARC has recommended the following measures to deal with this problem:

- At the Government of India level, the Department of Personnel and Training has been identified as the nodal department for implementation of the RTI Act. This nodal department should have a complete list of all Union Ministries/ Departments which function as public authorities.

- Each Union Ministry/ Department should also have an exhaustive list of all public authorities, which come within its purview. The public authorities coming under each ministry/ department should be classified into (i) constitutional bodies, (ii) line agencies, (iii) statutory bodies, (iv) public sector undertakings, (v) bodies created under executive orders, (vi) bodies owned, controlled or substantially financed, and (vii) NGOs substantially financed by government. Within each category an up-to-date list of all public authorities has to be maintained.
- Each public authority should have the details of all public authorities' subordinate to it at the immediately next level. This should continue till the last level is reached. All these details should be made available on the websites of the respective public authorities, in a hierarchical form.
- A similar system should also be adopted by the States.

**Single Window Agency at District Level:** Presently almost all departments and agencies of the State Government are represented at the District level. All these offices are often dispersed and most citizens would be unaware of their location. Under such circumstances it becomes difficult for an applicant to identify the Public Authority and to locate it. The 2<sup>nd</sup> ARC has recommended the following measures:

- A Single Window Agency should be set up in each District. This could be achieved by creating a cell in a district-level office, and designating an officer as the Assistant Public Information Officer for all public authorities served by the Single Window Agency. The office of the District Collector/ Deputy Commissioner, or the Zilla Parishad is well suited for location of the cell. This should be completed by all states within 6 months.

**Subordinate Field Offices and Public Authorities:** A literal interpretation of the law indicates a considerable overlap between PIOs/ APIOs and public authorities so 2<sup>nd</sup> ARC has recommended that, the lowest office in any organization which has decision making power or is a custodian of records should be recognized as a public authority.

**Application to Non-Governmental Bodies:** Under the Act, a non-governmental body needs to be substantially financed by government to be categorized as a public authority under the Act. There is however no definition of “substantially financed.” The 2<sup>nd</sup> ARC has recommended that:

- Organisations which perform functions of a public nature that are ordinarily performed by government or its agencies, and those which enjoy natural monopoly may be brought within the purview of the Act.
- Norms should be laid down that any institution or body that has received 50% of its annual operating costs, or a sum equal to or greater than Rs. 1 crore during any of

## FLOWCHART OF THE PROCESSES INVOLVED IN GIVING INFORMATION UNDER RTI ACT

