Practicing E-Governance in Nepal: Challenges of Civil Service

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Abstract

The approach of e-governance is constantly changing the way government system execute its service to the people. E-service encompasses a series of necessary steps for institutions to develop and administer to ensure successful implementation of services at large. This paper discusses the growth trend of e-service, its effectiveness and challenges to overcome the situation for effective service delivery. Content analysis and survey approach was used to generate data in the case study. The study claims that the virtual nature of the internet, and its dynamic aspects, can multiply the service of government to the people and novice users to its considerable capacity to do no harm in e-service. The study has concludes that e-government service is essential for managing future complications and responding to current and past incidents to build trust from people. The insight on reducing current and future inefficiencies, the probabilities of effectiveness, and the costs associated with potential outcomes support their mitigation. Some of the issues related to e-service can be regulatory, legal, technical and procedural measures as well as civil service personnel's education, capacity building and continuous upgrading the technology. Manage the three level of employees and administration smooth way that is Federal, province and local level and coordinate and cooperate each other are the major challenges of civil service.

Keywords - *E-governance, Upgrading Technology, Efficiency and Effectiveness, Capacity Building*

I. INTRODUCTION

The use of Internet and its applications used in official purpose has given us new idea of creation to use it for the better service for people by the Government called e-governance. The use of electronic communication started after the implementation of the invention of Telephone by Alexander Graham Bell in 1876. Internet applications have been the inevitable part of our personal and official life. The Internet and its applications have been used for personal, social and official purposes. The use of ICT (Information and Communication Technology) for the government activities has helped for the better governance like better transparency, effectiveness of work performance, accountability, and public participation in the development of government policies, reduced cost and reduction of corruption while performing the government processes [1].

E-government has been considered as a narrower discipline dealing with the development of online services to the citizen, more the 'e' on any particular government service - such as e-tax, e-education, e-tourism, e-transportation or e-health [2]. E-governance is a wider concept that defines and assesses the impacts technologies are having on the practice and administration of governments and the relationships between public servants and the wider society, such as dealings with the elected bodies or outside groups such as not for profits organizations, NGOs or private sector/corporate entities. E-governance encompasses a series of necessary steps for government agencies to develop and administer to ensure successful implementation of e-government services to the public at large [1]. The world is rapidly transforming into one society driven by an outstanding increase in the amount of communication between civilizations. In every region of the globe - from developing countries to industrialized ones - central and local governments are putting critical information online, automating bulky processes and interacting electronically with their citizens [4].

Civil servants are often charged not providing effective service through they have sufficient resources and technological knowhow. Although Nepal has been facing numerous challenges during e-governance implementation. Unnecessary influence of middleman and syndicate created by some hidden groups make government service holdup. Needless expansion of government agencies and its employees; too many layers in decision making process; more process oriented service delivery rather than result oriented are some challenges [1]. There is a widespread curiosity among citizens about e-government. E-government encompasses to explain the relation and benefits

through e-government to provide various kinds of services to its people via public administration from bureaucracy to service provider [5].

ICTs have significantly enhanced our capabilities to collect, process, and distribute information [2]. Almost all developing countries regard ICTs as an important factor while preparing their national development plans. This paper discusses about the area which has been given outstanding attention regarding the use of ICT in the quest of good governance, usually termed as e-governance and challenges of civil service in Nepal [30].

II. CIVIL SERVICE ARCHITECTURE IN NEPAL

The Article 153 of Part 22 of Interim Constitution of Nepal, 2063 has managed the provision on constitution of Civil Service. The Article mentions, "The Government of Nepal may, in order to run the Administration of the country, constitute the Civil Service and such other government services as may be required. The constitution, operation and conditions of service there of shall be as determined by an Act." Since past, this service is named as the 'Civil Service' and it includes all government service holders except those who are defined as not in civil service. As mentioned in the Article 126 of Interim Constitution of Nepal, all services or positions in the Government of Nepal, other than the services and positions of army officers or soldiers and of armed police and police personnel and such other services and positions as are excluded by an Act from the civil service or positions thereof, shall be deemed to be the civil service or positions thereof [12].

III. ADMINISTRATIVE REFORM SCENARIO

During the five-decade-long history of Nepal's public administration, some ambitious tasks have been taken place. Generally, the high-level administrative commissions are formed in every 10 year and recommendations have been received. The given recommendations are also received. The given table can help for the comparative study of the recommendations and their implementation in different periods.

Name of the Administrative Reforms Commissions	Number of given recommendations	Number of implementation	Number of partial implementation	Number of non-implementation
Butch Commission, 2009	12	2	-	10
Acharya Commission, 2013	15	13	-	2
Jha Commission, 2025	38	8	11	19
Thapa Commission, 2032/33	17	4	4	8
Koirala Commission, 2048	23	2	11	10
Governance Reforms Programme, 2061	69	2	26	41
Total recommendations	164	31	53	80

Source: PTA Journal 2018

While analyzing the received recommendations, only 31 have been completely implemented which is just 18.9 per cent of the total recommendations. Likewise, a total of 53 (32.31%) are partially implemented while the number of completely not implemented is 80 (48.79%). The recommendations not implemented partially also failed to pay heed to their essence and relevance. Civil Service, not becoming competitive compared with the non-government sector is also becoming less lucrative. The aspects of its quality, decorum and attractions from the beginning of inviting the applications to the public through the medium of publicity were not done which ultimately has prevented the commoners from their easy and accessible access to the service [11].

IV. EFFORTS TO MAKE SERVICE DELIVERY EFFECTIVE

The country could not move ahead whenever government and citizens are not ready to improve the public service delivery. There might be many reasons for improving service delivery but must essential things is that government's welling power dedication of government employees and peoples interest in national building. Technology friendly working environment at the workplace, e-administration at the organization, equal opportunity for all staffs, necessary Rules and Acts, proper monitoring, supervision and control mechanism is necessary for the improvement in service delivery [15].

After the popular movement in 1990, democracy was restored in Nepal. The election of House of Representative was conducted and Nepali Congress party got the majority in house and formed the government. Government has constituted Administration Reform Commission under chairmanship of Prime Minister Girija Prasad Koirala. This commission submitted its report in 1992 and

presented many suggestions to make the civil service strong, effective, qualitative, result oriented and people oriented. One of the suggestions of this commission is about service delivery. The commission has suggested initiating performance contract system, empowering the field level office, involvement of service consumer and non government sector to make the service delivery effective. But its suggestion about service delivery was not implemented in letter and spirits [13].

V. CHALLENGES AND TREND OF NEPALESE CIVIL SERVICE

Civil service is the policy implementing an important permanent mechanism of the state. Effectiveness of the state is mostly depends on the strength and the capability of its civil service[20]. Political executive changed time to time, but civil servants remain in their posts for the fixed and competitively long period of time. So, they are called permanent government. In democratic political system civil service is in the role of main adviser and the impotent supporter of the government. Civil servants support government to formulate the policies and to implement them with their expertise. In totality, civil service is in the key position of service delivery, supporting the government for the decision making and strengthening the effectiveness of the governance. So, the success of government and the prosperity of the country mostly depend on the efficiency, transparency and accountability of the civil service.

Civil service is the important administrative segment of the state [28]. It has its own characteristics. Impartiality and neutrality are its main characteristics. Civil service always has political neutrality. Merit system based is it's another specialty. Recruitment, Posting and promotion all are dependent on merit system. To establish civil service as a permanent government there is a provision of proper job security, retaining civil servants to the certain age. There is a proper arrangement of carrier development to attract the capable individuals of the society in it. There are also some additional arrangements in the service to motivate civil servants to their duties. Not only these, there is also a provision of pension for the livelihood of after retirement. Professionalism is the necessary condition of the civil service, which is not possible without being impartial, accountable and providing qualitative service to the people[14b].

Nepalese civil service still could not be established. Frequent change in structure and size, lack of the development of the working culture depend on value and norms of professionalism, lack of institutional development, lack of adequate motivational factors, tendency of avoiding accountability and responsibility, political interference,

instability in the name of reform and lack of proper use of reward and punishment are the reasons responsible for it. In democratic governing system, civil service should be independent, impartial, professional, respective and result oriented. Despite the past effort to make it competitive, responsible and result oriented, Nepalese civil service could be developed strongly. It is suffered by the politicization. Due to the competition to make it in favor of political parties, it could not be developed professionally. Politicization in civil service is over all through the trade unions. Basic norms and values of civil service could not be established, enhanced and institutionalized in it. Works and efforts are more process oriented rather than result oriented. In civil service, posting, transfer, promotion and award and punishment are still could not be system oriented and predictable. Due to not being able to make the transfer and promotion transparent and objective, the credit of civil service could not be increased. There are challenges of working in the political instability, lake of professional values and norms, effect of political parties' influence and lack of intention of reform with farsightedness. Civil service act, 2049 was formulated with the objective of making civil service more capable, strong, service oriented and responsible. But due to political instability, political interference, unhealthy exercise to retain in the lucrative offices and the number and the role of the personnel trade unions and their working tendency with the political influence and due to be unable to set scientific and objective standard for posting, promotion, transfer and study leave, Nepalese civil service still could not be institutionalized as a professional and result oriented service. Law breaking tendency can be seen in the bureaucracy, which itself is responsible to enforce the law. If this type of tendency could not be stopped, belief of people on the rule of law can be hampered. Reforms should be done realizing the relation and the demarcation between politics and the administration. Like this, both politics and bureaucracy should be committed to the rule of law [14a].

According to Laksman Kumar Pokharel, Former secretary of Nepal Government Claims that for the effective service delivery, Service Delivery Framework (SDF) has to be formulated. SDF is a set of principles, standards, policies and constraints used to guide the design, development, deployment, operation of service delivered by service provider with a view to offering a consistent service experience to a specific user community.

The service delivery situation in Nepal is not quite satisfactory. The cost is high and parameters for service delivery is not determined, there is duplication in service delivery, information and communication technology is not fully utilized for information dissemination, lack of regular monitoring, scattered

human settlement, process of getting any type of service from government unit is lengthy and cumbersome, service seeker could not get due attention and response from service delivering unit, lack of flexibility in resource utilization and lack of separate rule for expenditure, procurement and administration of service delivery are some of the problems encountered by government service delivery unit in Nepal.

To overcome all these hurdles and making the service delivery effective, qualitative and citizen needs monitoring of the service delivery should be entrusted to the civil society organization with ample resource and authority, establishment of multipurpose tele-centers at least one in each village development committee to use the latest information technology by rural people for service delivery purpose, process for getting service from the government office should be simplified and parameter of service delivery should be fixed, citizen should be responded if service declined or late service with fixed time line to get it, separate law for procurement, expenditure and administration of service delivery unit should be formulated, client empowerment through sector wise participation should be initiated [29].

A. Working System and Operational Modalities

The basic functions of the government can be categorized as core and non-core functions. They mainly include maintaining law and order; regulating and implementing laws; ensuring the supply of essential goods and services; and providing social security and undertaking development activities and capacity building activities in non-core functions. The public services include functions such as social and economic services, infrastructure development, and administration services, as well as activities related to poverty alleviation and promoting social mobilization, inclusiveness, the empowerment of people particularly the down-trodden and disadvantaged, and capacity building.
A Management Information System (MIS) has been developed in many bodies for disseminating proper information and facilitating proper decision making. These information systems include the Personnel Information System (PIS) related to civil servants, the Financial Management Information System (FMIS) related to the budget and financial aspects of the Ministry of Finance, the Health Management Information System (HMIS), and the Education Management Information System (EMIS)[13].

B. Roles and functions of civil service

The roles and the functions of the government may be categorized into four categories, viz. governance, economic, social and infrastructural. The governance activities include all activities pertaining to

administrative support services, logistics management, internal security and peace, foreign affairs and defense, management of human and other resources and ensuring and promoting coordination and control.

VI. RECENT TRENDS IN TECHNOLOGY -RTT

ICT master plan plays a vital role in development of ICT in the country [6]. With the rapid growth of internet, network security has become a major concern for policy makers & regulators worldwide [7]. An internet is constantly changing the way we live and conduct business. Protection of services and the consumers from data theft, fraud, denial of service attacks, hacking, cyber warfare, terrorist and antinational activities become a challenge [8]. According to an international estimate one in 295 emails is virus infected and 3 in 100 emails carry malware [9]. All sorts of scams, and many methods used to spread malware, make use of social engineering techniques, and target human desires & fears as well as just plain curiosity to get past the caution one should be exercising when online. The critical data of an organization containing personal data, critical enterprise resources etc. are potential source of attack because of following two main reasons. Overall ingenuity and knowledge required by hackers is drastically reduced and for a hacker it is much easier to create applications that can be distributed on Internet [3].

VII. ICT POLICY AND LAW

Policies are used to set a standard for performance. It provides a framework for consistent actions regardless of nation. Federal, province and local government laws set a policy framework for the use of technology within the country [27].

IT law or Cyber law is the law that has a spread of problems associated with the web and different communication technology, as well as belongings and jurisdiction which control the cyber space[6], [21]. In Nepal cyber law is called as Electronic Transaction Act (ETA) 2063 [22], which were passed in 2004. Cyber law is the law governing the facts that happen in the intangible digital world such as giving legal status to the intangible information in the cyberspace [23]. The cyber laws area unit vital and valid for control cyber matters [24]. The Government needs to be transparent in its function and for the same [25]. It is the accountability of the State to bring in sufficiently strong legislation to discourage cyber crime, threat, attract and put down the abuse of the Internet and other cyber media for any illegal activities [26].

VIII. DATA SECURITY ISSUE

For the protection of e-governance projects, there is a need for information security based practices. Security policies and plan required for help and protect e-government systems against threat and attack, and to detect abnormal activities services [15].

Data security should protect against the unauthorized use, disclosure, access, destruction, modification and loss of data. Confidential password security and regular monitoring on password are very necessary. User and password security have not been maintained at a satisfactory level [18]. One of the preliminary steps in the assessment is to classify the data according to risk factors [19]. E-government system should be reliable and reliability can be maintained by sufficient existence and proper implementation of e-government law [17].There is a need for information security best practices to protect e-government projects. Security policies, practices, and procedures must be in place as well as utilization of security technology. It helps to protect e-government system against attack, detect abnormal activities services and to have a proven contingency plan in place [16].

IX. CONCLUSION

The virtual nature of the internet, and its dynamic aspects, can support civil personnel and novice users to its considerable capacity to do effective and efficient service through e-governance. The most serious consequences are sometimes due to negligence resulting from incompetence, misconceived or poorly implemented technology, excessive authority for system administrations, and mismanagement. E-governance is essential about managing future risk and responding to current and past incidents and attacks to build trust from people. Some of the issues for consideration related to e-governance can be licensing and regulatory measures, legal measure, technical and procedural measures and customer education and capacity building. The insight on reducing current and future inefficiencies, the probabilities of effectiveness, and the costs associated with potential outcomes support their mitigation. Some of the issues related to e-service can be regulatory, legal, technical and procedural measures as well as civil service personnel's education, capacity building and continuous upgrading the technology. Manage the three level of employees and administration smooth way that is Federal, province and local level and coordinate and cooperate each other are the major challenges of civil service.

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