REPORT ON NATIONAL CONSULTATION ON

Strengthening Delivery and Accountability Frameworks for Public Services

8-9 December 2011, Bhopal, Madhya Pradesh

CONTENTS

prepared by

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Executive Summary

The National Consultation on '*Strengthening Delivery and Accountability Frameworks for Public Services*' was organised by the Government of Madhya Pradesh, Department of Public Services Management-DPSM and UNDP-India on December 8 and 9, 2011 in Bhopal, Madhya Pradesh. This, first of its kind, Consultation aimed to bring together various State governments, which have legislated and notified the guarantee of public service laws in a variety of forms, to share their implementation experiences and learn from each other's emerging successes and challenges.

It brought together nearly 100 participants from 12 states, mainly from the government, academic circles, institutions working on technology issues, and civil society organisations. The initiative grew out of Madhya Pradesh government's path-breaking legislation on making public service provision a matter of citizens' rights, followed by ten other States in the country (as of December 2011). The consultation was organised by the Government of Madhya Pradesh and UNDP India under the ambit of the GoI-UNDP'*Pathways for an Inclusive Indian Administration'* (PIIA) project.

During plenary and break-out sessions the Consultation covered themes such as: the legal framework of different Acts, challenges related to capacity development, availability of supporting infrastructure, and the Information and Communication Technology (ICT)and non-ICT solutions that could support the implementation. Since this type of legislation is relatively new, the focus of the Consultation was on bringing forward concrete and practical recommendations on the aforementioned themes for strengthening the theory and practice.

The most prominent recommendations emerging from the consultation were as follows:

- Awareness generation and sensitization about the Act among citizens and public servants alike;
- Development of unified software solutions that are compliant withlocal languages;
- Total connectivity of rural areas, both in terms of geographical and network reach; offline facilities to be provided along-side;
- Provision of a single or multiple points of contact to citizens for submitting service applications, apart from the designated officer;
- While keeping the provision for imposing a penalty, the Act should be more motivation-oriented than penalty-oriented.

A *Compendium of Right to Service Act and Rules* of different states was released during the consultation.

Background and Objective

The Government of India, in its effort to facilitate accountable, efficient and citizen-centric governance, has introduced various administrative reforms through legal measures such as the Right to Information Act and Public Service Guarantee Acts.While the legislations indicate progress in right direction, their effective implementation is dependent upon complementary capacity building measures to strengthen public administration. In this regard, the Government of India (GoI) and the United Nations Development Programme (UNDP) have launched *Pathways for an Inclusive Indian Administration* (PIIA) project, with the goal to enhance both the capacities of civil servants and their work environment by supporting initiatives for stronger accountability of public administration, enhanced service delivery and performance management. As one of the initial project activities, the Government of Madhya Pradesh (GoMP) and UNDP organized a two-day national consultation on "*Strengthening Accountability Frameworks under State Public Services Guarantee Acts*" in Bhopal, Madhya Pradesh on December 8 and 9, 2011.

The purpose of the consultation was to share the progress of Public Service Guarantee Acts, also known as the Right to Service Act, enacted by various Indian states as a key administrative reform initiative. The Public Service Guarantee Act builds on the idea of the Citizen Charter - while Citizen Charters define the quality of public services, the Public Service Guarantee Acts take it a step further by making a citizens' right to public service within the stipulated time legally binding, failing which the concerned officials can be penalized. At present, the legislative framework for these Acts has been established but the actual delivery of service needs to be enhanced to achieve the objectives of the Act.**The National Consultation aimed at providing a platform for cross-fertilization and exchange of ideas and recommendations among states planning to implement the Public Services Guarantee Acts***.*

Considering that Madhya Pradesh was the first Indian state to legislate a Public Service Guarantee Act called *Madhya Pradesh LokSevaonKePradan Ki Guarantee Adhiniyam* in August 2010, the State government hosted the consultation to share its experience and learn from other states' experiences.

Through the consultation, the GoMP also sought to present its proposed *LokSeva Kendra* model to strengthen its implementation efforts and gain insights on possible Information and Communication Technology (ICT) and Public Private Partnership (PPP) models for execution.

Agenda

The consultation brought together ministers, secretaries and government officials from the state and central government, technology providers, representatives from academia and civil society organizations to discuss and deliberate on effective implementation models for the Act to ensure greater accountability and effective service delivery. A *Compendium of Right to Service Act and Rules* of different states of India was released during the inaugural session of the consultation.

The consultation was organized into three technical sessions:

- Technical Session I familiarized the participants with the present status of Public Service Guarantee Acts in India. Representatives from the government of Bihar, Chhattisgarh, Delhi, Haryana, Jharkhand, Jammu & Kashmir, Madhya Pradesh and Orissa made presentations on their respective Acts and implementation models. The session also included a presentation by *OneWorld Foundation India* on the comparative features of the State Right to Service Acts and a panel discussion on various State Acts and challenges in implementation.

- Technical Session II focused on highlighting challenges in implementation of accountability frameworks developed for notified services under the Act. The concerns emphasized during the course of presentations were later discussed by three breakaway groups to recommend possible solutions.

- Technical session III concluded the consultation with each breakaway group presenting its set of recommendations on overcoming the challenges in implementing the Act and planning the roadmap for future.

Summary of States' Implementation Experiences

Status of State Public Service Guarantee Acts

Presentations made in the first technical session, made clear that many state governments are in favour of formalizing citizens' right to service. While a few states such as Madhya Pradesh, Delhi, and Bihar have formulated legal enactments to devise mechanisms for strict implementation of the Act, other states like Haryana have issued administrative orders for bringing together basic public services under a common e-governance portfolio.

As of early December 2011, a total of ten States have enacted Public Service Guarantee Act and five have proposed appropriate legislations.Simultaneously, the Government of India's Citizens Right to Grievance Redress Bill 2011 elaborates upon the right to service in its Chapter II. Owing to this, in many circles of discussion, there is a tendency to consider it asa National Right to Public Service Guarantee Act. However, serious differences remain between the Bill and Public Service Guarantee Acts in different States of the country. In terms of their scope, the Bill's overall aim is the redressal of citizens' grievances while that of the Public Service Guarantee Act is the provision of notified services in a time-bound manner. For grievance redressal, the Bill stipulates the establishment of Central as well as State

B.S. Baswan, former Secretary, HRD GoI and former Director, Indian Institute of Public Administration

Public Grievance Redressal Commissions; in the Public Service Guarantee Act, this function is performed by the First and Second Appellate Authority. Finally, the billmakes no clear provisions for imposing a penalty for mala fide actionin case of failure to redress a citizen's grievance; in case of the Public Service Guarantee Act, clear procedures have been laid out for calculation of penalties imposed on the defaulting officer or for compensation due to the appellant in case of failure in service delivery.

Despite the differences between the two legislations, the inclusion of right to service within the ambit of citizens' right to grievance redressal brings out an important point for deliberation. If the right to service encompasses only provision of timely service delivery and penalty for its non-compliance, it leaves out a significant aspect for citizens' welfare - a provision for approaching appropriate authority about the quality of service received. The Acts, as it stands today, de-link public services from the larger domain of grievance redressal - a discussion on the viability of this approach was initiated during the conference.

No.	Title of the Act	State	Date of Implementation
1	Madhya Pradesh LokSewaonKePradan Ki Guarantee Adhiniyam	Madhya Pradesh	August 18, 2010
2	Uttar Pradesh Janhit Guarantee Adhyadesh	Uttar Pradesh	January 13, 2011
3	Delhi Right of Citizen to Time Bound Delivery of Services Act, 2011	Delhi	April 03, 2011
4	The Jammu and Kashmir Public Services Guarantee Act, 2011	Jammu and Kashmir	April 13, 2011
5	Bihar Right to Public Services Act, 2011	Bihar	August 15, 2011
6	The Rajasthan Guaranteed Delivery of Public Services Act, 2011	Rajasthan	September 21, 2011
7	Uttarakhand Right to Service Act, 2011	Uttarakhand	October 04, 2011
8	Himachal Pradesh Public Services Guarantee Act, 2011	Himachal Pradesh	October 17, 2011
9	Punjab Right to Service Act, 2011	Punjab	October 20, 2011
10	Jharkhand Right to Service Act, 2011	Jharkhand	November 15, 2011
11	Kerala Service Assurance Bill, 2011	Kerala	Proposed
12	Karnataka Right of Citizens to Time Bound Delivery of Services Bill, 2011	Karnataka	Proposed
13	Chhattisgarh LokSeva Guarantee Bill, 2011	Chhattisgarh	Proposed
14	Haryana Right to Service Act, 2011	Haryana	Proposed
15	Orissa Right to Service Act, 2011	Orissa	Proposed
16	Citizens Right to Grievance Redress Bill, 2011	Central Government	Proposed

Comparison between Various State Acts

The individual presentations reflected that while each state has a separate Public Service Guarantee Act, the basic legal provisions are common[1]:

- Notifying services covered under the Act;
- Providing services within stipulated time-frames;
- Fixing clear penalties for non-compliance;
- Nominating an administrative authority responsible for providing each service;
- Outlining provisions for revision/appeal against penalty imposition.

Despite the similarities, the individual Acts vary significantly in terms of mechanisms adopted for implementation. Some of the variations came forth during the technical sessions. These are outlined in the table below:

State	Responsible Authority	Services Notified	Penalty Provisions	Monitoring Mechanism	Use of ICT tools
Madhya Pradesh	Department of Public Service Management	52 services from 16 departments	INR 250 per day up to a maximum of INR 5000	Chief Minister's Office and DPSM, online tracking system	Online application and tracking system through MIS
Bihar	Implemented under the Bihar PrashasanikSudhar Mission	50 services from 10 departments	INR 250 per day up to a maximum of INR 5000	Extensive ICT-based system AdhikaarSamadhan and Jigyasa for monitoring at the State, District and Block Levels	Computerized application and monitoring in Phase I, Phase II & III will see online request and delivery of services
Jammu and Kashmir	Designated Officers(Dos), First Appellate Officers (FAOs) in respective departments	45 services from 6 departments	INR 250 per day up to a maximum of INR 5000	Online monitoring in the pipeline	Software for tracking of applications and online monitoring in the pipeline

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[1]Refer to Annexure III for detailed comparison between the Acts

Delhi	Department of Information and Technology	52 services from 18 departments	INR 10 per day up to a maximum of INR 200	e-Service Level Agreement Software Monitoring System in place	Complete ICT based system for filing application and tracking status.
Jharkhand	DOs, FAOs & Second Appellate Officers (SAOs) in respective departments	54 services from 20 departments	INR 250 per day up to a maximum of INR 5000	Development under process	Development under process
Haryana	DOs, FAOs & SAOs in respective departments	36 services from 8 Departments	At the moment no provisions to penalize, any feedback to be included in annual performance reports	Frequent visits of deputy commissioners to public dealing offices, DOs also responsible for monitoring	Software for application and tracking developed by an external agency, full roll out in the pipeline

Table 2: Comparison between various State Acts

Pioneering States

Currently, **Madhya Pradesh** is leading the implementation bandwagon with streamlined processes and necessary ICT tools in place. It is the only state to have a separate, dedicated department, DPSM, to oversee the implementation of the Act. In the past one and a half years of executing the Act, the state has disposed over 7,300,000 applications for various services with 99 per cent of these applications disposed within specified time limit. The GoMP has now proposed the establishment of about 400 *LokSevaKendras* at all of its block headquarters and select urban areas. These centres will act as a one-stop-shop for the delivery of not only notified services under the Act but many other services, and will operate on a PPP model.

Two other states, Delhi and Bihar, are closely following Madhya Pradesh's example. **Delhi** has a complete ICT based application, tracking and service delivery mechanism in place, in the form of an e-Service Level Agreement Monitoring System. Since the enforcement of the Act in September 2011, Delhi has addressed about 4, 54,187 applications with less than 5 per cent delays. An interesting feature of the Delhi Act is the low rate of penalty imposed on the erring officials; the logic is to motivate officials to perform assigned duties in a time-bound manner instead of inducing fear by penalising for non-

performance. To further this aspect, the Act, as implemented in Delhi, has a provision for rewarding INR 5000 to officials who do not default on providing services even once in a year.

Bihar is implementing its Public Service Guarantee Act with the utilization of ICT in a phased manner. Right To Public Service counters have been set up at all Block offices, District Collectorates and other government offices for providing notified services in Bihar. Citizens can call the existing *Jigyasa* Call

Mr. BrijendraPratap Singh, Honourable Minister, Department of Public Services Management, Madhya Pradesh sharing his insights on implementing the RTS in Madhya Pradesh.

Centre[2] with their queries and can also utilize the *Samadhan* Interactive Voice Response System (IVRS) to clarify the provisions of the Act and seek help in applying for the service. Besides, the citizens have an option of submitting computerized applications at the designated offices. The service delivery in Bihar is being monitored through the *Adhikaar* software. Enhancements planned for Phase II, to be rolled out in January 2012, include introducing online submission of request for services. In Phase III, the final phase, citizens will receive online delivery of their requested service.

Among the other states that made presentation, **Jammu and Kashmir** has notified services, penalty provisions and informed concerned officials in various departments about their responsibilities under the Act but the integration of ICT tools for streamlining the implementation of the Act is yet to take place. **Chhattisgarh** and **Orissa** briefly outlined their intentions for enacting their respective Right to Service Acts. The state presentations concluded with **Haryana** presenting the status of implementation of its administrative order for granting services to citizens on time.

Summary of Key Challenges and Recommendations

The discussions, following the presentations by state representatives, focused on various challenges faced and foreseen in the implementation of the Public Service Guarantee Acts and cumulatively highlighted the need for improving service delivery mechanisms. In cases where such legislation is still under process, states are making use of the preparatory time to re-engineer their service delivery processes. In other cases, where the legislation was passed without prior business process re-engineering and review, the states are making efforts to simultaneously review and fix bottlenecks in implementation.

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[2]A general helpline was introduced by the Government of Bihar to answer queries related to various government services/schemes.

The key **areas of concern** include:

- Defining the scope of the Act (i.e. number and type of services covered in a scenario where complaints and grievances are also added);

- Demand side sensitization and awareness among citizens about the provisions of the Act and its functioning/application;

- Supply side sensitization, awareness and training of service providers;

- Addressing capacity-related challenges - shortage of manpower and financial resources;

- Lack of availability of an efficient Management Information System (MIS) with ready access to government records and data for monitoring and tracking of applications;

- Reduction of complexity in procedures and clarification on identification and documentation requirements for a particular service for the purpose of eliminating subjectivity;

- Incentives and disincentives for government officials including but not limited to penalties, impact on performance assessment, promotions and rewards;

- Grievance redress mechanisms (i.e. appeal mechanisms);

- Technology options and business models for efficient and timely service delivery and tracking/monitoring of service requests;

- Consistency of the legal framework;

- Consistency with the States' decentralisation agenda and local self-government responsibilities.

These challenges were reinforced by the Principal Secretary, Department of Public Service Management (DPSM), Madhya Pradesh, who shared the results of a fact-finding survey that examined the progress of the implementation of Madhya Pradesh's *LokSewaonKePradan Ki Guarantee Adhiniyam*. To understand the status of implementation at the service-providers end, 32 offices in 8 districts were surveyed; at the recipients end, applicants, public representatives and citizens were interviewed in a structured manner in 22 blocks. This survey surfaced tremendous challenges in theimplementation of the Right to Service at the grassroots level. In about 20 per cent cases, information was wrongly entered on the MIS, citizens were often not given an acknowledgement slip in return of their request for a service and many offices did

Iqbal Singh Bains, Principal Secretary, Department of Public Service Management

not display the Citizen Charters. Awareness levels among citizens and public representatives about the Act and its provisions of appeal and penalties were also very low. By highlighting the lacunas in the implementation of its Act, the GoMP encouraged the participants to consider these findings in their

deliberations. The openness of the State was much appreciated and provided substance for subsequent discussions.

It is likely that the field realities are similar, and problems faced only have slight variations across states. Technical Session II of the consultation focused on deliberating and devising appropriate recommendations for addressing such problem areas. Three breakaway groups were formed to deliberate on specific challenges:

- <u>Group I</u> aimed at recommending technological options for rolling out a block-level hub based single window service providing system with a suitable PPP models for the same.

- <u>Group II</u> focused on capacity-related challenges including sensitization and awareness of citizens and service providers as well as discussing concerns on incentives, scope of services and manpower and infrastructural lacunas.

- <u>Group III</u> identified the problems within the legal framework for guaranteeing public services including the enabling legal and institutional provisions required for making the Act operational and their alignment with the service rules.

The **recommendations**[3] made by the groups were presented the next day in Technical Session III, chaired by Dr.IsherAhluwalia, former Chairperson, Indian Council for Research on International Economic Relations (ICRIER). Overall, the participants formed a general consensus that the Actsshould not be punishment-centred but motivation-oriented in order to facilitate attitudinal change and to offer sustained reforms. The need to create awareness among citizens as well as strengthening the capacities of service providers was also highlighted. Further, use of PPP business models for providing services and use of ICT-based tools for tracking and monitoring service provision was encouraged for bringing about transparency, accountability and efficiency.

Some of the key recommendations are summarized below:

Designing software solutions

The group on technology options and PPP models highlighted the need for avoiding separate modules for each service as it is a resource consuming effort; instead, a single generic, standardized software platform was suggested to define individual elements of the Act such as notified services, entitlement, forms and process flow, and to allow management of delivery at any level of administration in a transparent and accountable manner. The National Informatics Centre (NIC) exhibited a prototype of similar software called ServicePlus[4]. The recommendations also included making the software local language-complaint and ensuring compatibility with existing domain software/databases. The group specifically mentioned that any technology developed for the purposes of implementing the Act should

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[3]Refer to Annexure III for a detailed list of recommendations
[4]Details on the software are provided in Annexure III

be able to display the exact status of the service not only to the government but also to the citizens and service seekers to assure transparency.

Taking into account the infrastructural limitations, it was advised that in case of low/no internet connectivity, the offline version of software should be used to exchange the data; however, it has its own restrictions in terms of delay, backup, restore, viruses etc. Decision on such alternative applications need to be taken in view of many other factors specific to States. An important feature recommended for the software was to enable record management, archiving and analysis once the service delivery is complete as per State policy.

Human resource concerns were also emphasized. Specifically, it was noted that software development and adoption processes in the public sector differ from the private sector. Government officials typically have low IT literacy, and software learning/adopting process is slowed down in cases of an official's transfer – a valid concern in public administration. Therefore, a sustained capacity building effort using multimedia tools must be encouraged.

Efficient models for service-delivery at the grassroots

Group I pointed out that there are certain factors such as poor ICT infrastructure and remote locations that unavoidably require involvement of entrepreneurial stakeholders from the private sector to facilitate easy access to services and provide the last mile connectivity through a single window.

To address this, the group recommended that each State should design and use an appropriate model depending upon its ground situation keeping in mind the need to:
- Ensure administrative workability
- Ensure financial viability of operation
- Avoid duplication of efforts
- Avoid conflict of interest
- Ensure timely/effective delivery of service

An adequate PPP model must take cognizance of capacity and availability of generic public ICT infrastructure created by government such as e-facilitation centres (CSCs and Rajiv Gandhi *SewaKendras*), data centres, wide area networks, application software (ServicePlus framework) and explore the possibility to re-use or develop convergence as far as possible.

Creating citizens' awareness and reaching out to remote areas

Group II highlighted the need to build citizens' awareness by increasing IEC activities and to establish multiple contact points between government officials and citizens in order to enhance access and to provide citizens with a choice.A compendium of all application forms in standard formats (in use by frontline service providers)should be made available to citizens as well clear and standardised instructions regarding the required documentation for each service request. The need for mobile based solutions was also highlighted so that citizens' need not make multiple visits to designated offices for service delivery. Instead he/she should be able to track his/her application through an SMS or IVRS system.

Capacity development of service providers

It was advised that the capacity of the service providers can be strengthened by assessing their work load and providing them with adequate human resources (own or outsourced), financial[5]and infrastructural support. All stakeholders involved in processing applications at various stages should be trained involving professional trainers and training material. It was felt that in the context of service guarantee acts the training should focus on awareness raising and attitudinal change while technical and functional skill training should already be standard practice.

In order to motivate public officials, a team and/or individual incentives should be introduced. In cases were teams of frontline and back office staff are jointly responsible for service delivery, a team reward is preferred since team efficiency is crucial.For accountability, the group recommended that functioning of public officials at Block and District level should be tracked to assess progress. In addition, an annual third party evaluation should be carried out in order to identify concern areas and devise appropriate solutions.

Dr. IsherAhluwalia, former Chairperson, Indian Council for Research on International Economic Relations, chairing the final session of the consultation.

The services covered by the Acts and the corresponding delivery timelinesneed to be reviewed periodically to allow for corrections (e.g. in case of improved systems and procedures the required response time may reduce).

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[5]Such as a separate budget allocation for Act implementation.

Addressing legal concerns

Members from Group III accentuated the need to re-examine the legal frameworks of the Right to Service Acts. They expressed apprehensions about the varied nomenclature of the Act in various states, the scope of these Acts, redress mechanisms, institutional provisions and control mechanisms. As a suggestion[6], the group advocated that the oversight mechanism for public service guarantee should be internal because a self-corrective, self-disciplining bureaucracy is the need of the hour.

The group looked at GoI's Citizens Right to Grievance Redress Bill 2011 as the overarching framework within which to look at the legal provisions of the other state Acts and expressed apprehension at the immense scope of the Act from the perspective of implementation. It recommended that the penalty provisions of most states (other than Delhi) are harsh and can affect the motivation of service providers and needs to be reviewed. The group also asked participants to take note of the fact that as per service rules penalty can only be imposed up to a certain ceiling. It also recommended that the applicant should not be allowed to file a case if the appellate under the Right to Service has been approached or else there will be a surge of litigations to handle.

It also recommended that states could explore creating a trust fund (e.g. *Torrens Compensation fund in Australia*) to compensate applicants in case of systemic delays.

Closing Remarks and Way Forward

The participants favoured most of the above recommendations but found further deliberation on the following points necessary: amount of penalty, incentives and introducing user charges. In terms of implementation, it was agreed that PPP models present immense potential for combining ICT and non-ICT based approaches to take service delivery to the most remote corners of the country, ensuring competent administrative and technical expertise along the way. However, use of ICT tools and PPP models is not the panacea for all ills afflicting our current governance systems.

As highlighted during the closing remarks of Mr. Shivraj Singh Chouhan(Honourable Chief Minister of Madhya Pradesh); Mr. BrijendraPratap Singh (Minister of State, Public Service Management), Dr. IsherAhluwalia (former

Shivraj Singh Chouhan, Honourable Chief Minister of Madhya Pradesh giving the closing remarks for the consultation.

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[6] See annex for details.

Chairperson, Indian Council for Research on International Economic Relations), and Mr. Arndt Husar (Programme Specialist, UNDP India),administrative reform and governance improvements remain a key concern for policy makers.

In order to realize democratic ethos in the country, it is essential that the citizen and government move towards each other. Establishinga rights-based approach in Public Service Delivery not only empowers citizens to demand services, but offers an opportunity to enable government officials with a legal and technical framework for providing these services efficiently. The move to make public service provision legally binding on the government displays a political will to make citizens active agents within administrative processes rather than mere recipients of services.

Annexures

Annexure I: Agenda
Annexure II: List of Participants
Annexure III: Presentations on State Acts
Annexure IV Presentations on Key Challenges
Annexure V: Presentations on Key Recommendations

Annexure I: Agenda

AGENDA
(final)

DAY I: 8th December 2011

TIME	TOPIC
0930-1000 hrs	Registration by the Participants
Inaugural Session : Setting The Agenda	
1000-1005 hrs	Lighting of the Lamp by the Dignitaries on the dais
1005-1010 hrs	Welcome Address by MrIqbal Singh Bains: Principal Secretary, Public Services, Management, Government of MP
1010-1015 hrs	Address of Mr B S Baswan former Secretary, HRD GoI and former Director IIPA,New Delhi
1015-1025 hrs	Opening Remarks by Mr. AvniVaish Chief Secretary, Government of MP
1025-1030 hrs	Release of a Compendium of State Public Service Acts
1030-1045 hrs	Address by Hon' Minister Public Services Management, Govt of Madhya Pradesh MrBrijendraPratap Singh
1045-1100 hrs	TEA BREAK
Technical Session I : Presentation on State Acts and Implementation Models	
1100-1230 hrs	Presentation on the State Public Services Guarantee Acts- Implementationexperience, Challenges and Solutions
1230-1240 hrs	Presentation on the Comparative Features of the State Right to Service Acts
1240-1315 hrs	Panel discussion on various State Acts, bottlenecks and challenges
1315-1400 hrs	LUNCH BREAK
Technical Session II: Key Challenges	
1400-1445 hrs	Agenda Setting: Brief presentations for defining scope of deliberations on key challenges to implementation of accountability frameworks developed for guaranteed Public Services: Group I: Technology Options and PPP based business models for service delivery platforms and systems for rolling out block-level hubs for service provisioning and lessons from successful PPP models - *Mr. VinayakRao- NIC* Group II: Capacity-related challenges to Services Guarantee - Sensitization, Awareness and Accountability of lower bureaucracy/service providers - *Mr. RavindraPastore, Commissioner Jabalpur, GoMP* Group III: Legal framework for Guaranteeing Services- Scope of the Acts, redressal mechanisms, Institutional provisions-Commissions/ Appellate Authority, Constitutional provisions of Article 311 and Service rules - *Mr. Manoj Srivastava, Commissioner Bhopal, GoMP*

TIME	TOPIC
1500-1600 hrs	Breakaway Session Group-1 and Group-2 in Begum Hall and Group -3 in Darbar Hall
1600-1615 hrs	TEA BREAK
1615-1730 hrs	Break-away sessions continue

DAY II: 9th December 2011

TIME	TOPIC
Technical Session III: Roadmap and Recommendations	
1000-1100 hrs	Presentations by Groups (20 mts each)
1100-1145 hrs	Panel Discussion – Questions All Presenters
1145-1200 hrs	TEA BREAK
Valedictory Session	
1200 hrs	Arrival of the Hon' Chief Minister Public Services Management, Govt. of Madhya Pradesh MrBrijendraPratap Singh
1200-1220 hrs	Summary of Overall Recommendations by Mr. B S Baswan, former Secretary, HRD GoI and former Director IIPA, New Delhi
1220-1230 hrs	Observations by Program Specialist (Capacity Development), UNDP India, Mr. Arndt Husar
1230-1245 hrs	Address by Hon'ble Minister of Public Services Management - ShriBrijendraPratap Singh
1245-1300 hrs	Concluding Remarks by MsIsherAhluwalia, former Chairperson, Indian Council for Research on International Economic Relations
1300 hrs	Address by Hon' Chief Minister Madhya Pradesh - ShriShivraj Singh Chouhan
	Vote of Thanks – Mr. Iqbal Singh Bains, Principal Secretary, Department of Public Service Management, GoMP

Annexure II: List of Participants

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Annexure III
Presentations on State Acts

Workshop on

Strengthening Delivery and Accountability Frame Works for Public Services

Bhopal
8-9 December 2011

Presented by

Iqbal Singh Bains

DELIVERING PUBLIC SERVICE --- THE MADHYA PRADESH MODEL

* Madhya Pradesh Loksewaon ke Pradan ki Guarantee Adhiniyam 2010 was passed on August 2010
* Act implemented from 25th September, 2010
* Department of Public Service Management was established for implementation of the Act
* 52 services of 16 departments have been notified

DELIVERING   PUBLIC SERVICE --- THE MADHYA PRADESH MODEL

* In all the districts, new posts of District Manager, Public Service Management were created and appointments made.
* More than 73 lakh applications have been disposed.
* Around 99% applications are accepted and only less than 1% applications are rejected
* 99% applications disposed within time limit

DELIVERING   PUBLIC SERVICE --- THE MADHYA PRADESH MODEL

* Training of all Designated officers, appeal officers and second appeal authorities conducted
* IEC campaign
* Special Gram Sabhas organized for awareness. Teams made presentations regarding provisions and processes of the Act
* Lokseva Week and Lokseva day organized

DELIVERING   PUBLIC SERVICE --- THE MADHYA PRADESH MODEL

* New circular for all 52 services are in process of revision in consultation with field functionaries.
* Drafts considered in a work shop of DOs, appeal officers, nodal officers, special invitees and Lokseva Prabandhak

DELIVERING   PUBLIC SERVICE --- THE MADHYA PRADESH MODEL

Online Registration of Application

* From 7th August 2011 online registration of applications started in the offices of Designated officer who have computer and network(approx 1500)
* By end of all offices of DOs will have computer and network
* On line registration is done at URL www.lokseva.gov.in

DELIVERING   PUBLIC SERVICE --- THE MADHYA PRADESH MODEL

Online Registration of Application

* So far around 5lakh applications have been registered
* The web-based software provide office wise and application wise MIS at level of Appeal officer 1, second appeal authority, district, division, department and state level
* Applicant can also track his application online

DELIVERING   PUBLIC SERVICE --- THE MADHYA PRADESH MODEL

Monitoring

* District Officer, Collector, Commissioner, Head of the Department of concerned departments are regularly monitoring receipt disposal and pendency of applications
* Department of PSM through nodal officers the department review implementation of the Act
* Regular inspections of the office are also conducted

Way ahead

* A programme to provide computer and network to all designated officers
* Provide facility of online filing of applications
    * By Establishing LokSeva Kendras under PPP model in all blocks and urban areas
    * Sub centre of Lokseva Kendras in sub block level (using CSCs)

Lok Seva Kendra

* State is planning to establish Lokseva Kendra as one Spot Solution to all individual based services
* LSK will be established in all block head quarters (313) and in urban areas (87)
* Online applications will be received in LSK along with Hard copy of the application
* All necessary enclosures will also be scanned and attached with application

Lok Seva Kendra

* Elaborate procedure for to and fro movement between LSK and DO office of hard copy application and   resultant order /service delivery will be laid down

Bihar Right to Public Services Act, 2011

Implementation Insights

4th November 2011

Background

- GoB is committed to reforming the state administration
  - Bihar Prashasanik Sudhar Mission Society launched with support from DFiD, Government of UK in September 2008
  - 200 point "Sushasan" (Agenda for Good Governance) programme has been formulated & gazetted on December 15, 2010

- Improving public Service delivery is a key element of Sushasan Programme
  - "*Public Services Guarantee Act will be made for letting the public sevices reach every individual in a timebound and transparent manner.*"

- The Right to Public Services Act, 2011 finalised and implemented by August 15th, 2011

1

Introduction

- The Act aims in bringing transparency, accountability, and timeliness in delivery of public service

- The RTPS Act mandates **delivery of notified services within stipulated time limits**, **fixes accountability** within the system by **naming public servants** who would be held responsible, and provides a **chance to appeal** in cases **where services are delayed or denied without assigning reasons**

- Notification of 50 select services in 10 departments selected in the first phase

- Strong Commitment from Government
  - Bill enacted on 29th April, notified on 2nd May;
  - Rules notified on 3rd May 2011;
  - launched on 15th August 2011

2

Key Features of the Act

- Designated Public Servant (DPS) made accountable for delivery of Notified Services

- Acknowledgement receipt to citizens on acceptance/ rejection of Application

- Provision for appeal / review in case of delay/ denial of service (Appellate Authority and Reviewing Authority)

- Adoption of ICT in implementation of Act; which will be in the following three phases:
  - **Phase 1**: Computerized acceptance of application at the front office & generation of acknowledgement cards; monitoring of service delivery leveraging ICT (from 15th August 2011)
  - **Phase 2**: Online request/ application for services; physical delivery from front office (January 2012)
  - **Phase 3**: Online request/ application and on line delivery

3

Implementation Road Map

Training

Communication

Field Level
Strengthening

Monitoring

Implementation of RTPS Act
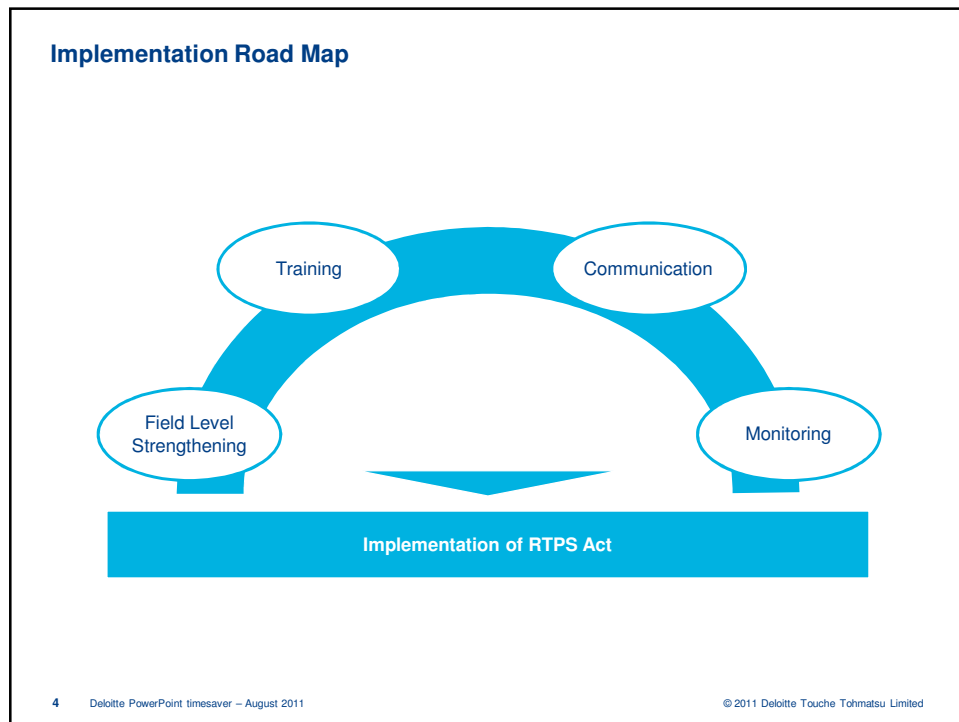
Field level strengthening for implementation

- IT managers placed on contractual basis in all 38 districts and key departments;

    – Support the IT initiatives at the district/ department level

- Block IT Assistants contracted for all 534 blocks; key person for reporting and giving IT support at block level

- Executive Assistants - for manning computerized application receiving counters

- RTPS Counters set up at all Block office, District Collectorates and other offices providing services Notified under the Act

5

Capacity Building

- Training of trainers conducted for about 180 nodal officers who were identified as Master Trainers for RTPS

- Training of IT Managers, IT Assistants and Executive Assistants (more than 500 trainees)

- Roll out of District level training for all officials by Master Trainers

Training of Trainers at Patna

6

Reaching the public

Public awareness campaign launched through print, TV, Radio, Website and hoarding

7

Reaching the public, cont.

•Notice boards put up at service delivery points

•*May I Help You Booth*s set up at district head quarters

•Existing call center "Jigyasa" equipped to cover the enquires under RTPS

•Interactive Voice Response (IVR) System established

  • Piloted in Nalanda district (Phone Number: 9308001000)
  • To be rolled out in all districts

•The programme launched in more than 26,000 Mahadalit Tolas across the state

May I Help You Booth

Jigyasha Call Centre

8

Adhikaar

• Adhikaar, the Front end interface and monitoring Application

• Acknowledgement along with an 18 digit Unique ID being generated through the system

• Application Status available through Internet and SMS (56677)
  http://210.212.23.54/ADHIKAR/SearchRTPS.aspx

• Facilitate spot acceptance/ rejection of application based on criterion of specified supporting documents

•Monitoring reports generated for at Department, Office, Block, Sub division, District and State level including pendency

9

Sample Acknowledgement Receipt

लोक सेवाओं का अधिकार

पावती रसीद

आवेदन सं०:–   आवेदक/आवेदिका का नाम :–

मोबाइल सं०:–   पिता/पति का नाम :–

जिला :–   प्रखण्ड :–

अनुमंडल :–   पंचायत/वार्ड :–

अधियाचित सेवा :–   नामनिर्दिष्ट लोक सेवक :–

स्वीकृत /अस्वीकृत :–

अस्वीकृति का कारण :–

सेवा प्रदान करने के लिए नियत समयसीमा:–   सेवा प्रदान करने की प्रस्तावित तिथि :–

आवेदन प्राप्त करने की तिथि:–   प्राप्तकर्ता का हस्ताक्षर एवं मुहर :–

10

Thank You!

11

Adhikaar: Webpage

12

Adhikaar: Online Application Status tracking

13

Synchronization Status of data from Offices to Central Database

District wise and office wise Received/ Disposal Status

Adhikaar: Front End

RTPS Counter at a Block Office

Notice Board at Transport office

General Notice Board

BACK

Adhikaar (Contd.)

•Administrator controlled monitoring tool available http://210.212.23.54/ADHIKAR/

•Key features of the software include:

  • Monitoring reports generated for the services at block, sub division, district and state level including pendency
  • More than 55,000 applications are being received every day through the software

•State level monitoring unit has been set up under BPSM

•Total of 36.69 lakhs application received till November 1, 2011
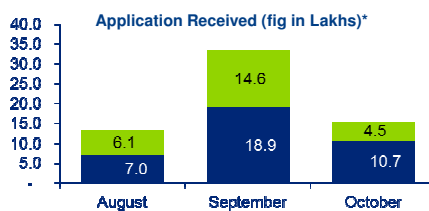
Application Received (fig in Lakhs)*

Month	Blue	Green
August	7.0	6.1
September	18.9	14.6
October	10.7	4.5

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Launch of RTPS   Back

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THE JAMMU AND KASHMIR PUBLIC SERVICES GUARANTEE ACT, 2011
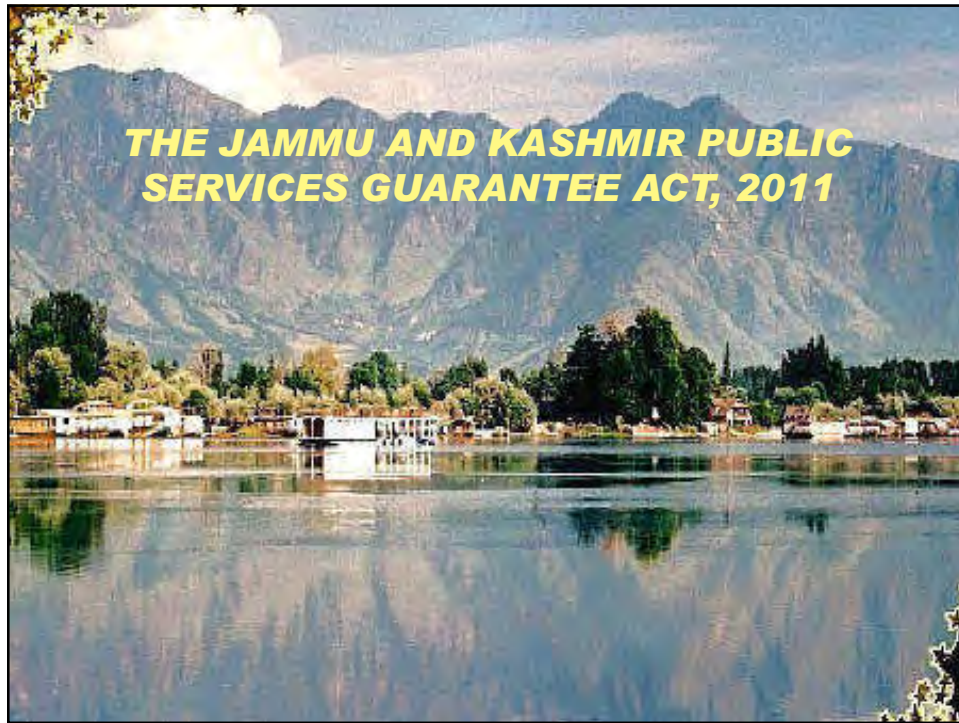
THE JAMMU AND KASHMIR PUBLIC SERVICES GUARANTEE ACT, 2011

➢ On 10th of August, 2011, The Jammu and Kashmir Public Services Guarantee Act, 2011 came into effect.

➢ The Act provides for the delivery of public services by the designated officers to the eligible persons within the specified time limit.

➢ To carry out implementation of the Act, Rules notified.

➢ **Forty five (45) services, pertaining to six departments, notified.**

➢ **Time limit for providing the services, particulars of the Designated Officers (DO), 1st Appellate Authorities (AA) and 2nd Appellate Authorities notified.**

➢ **Directions issued to all the concerned for ensuring strict implementation of the Act.**

➢ **Account head for depositing fines to be imposed notified.**

➢ **The DOs shall acknowledge receipt of every application for providing notified service on prescribed form.**

➢ **The DOs shall display all relevant information related to the notified services on the notice boards installed at conspicuous places of their offices for public knowledge. In the event of non display of such information appropriate action shall be initiated against the DOs.**

➢ Any eligible person can file application with the DO for providing notified service. The DO shall, within the specified time limit, either provide the service or reject the application with reasons.

➢ The person, whose application is rejected by the DO or who does not receive the service within the specified time limit or where the service received is deficient in any manner can file an appeal to the 1st AA, within 30 days from the date of such rejection or expiry of the time limit or receipt of deficient service. The 1st AA shall dispose of the appeal within 45 days and may direct the DO to provide the service within such time as he may specify or to remove the deficiency in the service provided or reject the appeal, as he may deem fit.

➢ Any person aggrieved by the order passed by the 1st AA may file an appeal to the 2nd AA, within 60 days from the date of the order passed by the 1st AA.

➢ 2nd AA shall within 45 days dispose of the appeal directing the DO to provide the public service within such time as he may specify or to remove the deficiency in the service provided or reject the appeal, as he may deem fit.

➢ Where the 2nd AA is of the opinion that the DO has failed to provide service or has caused delay in providing service or has provided service which is deficient in any manner, he shall impose a fine of Rs. 250/- for each day of such delay or Rs. 5000/- whichever is less, in case of non providing of service or delay in providing service and Rs. 2000/- in case of deficiency in service.

➢ **If the DO does not comply with the orders of 1ˢᵗ AA or the 2ⁿᵈ AA, the aggrieved person may file an application before the 2ⁿᵈ AA. The 2ⁿᵈ AA may impose a fine on DO which shall not be less than Rs. 500/- but may extend upto Rs. 5000/- if he is of the opinion that the DO has not complied with the orders without reasonable cause.**

➢ **If the 2ⁿᵈ AA is of the opinion that the 1ˢᵗ AA has failed to decide the appeal within the time specified without any reasonable cause, he may impose a fine which shall not be less than Rs. 500/- and not more than Rs. 5000/- on the 1st AA.**

➢ **The 2ⁿᵈ AA may also direct that such portion of the fine imposed on DO or the 1ˢᵗ AA shall be awarded to the applicant/appellant, as compensation as he may deem fit.**

DETAILS OF SERVICES BROUGHT WITHIN THE PURVIEW OF THE ACT

I.   Consumer Affairs & Public Distribution Department

✓   **Issuance of Ration Card.**

✓   **Issue of surrender certificate/duplicate Ration Cards.**

✓   **Inclusion of a new born child in the ration card.**

✓   **Transfer/shifting from one Fair Price Shop to another.**

II. Power Development Department

- ✓ Electricity Connection domestic with load 10 KW.
- ✓ Electricity Connection domestic with load 20 KW.
- ✓ Electricity Connection domestic with load 30 KW.
- ✓ Electricity Connection domestic with all loads.
- ✓ Electricity Connection commercial with load 5 KW.
- ✓ Electricity Connection commercial with load 20 KW.
- ✓ Electricity Connection commercial with load 30 KW.
- ✓ Electricity Connection commercial with load 100 KW.
- ✓ Electricity Connection industrial with load 10 KVA/HP.
- ✓ Electricity Connection industrial with load 30 KVA/HP.
- ✓ Electricity Connection industrial with load 100 KVA/HP.
- ✓ Electricity Connection industrial with load 200 KVA/HP.

III. Public Health Engineering, Irrigation and Flood Control Department

- ✓ Sanction for domestic water connection.
- ✓ Actual domestic water connection supply.

IV. *Revenue Department*

- ✓ State Subject Certificate (PRC).
- ✓ Reserved Category Certificate.
- ✓ Dependent Certificate.
- ✓ Extract of Fard Intikhab.
- ✓ Extract of Girdawari.
- ✓ Extract of Aks Masavi/Latha.
- ✓ Extract of Jamabandi.
- ✓ Attestation of mutations.
- ✓ Inheritance Mutation.
- ✓ Copy of mutation.
- ✓ Demarcation of Land.
- ✓ Extract of Tatima Shajra.
- ✓ Extract of Chulah /Chowkidara.
- ✓ Income Certificate.

V. *Transport Department*

- ✓ **Learners Driving License.**
- ✓ **Driving License.**
- ✓ **Registration of Vehicle.**

VI. *Housing & Urban Development Department*

- ✓ **Birth/Death Certificate.**
- ✓ **NOC for construction of house from Srinagar Development Authority.**
- ✓ **NOC for construction of house from Jammu Development Authority.**
- ✓ **NOC for construction of house from Town Planning Organization.**
- ✓ **NOC for construction of house from Power Development Department.**
- ✓ **NOC for construction of house from PHE.**
- ✓ **NOC for construction of house from Nazool.**
- ✓ **Building permission for construction of house from Municipal Corporation, Srinagar.**
- ✓ **Building permission for construction of house from Municipal Corporation, Jammu.**
- ✓ **Building permission for construction of house from Municipal Council/Committee.**

1. Consumer Affairs & Public Distribution Department.				
Ration Card	Tehsil Supply Officer, CAPD in Rural areas and Assistant Director in Urban areas.	30 days subject to condition that new ration cards will be issued only after Govt. of India allocates food grains as per current population of the State	Deputy Director , Food, CAPD concerned	Director, CAPD concerned
Issue of surrender certificate/duplicate Ration Cards	Tehsil Supply Officer, CAPD in Rural areas and Assistant Director in Urban areas.	07 days	Deputy Director, CAPD concerned	Director, CAPD concerned
Inclusion of a new born child in the ration card	Tehsil Supply officer, CAPD in Rural areas and Assistant Director in Urban areas	07 days after production of birth certificate from the competent authority	Deputy Director, CAPD concerned	Director, CAPD concerned
Transfer/shifting from one FP Shop to another	Tehsil Supply officer, CAPD in Rural and Assistant Director in Urban areas	15 days subject to condition that the ration form new FP shop shall be issued only on commencement of the next moth.	Deputy Director, CAPD concerned	Director, CAPD concerned

2. Power Development Department.					
S.N	Name of the Service	DO	Stipulated time	1st AA	2nd AA
1	EC domestic with load 10 KW.	AEE	30 days	EE.	SE
2	EC domestic with load 20 KW.	EE.	35 days	SE	CE
3	EC domestic with load 30 KW	SE	40 days	CE	DCP
4	EC domestic with all loads	CE	45 days	DCP	Div. Com.
5	EC commercial with load 5 KW.	AEE	30 days	EE.	SE
6	EC commercial with load 20 KW.	EE	35 days	SE	CE
7	EC commercial with load 30 KW.	SE	40 days	CE	DCP
8	EC commercial with load 100 KW.	CE	45 days	DCP	Div. Com.
9	EC industrial with load 10 KVA/HP.	AEE	30 days	EE.	SE
10	EC industrial with load 30 KVA/HP.	EE	35 days	SE	CE
11	EC industrial with load 100 KVA/HP.	SE	40 days	CE	DCP
12	EC industrial with load 200 KVA/HP.	CE	45 days	DCP	Div. Com.

3. Public Health Engineering, Irrigation and Flood Control Department.					
S.N	Name of Service	DO	Stipulated time	1st AA	2nd AA
1.	Sanction for domestic water connection	EE	15 days	SE	DC
	Actual domestic water connection supply	EE	30 days	SE	DC

S.N	Name of Service	DO	Stipulated time	1st AA	2nd AA
	4. Revenue Department.				
1	State Subject Certificate (PRC)	AC (Rev)/ ADC/SDM	30 days	DC	Div. Com.
2	Reserved Category Certificates	Tehsildar	15 days	ADC	DC
3	Dependent Certificate	AC (Rev)/ADC	30 days	DC	Div. Com
4	Extract of Fard Intikhab	Naib Tehsildar	10 days	AC (Rev)	ADC
5	Extract of Girdawari.	Naib Tehsildar	10 days	Tehsildar	ADC
6	Extract of Aks Masavi/Latha	Naib Tehsildar	10 days	Tehsildar	ADC
7	Extract of Jamabandi	Naib Tehsildar	10 days	AC (Rev)	ADC
8	Attestation of mutations	Tehsildar	30 days	ADC	DC
9	Inheritance Mutation	Naib Tehsildar/Tehsildar	30 days from the date of intimation/application to the mutation attesting officer	ADC	DC
10	Copy of mutation	Tehsildar	10 days	ADC	DC
11	Demarcation of Land	Naib Tehsildar	30 days	Tehsildar	ADC
12	Extract of Tatima Shajra	Naib Tehsildar	30 days	AC (Rev)	ADC
13	Extract of Chulah /Chowkidara	Naib Tehsildar	10 days	Tehsildar	ADC
14	Income Certificate	Tehsildar	30 days	ADC	DC

S.N.	Name of Service	DO	Stipulated time frame	1st AA	2nd AA
	5. Transport Department.				
1	Learners driving license	RTO/ARTO concerned	15 days	DC	Transport Commissioner, J&K
2	Driving License.	RTO/ARTO concerned	30 days	DC	Transport Commissioner, J&K
3	Registration of Vehicles	RTO/ARTO concerned	30 days	DC	Transport Commissioner, J&K

SN.	Name of Service	DO	S. time frame	1st AA	2nd AA
	6. Housing & Urban Development Department.				
1	Birth/Death Certificate	Registrar/Health Officer	30 days	Joint Municipal Commissioner (Adm)	Municipal Commissioner
2	NOC for construction of house from SDA	Secretary, SDA	30 days	Vice Chairman, SDA	Divisional Commissioner
3	NOC for construction of house from JDA	Secretary, JDA	30 days	Vice Chairman, JDA	Divisional Commissioner
4	NOC for construction of house from TPO..	Chief Town Planner	30 days	Divisional Commissioner	Administrative Secretary, H&UDD
5	NOC for construction of house from PDD.	Executive Engineer	30 days	Superintending Engineer	Deputy Commissioner
6	NOC for construction of house from PHE.	Executive Engineer	30 days	Superintending Engineer	Deputy Commissioner
7	NOC for construction of house from Nazool.	Tehsildar Nazool	30 days	ADC	Deputy Commissioner
8	Building permission for construction of house from MC, Srinagar	Joint Commissioner (Adm)/Planning	30 days	Municipal Commissioner Srinagar	Administrative Secretary, H&UD
9	Building permission for construction of house from MC, Jammu	Joint Commissioner (Adm)/Planning	30 days	Municipal Commissioner Jammu	Administrative Secretary, H&UD
10	Building permission for construction of house from Municipal Council / Committee.	Executive Officer	30 days	ADC	Deputy Commissioner

With a view to bring awareness among common masses regarding the Act and Rules, the State Government has taken following initiatives:-

1. The Information Department has given vide publicity to the Act and Rules through print and electronic media for creating awareness amongst general public regarding the provisions of the Act and Rules.

2. The Administrative Secretaries of the concerned departments have appointed State level Nodal Officers for ensuring strict and time bound implementation of the provisions of the Act and Rules.

3. The State level Nodal Officer are monitoring implementation of the Act Rules in letter and sprit and ensuring that the DOs, 1st AAs and 2nd AAs have maintained records regarding implementation of the Act as per the devised formats.

4. The State level Nodal Officers have be charged with the responsibility of furnishing monthly/quarterly progress reports and other related information that may be signified from time to time.

STATE LEVEL NODAL OFFICERS

S. No.	Name of the Department	Name of the Nodal Officer	Designation
1	Consumer Affairs and Public Distribution Department.	Ishtiaq Ahmed Ashai, KAS	Special Secretary
2	Power Dev. Deptt.	Mrs. Shabnum Kamili	Deputy Secretary
3	PHE, I & FC Department	A. R. Matoo	Joint director Planning
4	Revenue Department	M.S.Shiekh, KAS	Special Secretary
5	Transport Department	S. A. Laharwal	OSD in the Department
6	Housing & UD Department	Rajinder Singh Tara, KAS	Deputy Secretary

5. All the deputy Commissioners have appointed District level Nodal Officers for strict implementation of the Act by the DOs, 1st AAs and 2nd AAs available in the District.

6. The District Level Nodal Officers are ensuring that the DOs, 1st AAs and 2nd AAs have maintained records regarding implementation of the Act as per the devised proforma.

7. All the deputy Commissioners have constituted inspection squads to inspect the offices of the Dos in the District for ensuring that they have displayed all relevant information relating to services to be provided under the Act on their notice boards installed at conspicuous places of their offices for public knowledge.

S.No.	District	Nodal Officer (s)
1.	Anantng	Additional Deputy Commissioner.
2.	Bandipora	Additional Deputy Commissioner.
3.	Baramulla	Additional Deputy Commissioner.
4.	Budgam	Chief Planning Officer.
5.	Doda	Additional Deputy Commissioner.
6.	Ganderbal	Assistant Commissioner (Revenue).
7.	Jammu	Additional District Development Commissioner.
8.	Kargil	Additional Deputy Commissioner.
9.	Kathua	Additional Deputy Commissioner.
10.	Kishtwar	Additional Deputy Commissioner.
11.	Kulgam	Additional Deputy Commissioner.
12.	Kupwara	Additional District Development Commissioner.
13.	Leh	Additional Deputy Commissioner.
14.	Poonch	Additional Deputy Commissioner.
15.	Pulwama	Additional District Development Commissioner.
16.	Rajouri	Additional Deputy Commissioner.
17.	Ramban	Additional Deputy Commissioner.
18.	Reasi	Assistant Commissioner (Revenue).
19.	Samba	Additional District Development Commissioner.
20.	Shopian	Additional District Development Commissioner.
21.	Srinagar	Assistant Commissioner (Revenue).
22.	Udhampur	Additional District Development Commissioner.

8. The State IT department has been requested to prepare software for keeping track of the applications and also for online monitoring.

9. Brief notes on the Act and Rules have been circulated amongst all the Hon'ble Ministers and members of State Legislative Assembly and Council for mentioning importance of this Legislation to public on different occasions.

10. The State Rural Development Department (RDD) has prepared forty thousand (40,000) copies of the Act & Rules along with a summary note for distribution amongst the Panches and Sarpanches.

Department of Information Technology
Government of NCT of Delhi

e-Service Level Agreement

By
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The Concept

- In 1997, Central Department of Administrative Reforms and Public Grievances (DARPG) felt that the "*neglect in quality service delivery is a punishable offense*"

- The Government of Delhi framed the **Citizen charter** of every Department

- Despite framing a charter, Delhi Government realized the need of more **effective mechanism** of monitoring the **service delivery** in a time bound manner

Political Impetus

- 12th Report of **Second Administrative Reforms Commission** also recommended such initiatives

- Govt of NCT of Delhi initially planned to implement SLA in two phases :-
    - **First phase** - implemented Manually

    - **Second Phase** - On web based system

Methodology Adopted

- SLA monitoring **software developed in-house** with the expertise of NIC
- **Pilot** implementation done with 13 services from 6 departments of GNCTD
- **Line departments consulted** before roll out of services
- **The Delhi Right of Citizen to Time Bound Delivery of Services Act**, 2011 **was passed** to provide legal sanctity to the right of citizen to obtain time bound delivery of services

Act Enforcement

- The Delhi (Right of Citizen to Time Bound Delivery of Services) Act, 2011 was enforced w.e.f. **15th September 2011**

- The Delhi (Right of Citizen to Time Bound Delivery of Services) Rules, 2011 were notified w.e.f. **15th September 2011**

- **52 Services** of 18 Departments/ Organizations have been brought under e-SLA

Features of a SLA

- **Duty** of government servant **to deliver services** within the stipulated period

- **Electronic Platform** to monitor the time bound delivery of public services

- In case of any delay in service delivery, Department is liable to pay cost of **Rs. 10/- per day subject to a maximum of Rs. 200/- per application**, to the citizen as compensatory cost.

- Citizens can track the status of their application over the web at *www.esla.delhi.gov.in*

- **Centralized monitoring system**, monitored by Senior officers.

Services integrated with e-SLA

- **Revenue Department**
  - *Issuance of SC/ST Certificate (Other State), OBC Certificate, Solvency Certificate, Domicile Certificate, Income Certificate, SC/ST Certificate , Nationality Certificate*
- **Food Supplies and Consumer Affairs**
  - *Issuance of Ration Card (APL)*
- **Municipal Corporation of Delhi**
  - *Issuance of Birth & Death Certificate, Booking of Parks & Community Hall*
- **New Delhi Municipal Council**
  - *Issuance of Health License, Birth & Death Certificate , New Electricity Connection, Water Connection (Domestic), Booking of Parks, Community Halls, Building Plan Approval*
- **Transport Department**
  - *Issuance of Permanent & Renewal of Driving License, Registration Certificate of Vehicle, Transfer of Ownership of Vehicle, Certificate of Vehicle Fitness Issuance of Learner's Driving License*
- **Delhi Jal Board**
  - *New Water Connection (Domestic)*

Services integrated with e-SLA

- **Trade & Taxes**
  - *Registration under Delhi Value Added Tax (DVAT) and Central Sale Tax, Act*
- **Delhi Park and Garden Society**
  - *Work Plan for Financial Assistance*
- **North Delhi Power Limited / BSES Yamuna**
  - *New Electricity Connection (Domestic)*
- **Drugs Control**
  - *Grant of License to Chemist*
- **Weights & Measures**
  - *Grant of Licenses as Manufacturer, as Repairer, as Dealer in Weights & Measures Renewal of Licenses as Repairer, as Dealer , as Manufacturer of Weights & Measures*
- **Labour Department**
  - *Registration of Shops and Establishment*

Integrated with e-SLA

- Department of Environment
  - *Eco-Club Grant for Schools & Colleges*
- Delhi Police
  - *Issue of Performance Licenses in Licensed Premise*
  - *Title verification for publication of Magazines, Newspapers, Journals etc.*
  - *Registration of Eating House*
- Excise Department
  - *Registration Of Luxury Tax & Registration Of Cable Operator*
- Delhi Pharmacy Council
  - *Fresh Registration & Renewal of Registration*
- Registrar Office
  - *Appointment of Returning Officer & Returning officer*
- Delhi Development Authority
  - *Free Hold of Group Housing Flats & DDA flats*

Awareness & Publicity

Publicity of e-SLA thru various channels :-

- Print Media (News Papers)
- FM radio (Radio Jingles)
- Bus Queue Shelter (proposed)

Status of services as on 1st December, 2011

S.No	Department	Service	SLA Disposal Days	Total apps. Received	Within Time disposal	SLA Pending	SLA Disposed	SLA Total
1	Revenue, GNCTD	Issuance of Solvency Certificate	21	25	16	4	5	9
		Issuance of Nationality Certificate	21	10	9	1	0	0
		Issuance of SC/ST Certificate	60	22333	21068	854	411	1265
		Issuance of SC/ST Certificate Other State	60	874	758	63	53	116
		Issuance of OBC Certificate	60	16818	16111	369	338	707
		Issuance of Domicile Certificate	21	4817	4048	328	441	769
		Issuance of Income Certificate	21	11251	9384	483	1384	1867
		Department Total		56128	51394	2102	2632	4733
2	Food Supplies and Consumer Affairs	Issuance of Ration Card (APL)	45	14945	14022	0	923	0
		Department Total		14945	14022	0	923	0
3	Municipal Corporation of Delhi (MCD)	Issuance of Birth Certificate	7	109097	109097	0	0	0
		Issuance of Death Certificate	7	20681	20681	0	0	0
		Department Total		129778	129778	0	0	0

S.No	Department	Service	SLA Disposal Days	Total apps. Received	Within Time disposal	SLA Pending	SLA Disposed	SLA Total
4	New Delhi Municipal Council (NDMC)	Issuance of Death Certificate	7	1851	1851	0	0	0
		Health License	60	40	40	0	0	0
		Booking of Parks	30	5	5	0	0	0
		Booking of Community Halls	7	363	363	0	0	0
		New Electricity Connection (Domestic)	35	734	712	22	0	0
		New Water Connection (Domestic)	35	416	403	13	0	0
		Building Plan Approval	60	41	41	0	0	0
		Issuance of Birth Certificate	7	7502	7502	0	0	0
		Department Total		10952	10917	35	0	0
5	Transport	Issuance of Permanent Driving License	1	45748	45748	0	0	0
		Issuance of Learner's Driving License	1	45586	45586	0	0	0
		Transfer of Ownership of Vehicle	21	13590	11906	879	805	1684
		Issuance of Certificate of Vehicle Fitness	15	7130	7110	0	20	0
		Renewal of Permanent Driving License	1	20317	20284	0	33	0
		Issuance of Registration Certificate of Vehicle	21	40897	19580	8548	12769	21317
		Department Total		173268	150214	9427	13627	23001

S.No	Department	Service	SLA Disposal Days	Total apps. Received	Within Time disposal	SLA Pending	SLA Disposed	SLA Total
6	Trade & Taxes	Registration under Delhi Value Added Tax (DVAT) and Central Sale Tax, Act	15	4899	4829	43	27	70
		Department Total		4899	4829	43	27	70
7	Delhi Park and Garden Society	Work Plan for Financial Assistance	30	4	4	0	0	0
		Department Total		4	4	0	0	0
8	North Delhi Power Limited (NDPL)	New Electricity Connection (Domestic)	35	23340	23108	232	0	0
		Department Total		23340	23108	232	0	0
9	BSES Rajdhani Power Limited	New Electricity Connection (Domestic)	35	24678	24382	20	276	296
		Department Total		24678	24382	20	276	296
10	Drugs Control	Grant of Licence to Chemist	35	382	380	0	2	0
		Department Total		382	380	0	2	0
11	Weights & Measures	Grant of Licenses as Repairer of Weights & Measures	45	0	0	0	0	0
		Grant of Licenses as Manufacturer of Weights & Measures	45	0	0	0	0	0
		Renewal of Licenses as Repairer of Weights & Measures	45	0	0	0	0	0
		Grant of Licenses as Dealer in Weights & Measures	45	0	0	0	0	0
		Renewal of Licenses as Dealer in Weights & Measures	45	0	0	0	0	0
		Renewal of Licenses as Manufacturer of Weights & Measures	45	0	0	0	0	0

S.No	Department	Service	SLA Disposal Days	Total apps. Received	Within Time disposal	SLA Pending	SLA Disposed	SLA Total
12	Department of Environment, GNCTD	Eco-Club Grant for Schools & Colleges	30	220	220	0	0	0
		Department Total		220	220	0	0	0
13	Delhi Police	Issue of Performance Licenses in Licensed Premise	1	110	110	0	0	0
		Registration of Eating House	55	40	39	1	0	0
		Title verification for publication of Magazines, Newspapers, Journals etc.	60	42	42	0	0	0
		Department Total		192	191	1	0	0
14	Excise Department, GNCTD	Registration Of Luxury Tax	25	18	17	0	1	0
		Registration Of Cable Operator	25	4	1	1	2	3
		Department Total		22	18	1	3	3
15	BSES Yamuna Power Limited	New Electricity Connection (Domestic)	35	15275	15070	0	205	0
		Department Total		15275	15070	0	205	0
16	Delhi Pharmacy Council	Fresh Registration	7	104	104	0	0	0
		Department Total		104	104	0	0	0
		Grand Total		454187	424631	11861	17695	28103

Benefits

- **Defined responsibility metrics** in departments for various citizen services

- Efficient and **time bound delivery** of citizen services

- Improved and **Simplified Government** processes.

- **Online monitoring** by Department officials and other higher authorities

- Easy, anywhere and anytime **web based Application** status tracking for citizen with the help of application reference id

- Time saving for citizen as citizen can track the application status online. **No need to go to the Departments again and again**

Conclusions

- **Continuous process**

- Support from respective Departments needed to make it a success

- Best use of technology for:
  - Speedy delivery of public services
  - Better Quality of public services
  - Performance monitoring & management

- The objective is **not to instill fear** but to create a feeling of responsiveness and commitment to timely delivery of public services

Important Links

- Copy of Act, Rules, List of Notified Services are available on DIT, GNCTD website i.e. www.delhi.gov.in

- e-Monitoring software is accessible on Delhi State Wide Area Network (DSWAN) at address www.delserv.nic.in

- Various reports are available on www.delserv.nic.in

- Each Department is issued with username and password to access the e-Monitoring software, by NIC

What's Next…

- In next phase, 48 more services of various departments have been identified for coverage under e-SLA (~ 100 services)

- These services include the Welfare schemes as well

झारखण्ड राज्य सेवा देने की गारंटी अधिनियम, 2011
(झारखण्ड अधिनियम, 20–2011)

राज्य की जनता को नियत समय–सीमा में सेवाएँ उपलब्ध कराने हेतु
और उससे
संबंधित एवं आनुषंगिक मामलों का उपबन्ध करने के लिए एक अधिनियम

1

1. संक्षिप्त नाम, विस्तार एवं प्रारम्भ

- (1) यह अधिनियम, 'झारखण्ड राज्य सेवा देने की गारंटी अधिनियम, 2011' कहा जा सकेगा।
- (2) इसका विस्तार सम्पूर्ण झारखण्ड राज्य में होगा।
- (3) यह ऐसी तिथि से प्रवृत्त होगा जैसा कि राज्य सरकार, राजकीय गजट में अधिसूचना द्वारा, नियत करें।

2

2. <u>परिभाषाएँ</u>

इस अधिनियम में, यदि संदर्भ से अन्यथा अपेक्षित न हो :–

(क) ''नामनिर्दिष्ट पदाधिकारी'' से अभिप्रेत है धारा–3 के अधीन सेवा उपलब्ध करने के लिए इस रूप में अधिसूचित कोई प्राधिकार और इनमें स्थानीय स्वायत्त शासन का कोई शामिल है;

(ख) '' पात्र व्यक्ति'' से अभिप्रेत ऐसे व्यक्ति से है जो अधिसूचित सेवा के लिए पात्र हो;

(ग) ''प्रथम अपीलीय पदाधिकारी'' से अभिप्रेत है कोई प्राधिकार जो धारा–3 के अधीन इस रूप में अधिसूचित किया जाय और इसमें स्थानीय स्वायत्त शासन का कोई शामिल है;

(घ) ''विहित'' से अभिप्रेत है इस अधिनियम के अधीन बनी नियमावली द्वारा विहित;

3

- (ड़) ''सेवा का अधिकार'' से अभिप्रेत है धारा–3 के अधीन अधिसूचित कोई सेवा;

- (च) ''द्वितीय अपीलीय प्राधिकार'' से अभिप्रेत है कोई प्राधिकार जो धारा–3 के अधीन इस रूप में अधिसूचित किया गया और इसमें स्थानीय स्वायत्त शासन का कोई शामिल है;

- (छ) ''राज्य सरकार'' से अभिप्रेत है झारखण्ड सरकार;

- (ज) ''नियत समय–सीमा'' से अभिप्रेत है धारा–3 के अधीन अधिसूचित नामनिर्दिष्ट पदाधिकारी द्वारा सेवा उपलब्ध कराने या प्रथम अपीलीय पदाधिकारी द्वारा अपील का विनिश्चय करने हेतु अधिकतम समय।

4

3. **नामनिर्दिष्ट पदाधिकारी, प्रथम अपीलीय पदाधिकारी, द्वितीय अपीलीय प्राधिकार तथा नियम समय–सीमा की अधिसूचना।**

- राज्य सरकार, समय–समय पर सेवाओं, नामनिर्दिष्ट पदाधिकारियों प्रथम अपीलीय पदाधिकारियों, द्वितीय अपीलीय प्राधिकारों तथा नियत समय–सीमाओं राज्य का क्षेत्र जहाँ यह अधिनियम लागू होगा, को अधिसूचित करेगी।

5

4. **नियत समय–सीमा में सेवा प्राप्त करने का अधिकार।**

- नामनिर्दिष्ट पदाधिकारी, नियत समय–सीमा में, सेवा प्राप्त करने के लिए पात्र व्यक्ति को धारा–3 के अधीन अधिसूचित सेवा उपलब्ध करायेगा।

6

5. नियम समय–सीमा में सेवाएँ उपलब्ध कराना

- (1) अधिनियम के अधीन अधिसूचित सेवाओं के लिए समर्पित किये गये किसी आवेदन को अधिनियम के अधीन आवेदन माना जायेगा। नियत समय–सीमा, यदि धारा–3 के अधीन अधिसूचना में अन्यथा स्पष्ट नहीं किया हुआ है तो, उस तिथि से प्रारम्भ होगी जब अधिसूचित सेवा के लिए अपेक्षित आवेदन नामनिर्दिष्ट पदाधिकारी को या उसके अधीनस्थ आवेदन प्राप्त करने के लिए प्राधिकृत किसी व्यक्ति को समर्पित किया जाय। ऐसे आवेदन की सम्यक रूप से अभिस्वीकृति दी जायेगी।

- (2) उपनियम (1) के अधीन आवेदन प्राप्त होने पर नामनिर्दिष्ट पदाधिकारी नियत समय–सीमा में सेवा उपलब्ध करायेगा या आवेदन अस्वीकृत करेगा और आवेदन की अस्वीकृति की दशा में कारणों को लेखन द्वारा अभिलिखित करेगा और आवेदक को सूचित करेगा।

7

6. अपील

- (1) कोई व्यक्ति, जिसका आवेदन धारा–5 की उपधारा (2) के अधीन अस्वीकृत किया जाता है या जिसे नियत समय–सीमा में सेवा उपलब्ध नहीं की जाती है, आवेदन की अस्वीकृति, की तिथि या नियम समय–सीमा की समाप्ति के तीस दिनों के अन्दर प्रथम अपीलीय पदाधिकारी के समक्ष अपील दाखिल कर सकेगा :

- परन्तु यह कि प्रथम अपीलीय पदाधिकारी तीस दिनों की अवधि की समाप्ति के बाद भी अपील ग्रहण कर सकेगा यदि वह सन्तुष्ट हो कि अपीलकर्त्ता को समय पर अपील दाखिल करने से पर्याप्त कारणों से रोका गया था।

8

(2) प्रथम अपीलीय पदाधिकारी नामनिर्दिष्ट पदाधिकारी को विनिर्दिष्ट अवधि में सेवा उपलब्ध कराने के लिए आदेश दे सकेगा या अपील नामंजूर कर सकेगा।

(3) प्रथम अपीलीय पदाधिकारी के विनिश्चय के विरूद्ध द्वितीय अपील विनिश्चय किये जाने की तिथि से साठ दिनों के अन्दर, द्वितीय अपीलीय प्राधिकार के समक्ष होगी :

- परन्तु यह कि द्वितीय अपीलीय प्राधिकार साठ दिनों की अवधि की समाप्ति के बाद भी अपील ग्रहण कर सकेगा यदि वह सन्तुष्ट हो कि अपीलकर्त्ता को समय पर अपील दाखिल करने से पर्याप्त कारणों से रोका गया था।

9

- (4) (क) द्वितीय अपीलीय प्राधिकार नामनिर्दिष्ट पदाधिकारी को ऐसी अवधि के अन्दर सेवा उपलब्ध करने का आदेश दे सकेगा जैसा वह विनिर्दिष्ट करे या अपील नामंजूर कर सकेगा।

- (ख) सेवा उपलब्ध करने के आदेश के साथ, द्वितीय अपीलीय प्राधिकार, धारा–7 के प्रावधानों के अनुसार दंड अधिरोपित कर सकेगा।

10

- (5) (क) यदि नामनिर्दिष्ट पदाधिकारी धारा–5 की उपधारा (1) का अनुपालन नहीं करता है तो ऐसे अनुपालन से व्यथित आवेदक प्रथम अपीलीय पदाधिकारी को सीधे आवेदन समर्पित कर सकेगा। इस आवेदन का निष्पादन प्रथम अपील की रीति से किया जायेगा।

- (ख) यदि नामनिर्दिष्ट पदाधिकारी धारा–6 की उपधारा (2) के अधीन सेवा उपलब्ध करने के आदेश का अनुपालन नहीं करता है तो ऐसे अनुपालन से व्यथित आवेदक द्वितीय अपीलीय प्राधिकार को सीधे आवेदन समर्पित कर सकेगा। इस आवेदन का निष्पादन द्वितीय अपील की रीति से किया जायेगा।

11

- (6) इस धारा के अधीन किसी अपील का विनिश्चय करते समय प्रथम अपीलीय पदाधिकारी तथा द्वितीय अपीलीय प्राधिकार को निम्नांकित मामलों में, वही शक्तियाँ होंगी जो सिविल प्रक्रिया संहिता, 1908 (1908 का 5) के अधीन किसी वाद के विचारण के समय किसी सिविल कोर्ट को होता है, यथा –

- (क) दस्तावेजों की प्रस्तुत करने एवं निरीक्षण की अपेक्षा करने ;

- (ख) नामनिर्दिष्ट पदाधिकारी एवं अपीलकर्त्ता को सुनवाई के लिए सम्मन जारी करने; तथा

- (ग) कोई अन्य मामला जो विहित किया जाय।

12

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7. दंड

- (1) (क)   जहाँ द्वितीय अपीलीय प्राधिकार की राय हो कि नामनिर्दिष्ट पदाधिकारी बिना पर्याप्त एवं युक्तियुक्त कारणों के, सेवा उपलब्ध करने में असफल रहा है, तो वह कोई एकमुश्त दंड अधिरोपित कर सकेगा जो पाँच सौ रूपये से कम नहीं एवं पाँच हजार रूपये से अधिक नहीं होगा।

13

- (ख) जहाँ द्वितीय अपीलीय प्राधिकार की राय हो कि नामनिर्दिष्ट पदाधिकारी ने सेवा उपलब्ध करने में विलम्ब किया है, तो वह ऐसे विलम्ब के लिए दो सौ पचास रूपये प्रतिदिन की दर से नामनिर्दिष्ट पदाधिकारी पर दंड अधिरोपित कर सकेगा जो पाँच हजार रूपये से अधिक नहीं होगा :

-     परन्तु यह कि उसपर कोई दंड अधिरोपित किये जाने के पूर्व नामनिर्दिष्ट पदाधिकारी को सुनवाई की युक्तियुक्त अवसर प्रदान किया जायेगा।

14

- (2)   जहाँ द्वितीय अपीलीय प्राधिकार की राय हो कि प्रथम अपीलीय पदाधिकारी, बिना किसी पर्याप्त एवं युक्तियुक्त कारणों के, नियत समय–सीमा में अपील का विनिश्चय करने में असफल रहा है, तो वह प्रथम अपीलीय पदाधिकारी पर कोई दंड अधिरोपित कर सकेगा जो पाँच सौ रूपये से कम नहीं तथा पाँच हजार से अधिक नहीं होगा :
- परन्तु यह कि उस पर कोई दंड अधिरोपित किये जाने के पूर्व प्रथम अपीलीय पदाधिकारी को सुनवाई का युक्तियुक्त अवसर प्रदान किया जायेगा।

15

- (3)   द्वितीय अपीलीय प्राधिकार यथास्थिति उपधारा (1) या (2) या दोनों, के अधीन अधिरोपित दंड में से अपीलकर्त्ता को ऐसी राशि क्षतिपूर्ति के रूप में देने का आदेश दे सकेगा, जो अधिरोपित दंड से अधिक नहीं होगा।

16

- (4) यदि द्वितीय अपीलीय प्राधिकार सन्तुष्ट हो कि नामनिर्दिष्ट पदाधिकारी या प्रथम अपीलीय पदाधिकारी इस अधिनियम के अधीन सौंपे गये कर्त्तव्यों का निर्वहन करने में, बिना किसी पर्याप्त एवं युक्तियुक्त कारणों के, असफल रहा हो, तो वह उसके विरूद्ध, उस पर लागू सेवा नियमों के अधीन, अनुशासनिक कार्रवाई की अनुशंसा कर सकेगा।

- (5) अधिरोपित ऐसा दंड पूर्व से अस्तित्व वाले किसी अन्य अधिनियम, नियमावली, विनियमावली एवं अधिसूचनाओं में विहित किये गये के अतिरिक्त होगा।

17

8. दंड राशि की वेतन से कटौती ।

- धारा–7(1) या 7(2) के अधीन अधिरोपित ऐसे दंड की कटौती नामनिर्दिष्ट पदाधिकारी तथा प्रथम अपीलीय पदाधिकारी एवं उनके संबंधित अधीनस्थ कर्मचारियों के वेतन से, उनकी सेवा संबंधी क्षेत्राधिकार वाले विभाग द्वारा आनुपातिक रूप से की जायेगी। संबंधित विभाग, नामनिर्दिष्ट पदाधिकारी तथा प्रथम अपीलीय पदाधिकारी एवं उनके अधीनस्थ कर्मचारियों द्वारा धारण किये जाने वाले दंड के अनुपात के विस्तृत विवरण के प्रयोजनार्थ स्थायी अनुदेश जारी करेगा।

18

9. पुनरीक्षण

- इस अधिनियम के अधीन दंड अधिरोपित किये जाने संबंधी द्वितीय अपीलीय प्राधिकार के किसी आदेश से व्यथित नामनिर्दिष्ट पदाधिकारी या प्रथम अपीलीय पदाधिकारी, ऐसे आदेश की तिथि से साठ दिनों की अवधि के अन्दर, पुनरीक्षण के लिए राज्य सरकार द्वारा मनोनीत पदाधिकारी के समक्ष आवेदन कर सकेगा, जो विहित प्रक्रिया के अनुसार आवेदन का निष्पादन करेगा :

-      परन्तु यह कि राज्य सरकार द्वारा मनोनीत पदाधिकारी साठ दिनों की अवधि की समाप्ति के बाद भी आवेदन ग्रहण कर सकेगा, यदि वह सन्तुष्ट हो कि पर्याप्त कारणों से आवेदन समय पर समर्पित नहीं किया जा सका।

19

10. राज्य लोक सेवा परिदान आयोग का गठन

- राज्य सरकार, राजकीय गजट में अधिसूचना द्वारा, विहित संरचनायुक्त एक राज्य लोक सेवा परिदान आयोग का गठन करेगी, और उसे इस अधिनियम के उद्देश्य की पूर्ति के लिए कृत्य सौंपेगी अथवा किसी कार्यरत आयोग को इस अधिनियम के उद्देश्य की पूर्ति के लिये प्राधिकृत करेगी।

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11.   द्वितीय अपीलीय प्राधिकार को सीधे आवेदन भेजने की राज्य सरकार को शक्ति।

- अधिनियम के अन्य प्रावधानों के होते हुए भी, यदि राज्य सरकार प्रावधानों के अनुपालन के आरोपों संबंधी आवेदन प्राप्त करती है तो उसे वह सीधे द्वितीय अपीलीय प्राधिकार को, अधिनियम के अनुसार अग्रतर कार्रवाई के लिए भेज सकेगी।

21

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12.   सद्भाव में की गयी कार्रवाई का संरक्षण

- किसी भी व्यक्ति के विरूद्ध किसी ऐसी चीज के लिए, जिसे इस अधिनियम या उसके अधीन बनाये गये किसी नियम के अधीन सद्भाव में किया गया हो, कोई वाद, अभियोजन या अन्य न्यायिक कार्यवाही नहीं की जायेगी।

22

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13. नियमावली बनाने की शक्ति।

(1) राज्य सरकार राजकीय गजट में अधिसूचना द्वारा अधिनियम के प्रावधानों के प्रयोजनों को पूरा करने के लिए नियमावली बना सकेगी।

(2) इस अधिनियम के अधीन राज्य सरकार द्वारा बनाया गया प्रत्येक नियम राज्य विधान मंडल के समक्ष रखा जायेगा।

23

14. कठिनाईयाँ दूर करने की शक्ति ।

यदि इस अधिनियम के उपबन्धों को प्रभावी करने में कोई कठिनाई उत्पन्न होती है तो राज्य सरकार, राजकीय गजट में प्रकाशित आदेश द्वारा, जो इस अधिनियम के उपबन्धों से असंगत न हो, कठिनाई दूर कर सकेगी :

- परन्तु यह कि ऐसा कोई आदेश इस अधिनियम के लागू होने से दो वर्षों की समाप्ति के पश्चात नहीं किया जायेगा।

24

छत्तीसगढ़ शासन

रायपुर, छत्तीसगढ़

छत्तीसगढ़ लोक सेवा गारंटी अधिनियम, 2011

छत्तीसगढ़ विधान सभा द्वारा
दिनांक 30 सितम्बर 2010 को पारित.

2

अधिनियम

☞ अधिनियम का नाम :– छत्तीसगढ़ लोक सेवा गारंटी अधिनियम 2011 हैं ।

☞ यह अधिनियम छ.ग. शासन के कार्यो के संबंध में किन्हीं सिविल सेवाओं अथवा पदों पर नियुक्त व्यक्तियों, स्थानीय निकायों, लोक प्राधिकारियों या अभिकरणों जो शासन के स्वामित्व, नियंत्रण में हैं या सारवन रूप से वित्तीय सहायता प्राप्त हैं, को लागू होगा .

3

नियत समय में लोक सेवा प्राप्त करने का अधिकार –

☞ प्रत्येक व्यक्ति को इस अधिनियम के प्रावधानों के अनुसार राज्य सरकार द्वारा समय–समय पर यथा अधिसूचित नियत समय के भीतर, छत्तीसगढ़ राज्य में लोक सेवा प्राप्त करने का अधिकार होगा .

☞ प्रत्येक आवेदक जो नियत समय के भीतर लोक सेवा प्राप्त करने में असफल रहता हैं, अपने आवेदन के संबंध में, धारा 4 की उप–धारा (4) के अधीन यथा उपबंधित परिव्यय, ऐसी रीति से प्राप्त करने का हकदार होगा जो विहित की जाए .

4

नियत समय में लोक सेवा प्रदाय करने का दायित्व, परिव्यय का अधिरोपण, वसूली एवं भुगतान –

☞ प्रत्येक विभाग इस अधिनियम के प्रारंभ होने के तिथि से लोक सेवा प्रदान करने के लिये उत्तरदायी व्यक्ति को पदाभिहित करेगा तथा ऐसे पदाभिहित करने के तथ्य को सर्वसाधारण की जानकारी के लिये विभाग के किसी सहजदृश्य स्थान पर प्रदर्शित किया जाएगा .

5

सक्षम अधिकारी की नियुक्ति

☞ प्रत्येक विभाग, इस अधिनियम के प्रयोजनों के लिये ऐसे एक या एक से अधिक व्यक्तियों को सक्षम अधिकारी के रूप में अधिसूचित करेगा, जो लोक सेवा प्रदाय करने के लिये उत्तरदायी व्यक्ति की श्रेणी से निम्न का न हो .

☞ इस अधिनियम की धारा 5 के अधीन शासन, स्थानीय निकाय, लोक प्राधिकारियों या अभिकरण द्वारा, यथास्थिति, इस प्रकार अधिसूचित कोई अधिकारी तथा जो लोक सेवा प्रदाय करने के लिए उत्तरदायी व्यक्ति द्वारा कारित व्यतिक्रम या विलंब के लिए परिव्यय अधिरोपित करते हुए प्रत्येक दिन के लिये एक सौ रूपयें की दर से जो अधिकतम एक हजार रूपये तक हो सकेगा .

6

3

अपील का अधिकार

☞ कोई व्यक्ति जो इस अधिनियम के अधीन सक्षम अधिकारी द्वारा पारित आदेश से व्यथित हो, प्रश्नाधीन आदेश की प्राप्ति से 30 दिवस की अनधिक अवधि के भीतर ऐसी रीति में अपीलीय प्राधिकारी के समक्ष अपील प्रस्तुत करने का हकदार होगा, जैसी कि विहित की जाय तथा अपीलीय प्राधिकारी अपील संस्थित होने के दिनांक से 45 दिवस की अधिकतम अवधि के भीतर अपील निराकृत करेगा, एवं अपील के निराकरण के दौरान प्राकृतिक न्याय के सिद्धांतों का पालन करेगा. अपीलीय प्राधिकारी का आदेश अंतिम एवं बाध्यकारी होगा.

7

अधिनियम का क्रियान्वयन

☞ आवेदक को अधिनियम की धारा 3 के अधीन परिव्यय प्राप्त करने एवं धारा 4 की उप–धारा (5) के अधीन आवेदक को भुगतान करने की रीति.

☞ आवेदन की अभिस्वीकृति दिये जाने तथा उसकी स्थिति की जानकारी.

☞ सूचना जारी करने एवं सक्षम अधिकारी द्वारा सुनवाई की रीति.

☞ अपील करने एवं अपीलीय प्राधिकारी द्वारा अपील के निराकरण को शासित करने की प्रक्रिया.

☞ अन्य विषय जिसका विहित किया जाना अपेक्षित हैं, जो विहित किया जाय.

8

अधिनियम में संशोधन

☞ अधिनियम के उपबंधों को प्रभावशील करने में कोई कठिनाई उद्भूत होती है, तो राज्य सरकार, उसे आवश्यक और समीचीन प्रतीत होने वाले तथा इस अधिनियम के उपबंधों से असंगत न होने वाले आदेश द्वारा, जो कि राजपत्र में प्रकासित किया जायेगा, ऐसी कठिनाई दूर कर सकेगी.

☞ परन्तु ऐसा कोई आदेश इस अधिनियम के प्रारंभ होने की दो वर्ष की कालावधि का अवसान होने के उपरांत नहीं किया जायेगा.

☞ अधिनियम के प्रत्येक आदेश, इसके बनाये जाने के पश्चात, यथासंभव शीघ्र, राज्य विधान सभा के पटल पर रखा जाएगा.

9

विभागों से प्राप्त लोक सेवाओं की जानकारी –

अधिनियम की धारा 3 (1) के तहत विभागों द्वारा प्रदाय की जाने वाली लोक सेवाओं को अधिसूचित करने की कार्यवाही पूर्णता की ओर है ।

Right to Public Service Acts in India

Ensuring transparency, accountability and efficiency in public service delivery

oneworld.net

OneWorld Foundation India

The Necessity

- Rampant corruption, inefficiency and lack of transparency in conduct of government affairs
- Marginalised, remote, illiterate and poorer sections of people further suspicious and distant from the government
- Creation of a democratic ethos requires accountability, transparency, speed and equitability in delivery of public services to citizens

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Public service delivery made a citizen's right

No.	Title of the Act	State	Date of Implementation
1	The Madhya Pradesh Lok Sewaon Ke Pradan Ki Guarantee Adhiniyam	Madhya Pradesh	August 18, 2010
2	The Uttar Pradesh Janhit Guarantee Adhyadesh	Uttar Pradesh	January 13, 2011
3	The Delhi (Right of Citizen to Time Bound Delivery of Services) Act, 2011	Delhi	April 03, 2011
4	The Jammu and Kashmir Public Services Guarantee Act, 2011	Jammu and Kashmir	April 13, 2011
5	Bihar Right to Public Services Act, 2011	Bihar	August 15, 2011
6	The Rajasthan Guaranteed Delivery of Public Services Act, 2011	Rajasthan	September 21, 2011
7	The Uttarakhand Right to Service Act, 2011	Uttarakhand	October 04, 2011
8	Himachal Pradesh Public Services Guarantee Act, 2011	Himachal Pradesh	October 17, 2011
9	The Punjab Right to Service Act, 2011	Punjab	October 20, 2011
10	The Jharkhand Right to Service Act, 2011	Jharkhand	November 15, 2011

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Government of India's draft **Citizens Right to Grievance Redress Bill, 2011** and **Right to Service Act**

Parameter	Citizens Right to Grievance Redress Bill	Right to Service Act
Scope	Redressal of citizens' grievances	Provision of notified services
Initial point of application	Public Grievance Redressal Officer	Designated Public Officer
Mechanisms for grievance redressal	Central Public Grievance Redressal Commission/ State PGRC	First Appellate Authority/First Appeal Officer and Second Appellate Authority/Second Appeal Officer
Penalty	Penalty may be imposed for mala fide action; no amount specified	INR 500 to 5000 for failure in service provision; INR 250 per day for delay in service provision

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Despite dissimilarities with the parent Bill, the provisions of the Right to Service Act remain the same across different states in India. However, they vary significantly in terms of mechanisms adopted for the Act's implementation.

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Basic features of Right to Service Acts in all States

Guarantee of service delivery within a **stipulated time frame**

Fixing the responsibility of service provision on Designated Officers (DO), First Appellant Officers (FAO) and Second Appellant Authority (SAA) at three levels of administration

Clear notification of services covered under the Act, stipulated time frame for delivery and concerned officers to be displayed for citizens' reference

Immediate generation of an application number that can be used to **track application status**

Due procedure for fixing of **penalty or compensation** in case of failure on part of to deliver services

Provision for revision against penalty imposition on public officers- the **Right to Appeal/Revision**

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Right to Service in MP, UP, Delhi and Bihar

State	Date of Implementation	No. of notified services	Methods for implementation
Madhya Pradesh	August 18, 2010	52 (November 2011)	*Lok Seva Kendra* (PPP) model
Uttar Pradesh	January 13, 2011	13 (September 2011)	Online service provision
Delhi	April 03, 2011	40 (April 2011)	E-SLA Monitoring System
Bihar	August 15, 2011	50 (August 2011)	*Adhikar*- service delivery and monitoring software, *Jigyasa* call centre, and *Samadhan* IVRS mechanism

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Distinctions between Right to Service Acts of MP, Bihar, Delhi and UP

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Responsible Authorities

-Madhya Pradesh
- Implemented by the Department of Public Service Management
- Nodal Officers in all 16 departments
- Within a department, officers responsible are Designated Officer, First Appeal Officer, Second Appellate Authority
- In all the districts of MP, District Manager, Public Service Management is responsible for the implementation
- Right to Revision can be used by the aggrieved officer to appeal against penalty imposition within 60 days of the order

-Bihar
- Implemented under the *Bihar Prashasanik Sudhar Mission*
- Officers responsible are Designated Public Servant, Appellate Authority (first appeal), Review Authority (second appeal)

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- Delhi
  - Implemented by the Department of Information Technology
  - Officers responsible are Designated Officer, First Appeal Officer and Appellate Authority
  - Under Chapter III of the Act, Delhi has instituted the Right of Appeal under which an aggrieved officer against whom a penalty has been imposed can file an application to the Appellate Authority within 30 days of the order

- Uttar Pradesh
  - Implemented by the UP Department of Administrative Reforms
  - Officers responsible are Designated Officer, Public Information Officer cum First Appeal Officer, Appellate Authority (second appeal)

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Penalty

- Madhya Pradesh, Bihar and UP
  - Designated Officer: INR 500 to INR 5000 in case of failure to provide service without sufficient case; INR 250 per day in case of causing delay in service provision up to a maximum of INR 5000
  - First Appeal Officer: INR 500 to INR 5000 in case of failure to decide the appeal within stipulated time
- Delhi
  - Penalty is calculated automatically through the e-SLA monitoring system
  - Penalty of INR 10 per day is imposed on the Designated Officer in case of delay in service delivery
  - The appellant can directly approach the defaulting DO to claim the compensation for which he receives a receipt

  In all the states, the penalty is procured from the salary/remuneration/honorarium of the defaulting officer.

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Monitoring of the Act

- Madhya Pradesh
  - Regular monitoring done at the State level by CM's office and the Department of Public Service Management
- Bihar
  - Extensive ICT-based system for monitoring at the State, District and Block levels
- Delhi
  - ICT-based model for monitoring of the Act at State level
- Uttar Pradesh
  - Monitoring at the State level by the Department of Administrative Reforms

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Good governance and Right to Service

PARTICIPATION *Degree of involvement of stakeholders*	• Enabling citizens to demand services • Making government responsible for service delivery within a time frame
TRANSPARENCY *Degree of clarity and openness with which decisions are made*	• Generating a Unique ID number for every application • Providing citizens with mechanisms for tracking applications
ACCOUNTABILITY *Extent to which political actors are responsible to society for what they say and do*	• Fixing responsibility on DO, FAO and SAO • Requiring a written explanation for rejection of application • Penalising defaulting officers
FAIRNESS *Degree to which rules apply equally to everyone in society*	• Making efforts to reach the most marginalised, remote and poor populations • Generating awareness among citizens • Providing the Right to Appeal
EFFICIENCY *Extent to which limited human and financial resources are applied without waste, delay or corruption*	• Utilising existing infrastructure for service provision • Computerising government records and data for quick access

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Key learnings

- Builds citizens' trust in the government
- Checks delays in service provision to citizens and corruption in government functionaries
- ICT tools can greatly enhance transparency, efficiency and speed in service delivery
- Need for a greater emphasis on awareness generation among citizens
- Focus on better internet connectivity
- Exploration of mobile phone based mechanisms for service provision

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Challenges

- How must accountability be fixed in cases where failure to deliver service is due to reasons beyond an official's control?
- How must shortage of resources and inter-departmental coordination be ensured?
- How does the Act address concerns of illiterate, remote, and marginalized populations?
- How should awareness be generated among citizens?
- How must ready availability of government records and data be ensured?
- What kind of training would be required to equip government personnel *vis a vis* the requirements of the Act?

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Annexure IV
Presentations on key challenges

Madhya Pradesh
National Consultation

Fact Finding Survey

Madhya Pradesh National Consultation

1. Act came into effect on 25th September 2010

2. We decided to take up a fact finding survey in July 2011

   a. At the delivery end - 32 offices in 8 districts were surveyed

   b. At the recipients end - In 22 blocks Applicants, public representatives and people in general were interviewed in structured manner.

Madhya Pradesh National Consultation

We discovered that
1. Serious discrepancy in information compiled in 20% cases
2. No registers maintained in 25% offices
3. Acknowledgement not given in ---% cases
4. No display boards in 25% offices

Madhya Pradesh National Consultation

Awareness level
1. General information
   a. 28% citizens and Public representatives
   b. ----applicants
2. Information about appeal and punishment
   a. 18% Citizens and Public Representatives punishment
   b. ----- applicants

Madhya Pradesh National Consultation

1. In one block not a single application
2. In one district not one mandatory boards
3. No application of hand pump repair in 50% districts in months of April, May, June
4. Number of designated officers kept changing
5. No appeal received

Madhya Pradesh National Consultation

The challenge is now to improve this situation.

How?

- ICT
- Lok Seva Kendras
- Dedicated Manpower
- Idea exchange for seeking solutions

Agenda : Technology Issues

Proposed

Computerized Public Service Delivery Mechanism

M. Vinayak Rao
Senior Technical Director &
State Informatics Officer
NIC M.P. State Centre

NIC

Volume of work

❖ **More than 1 Crore applications with 0 to 5 attachments received per annum for service**

❖ **Applications will be received for more than 300 types of schemes or programmes of more than 50 departments**

❖ **Applications will be processed by more than 3000 offices**

❖ **Applications for some of Services are processed in more than one Office**

❖ **In an office, application will be processed by generally two persons whereas in some cases number may increase**

•

NIC

Estimated Transaction Volume

A.	Approximate No. of Services to be covered	350
B.	No. of Applications per year (250 Working Days)	10000000
C.	No. of Districts	50
D.	Avg. No. of Applications per District per year	200000
E.	Data Volume per Application (in MB)	5 MB
F.	Approximate Data Volume of applications per year for 50 Districts	48 TB
G.	Transaction Data Volume per year for 50 Districts	52 TB
H.	Probable Concurrent Users	5000
I.	Total Users approximately	125000

NIC

Public Service Management
ICT Tools and IT ACT

Present Scenario

- **Data Centre**
  NIC Data Centre
  State Data Centre
  Other hosting options

- **Network**
  NICNET
  SWAN
  Other ISPs

- **PKI (Digital Signature)**
- **Hardware Resources**
- **Human Resources**
- **Power**

Issues

- **High Availability of resources (24x7X365)**

- **Data Volume**

- **Network Bandwidth**

- **Training**

- **Implementation PKI (Digital Signature)**

Discussion Points

Service Point

❖ Expectation : Nearest to citizen i.e. in village
❖ Question : Where & how to begin ?

Mode of Application

❖ Expectation : Complete Application needs to be captured and electronically authenticated
❖ Question : Where & how to begin ?

ServicePlus

❖ NIC Hq is engaged in preparing metadata based generic software to address the software need of all service
❖ Management(definition, entitlement, payment, alerts, process flow, delivery. Etc)
❖ The detailed presentation on it will be done separately by Shri D C Misra, Sr Tech Director

•

Discussion Points

Submission & Verification of documents by sanctioning officer

❖ Expectation : No personnel presence of applicant
❖ Question : how to avoid or minimize the personnel presence ?

Application Submission

❖ Question : Weather submission of Application be allowed outside the premises of Designated Officer ?
If yes, Where and How ?

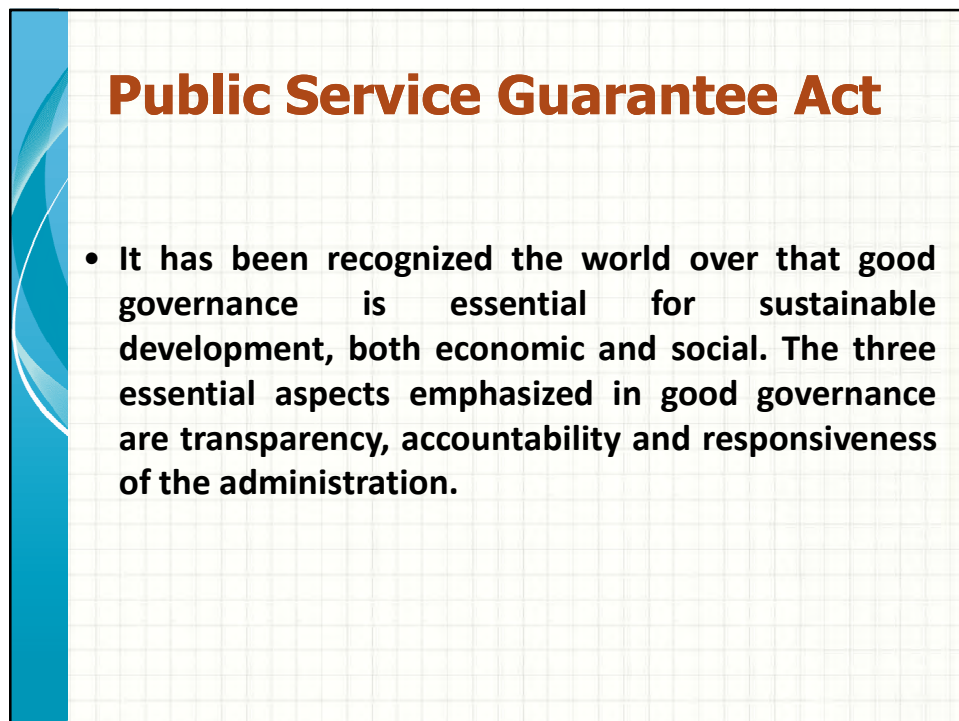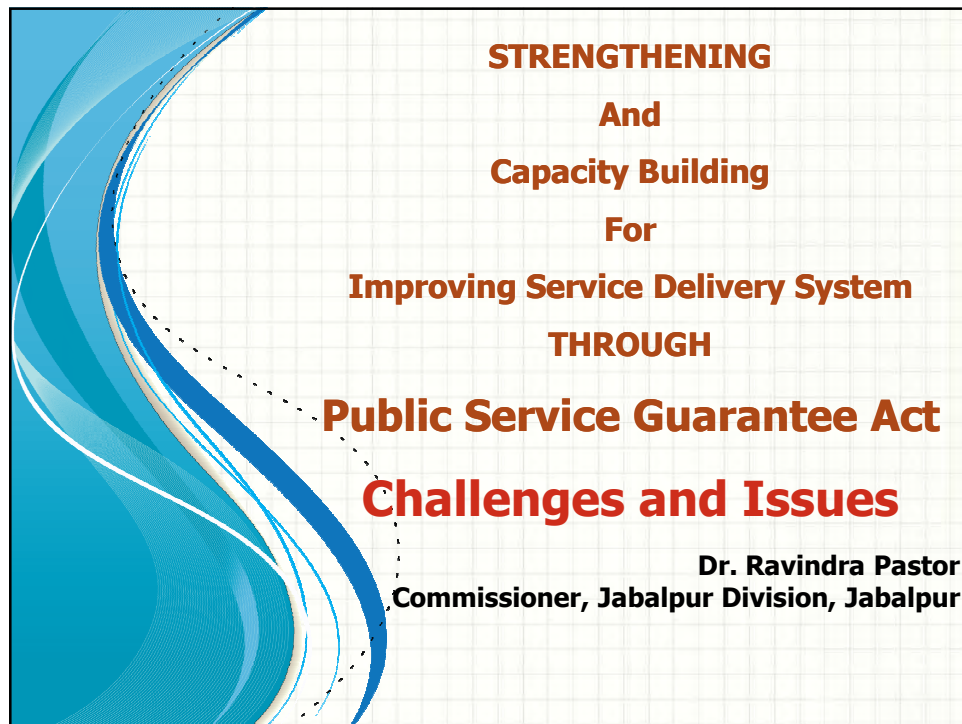•

Discussion Points

Other Issues

❖ **Data Security**

❖ **Data Retention and its Online availability**

❖ **Transaction Speed**

❖ **Downtime**

❖ **Transaction Fee**

❖ **Implementation of Digital Signature**

NIC

STRENGTHENING

And

Capacity Building

For

Improving Service Delivery System

THROUGH

Public Service Guarantee Act

Challenges and Issues

Dr. Ravindra Pastor
Commissioner, Jabalpur Division, Jabalpur

Public Service Guarantee Act

- **It has been recognized the world over that good governance is essential for sustainable development, both economic and social. The three essential aspects emphasized in good governance are transparency, accountability and responsiveness of the administration.**

Public Service Guarantee Act

Objectives

Public Service Guarantee Act

⌘ **The concept of a Public Service Guarantee Act was first articulated and implemented in the MP in 2010 as a state programme with a simple aim: to continuously improve the quality of public services for the people of the country so that these services respond to the needs and wishes of the users.**

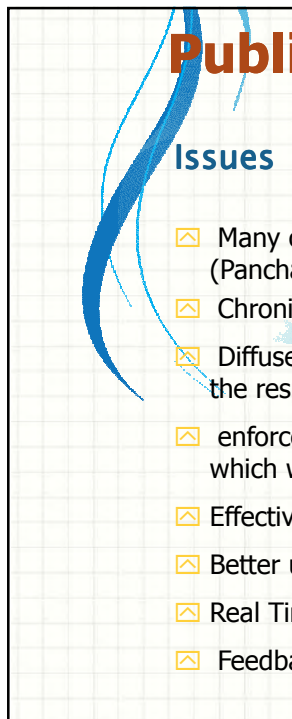⌘ **The basic objective of a Act is to strengthen the relationship between citizens and service providers.**

Public Service Guarantee Act

Architecture

Public Service Guarantee Act

Types of Services

- ⌘ **Statutory Services**
- ⌘ **Social Security Services**
- ⌘ **Developmental Services**
- ⌘ **Consumer oriented Services**

Eligibility Criteria

1. **Target based**
2. **Entitlement based**

Public Service Guarantee Act

Can Delivery of Public Services be Guaranteed?

Challenges

- Define what the service is guaranteed
- Lay down eligibility criteria
- Citizen awareness about the letdown procedures
- How to expend outreach of delivery points
- How to ensure quality in service products
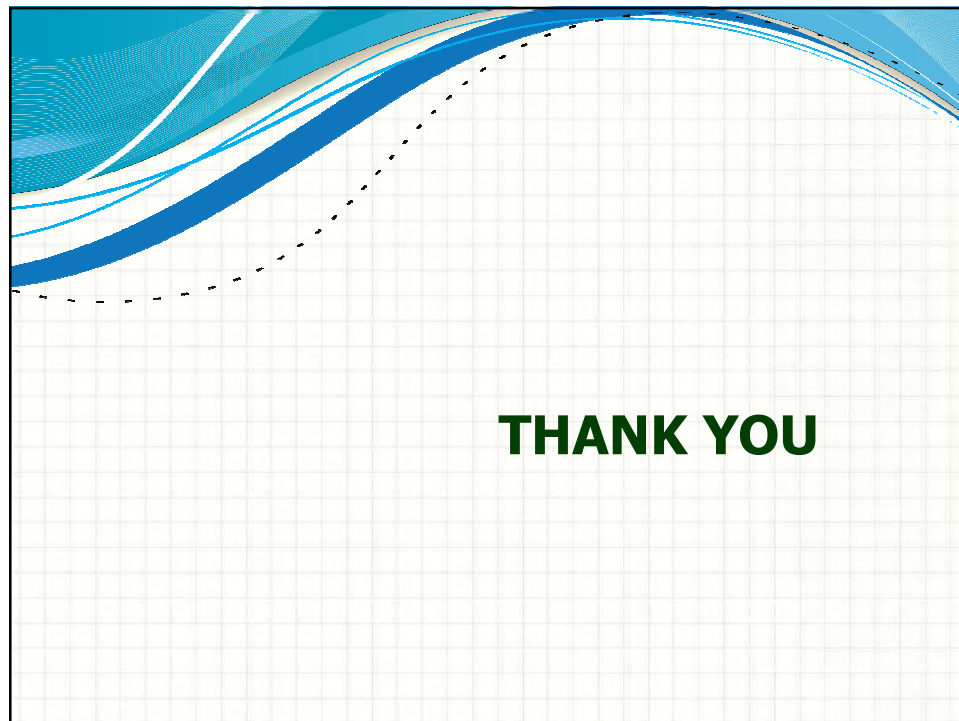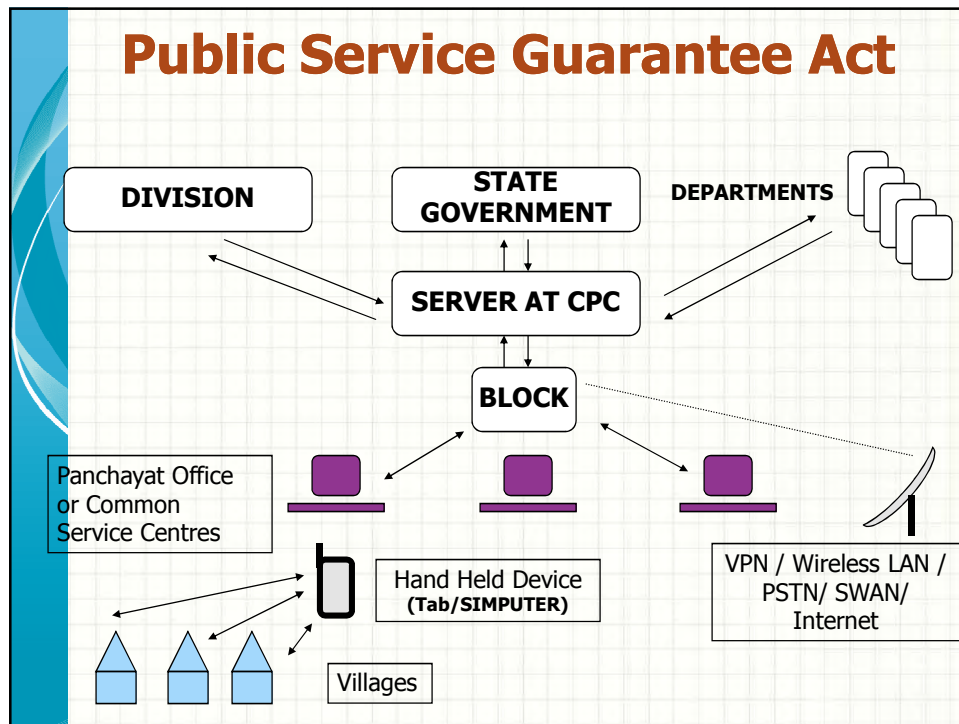- How to reduce frequency of visits, time and distance
- How to manage MIS

Public Service Guarantee Act

Issues

- Many of these services are provided at the decentralized levels (Panchayat / Municipality)
- Chronic shortage of fund and staff
- Diffused accountability in government, making it difficult to fix the responsibility on a single person
- enforcement of the new law would require its own hierarchy which will add to the cost of governance.
- Effective Decision Support System
- Better utilization of manpower and resources
- Real Time Review by Developments
- Feedback to Villagers

Public Service Guarantee Act

DIVISION

STATE GOVERNMENT

DEPARTMENTS

SERVER AT CPC

BLOCK

Panchayat Office or Common Service Centres

Hand Held Device **(Tab/SIMPUTER)**

VPN / Wireless LAN / PSTN/ SWAN/ Internet

Villages

THANK YOU

Annexure V
Presentations on key recommendations

Group – I
ICT and PPP

Recommendations

Software

- It should be generic and local language compliant and should have e-mail/SMS/browser based interface. It should be process/work flow and web enabled.
- Building separate modules for each service should be avoided as it leads to wastage of time and funds.
- Software should be able to interface with existing domain software/databases.
- Software should be able to support transparency of process data and status and be monitorable not only by department but also by citizen and service seeker
- Service data should be captured right at the place where service request is initiated.

Software

- Process re-engineering and back-end automation should also be paid adequate attention
- Process, forms and associated business logic/conditions for a service should be standardized across the state.
- The software should be able to generate & print certificates directly once all processes are cleared positively.
- Administrative codes used in such system should be compliant with standards (http://egovstandards.gov.in) finalized by DIT, GOI under NeGP.
- Software should be UID compliant
- Accessibility standards should be adhered preferably

Software

- Digital Service Certificate (DSC) is key instrument for authentication and encryption to ensure privacy which should be used to protect data and other artifacts.
- Software should be security compliant.
- System should support both inter-mediated and direct interface with the software system. It should be scalable enough to use other channels/medias as and when demand arises.
- In case of low/no connectivity, the offline version of software may be used to exchange the data; however, it has its own limitations in terms of delay, backup/restore/virus etc. Such calls need to be taken in view of many other factors specific to states.
- Software should be able to support the record management , archival and analysis once the delivery case is closed as per state policy.

PPP

- There are certain factors (such as connectivity, reach to grass-root, electricity etc) that unavoidably require involvement of entrepreneurial stakeholders from private space to facilitate easy roll out.
- Each state has to design and use PPP model very carefully depending on ground situation of state to
  - Ensure administrative workability
  - Ensure financial sustainability of operation
  - Avoid duplication of efforts/centres and
  - Avoid conflict of interest .
  - ensure timely/effective delivery of service
- eService point /LokSewa Kendra/facilitation centre should be identified at Block Hq, to begin with, as internet connectivity is available in majority of cases to expedite adoption process. Subsequently, such centre, can be situated at village/GP level once Broad band connectivity is available at GP level under NOFA programme.

PPP

- Long term contract (such as four-five years) with such private players should be avoided in view of possible change of e-environment in terms of connectivity etc.
- PPP model must take cognizance of capacities and availabilities of generic public ICT infrastructure created by government such as e-facilitation centres (CSCs, Rajiv Sewa Kendras etc), datacenter, network(NICNET, SWAN etc), application software (ServicePlus framework) and explore possibility to re-use or develop convergence as far as possible.

Infrastructure

- State must setup call centre to extend help to people in local language
- There are certain unique features associated with government systems. Software development and adoptions processes are different from private ones. People have low IT literacy and issue of continuity (transfer etc). It slows down the adoption process. Besides, software also evolves. This calls for sustained capacity building using multimedia.

Service Delivery Portal Framework

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ServicePlus

Citizen- Single Window/platform to query, apply, track and receive services

Government-A platform to define (services, entitlement, form, process flow, payment, alerts, deliver and monitoring etc) and manage service by any level of Government in transparent and accountable manner
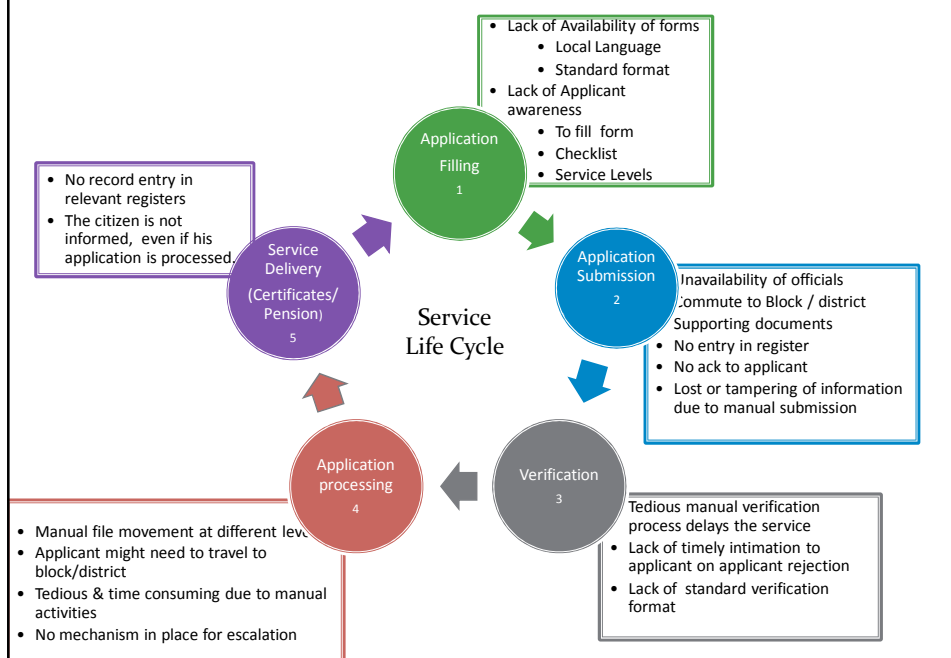
Private partners- Open to associate private delivery Partners-

Technology(ServicePlus)- Web enabled generic metadata based scalable framework

Findings on Service Delivery

- **Category of Services**
  - Statutory Services
  - Regulatory Services
  - Benefit-oriented Services, emanating from various Central & State Govt. Programmes
  - Utility Services

Service Life Cycle – Gaps Identification(From BPR)

Application Filling 1
- Lack of Availability of forms
  - Local Language
  - Standard format
- Lack of Applicant awareness
  - To fill form
  - Checklist
  - Service Levels

Application Submission 2
- Inavailability of officials
- Commute to Block / district
- Supporting documents
- No entry in register
- No ack to applicant
- Lost or tampering of information due to manual submission

Verification 3
- Tedious manual verification process delays the service
- Lack of timely intimation to applicant on applicant rejection
- Lack of standard verification format

Application processing 4
- Manual file movement at different level
- Applicant might need to travel to block/district
- Tedious & time consuming due to manual activities
- No mechanism in place for escalation

Service Delivery (Certificates/ Pension) 5
- No record entry in relevant registers
- The citizen is not informed, even if his application is processed.

Service Life Cycle

Expectations of Citizens

- Service delivery should be available at door step
- There should be a single place to access all types of services
- They should be able to easily access information on various service for which they are eligible
- Should be able to get proactive alerts on the launch of new services based on his/her profile
- Should have easy access to application form with detailed checklist and instructions for filling up the same
- Technology and/or human facilitation should be available for illiterate citizens to fill up the application form
- Should get frequent updates on the status of the application which they have submitted
- There should be no need to follow up with Government officials to get the service delivered; reduce the interaction with Government as much as possible
- There should be no need to pay undue money to government officials
- There should be transparency in selection of beneficiaries in benefit-oriented schemes
- There should be no need to submit the same documentation again and again to the Government for same or different services

Expectations of Government

- Would like to deliver quick, efficient and transparent services to citizens. In order to do so, it would like to do the following:
  - It should be possible to communicate policy decisions related to a service in the fastest and uniform manner to all stakeholders including citizens and government functionaries involved in service delivery
  - Efficient monitoring of service delivery
  - Immediate attention to delays in each step of service delivery through Auto-escalation so that overall SLA of the service is met

Expectations of Government

- Monitoring the performance of individual functionaries and take corrective action to either discipline them or provide additional support system to enable them
- Ensure uniform understanding of various checklists, rules and stakeholder responsibilities thereby eliminating subjective interpretations
- Easy management and monitoring of performance of various Service Providers
- Assess the demand for Service Providers in a service area so as to facilitate citizens as well as ensure operational sustainability for Service Providers

Expectations of Service Providers

- Easy registration for provision of service
- Easy access to information about various services so that they can facilitate citizens accordingly
- No need to follow up with Government officials on applications submitted by them
- Transparency on payments due to them

Expectations from a technology solution

- Citizens should not be required to visit multiple portals to access the service
- Services should be integrated so that information available in one service can be effectively used for provision of another service
- Reduce maintenance issues by having a single configurable solution rather than multiple solutions
- Facilitate illiterate citizens through voice/icon based interfaces
- Facility for recording service provision by service access providers to enable easy payment as well as assess future demand for providers
- Facility to monitor performance of Govt. functionaries in an integrated manner across services so as to take corrective action to improve service delivery
- SMS, email, payment gateway services
- Subscription services for citizens and Service Access Providers

Solution Design

Solution Strategies

- **Develop separate software application for each service in a State**
    - Major duplication of work across the country in terms of time and money
- **Develop a single software solution for all services in a State**
    - Again duplication of effort
- **Re-engineer and design a common process for each common service delivered by States**
    - Would require detailed study of the service in each state, come out with a common process and re-engineer the existing process of many States
    - State autonomy would be a major barrier which may spark off resistance by States
    - Even if a State agrees to adopt the new process, such changes may not be feasible in a short period of time
- Design a metadata-based single framework for defining services which will form the basis of a generic software solution
    - Would be most cost-effective
    - States can continue with State-specific service processes
    - Will obviate the need for interoperability among various services as all services will be part of the same software solution

The last option was found to be the best solution

Citizen Service Desk

Solution Design

- Requirement
  - Prepare a solution that is as generic as possible so that all State-specificities are taken care of
- Challenges
  - Both number as well as nature of services varies from State to State
  - Even where the same services are delivered in different states, they vary in terms of application form design, enclosures, workflow etc.
  - Some of the services need integration with backend office solutions which are already operational

Technical Framework

- Following steps were required to take forward the proposed strategy
  - Identify all commonalities and variabilites observed across services across country
  - Cull out the metadata which can be used to define all services
- The Business Process Re-engineering Study undertaken across the country under e-Panchayat MMP helped in carrying out the first step

Players in Service Delivery

- **Service Owner**
  - The Public Authority which will define policy matters related to various aspects of a service including application form, enclosures, service workflow, service levels etc.
- **Service Unit**
  - A public authority at a lower level , say district/sub-district level who has the authority to customize Service metadata to suit the local specificities
- **Service Provider**
  - One with whom the citizen interfaces to apply or get a service.
  - Could be a gram panchayat, municipality, line department or even private players such as Common Service Centers (CSCs)
- **Service Seeker**
  - Could be a citizen, group or business unit which would seek service from the Government
- **Gateway Service Provider**
  - Any private entity providing gateway services such as Payment, SMS or email gateways.

Service Plus Flow

Service Owner (State)	Define Service Profile → Define Process Flow	
Service Unit (GP, IP, ZP, Municipality)	Customize Service Definition as per Local Needs	
Service Provider (Panchayat, Municipality, CSC etc)	Register for Domain Service Provision	Provide Domain Service
Service Seeker (Citizen, business)	Register	Apply for Service — Receive Service
Gateway Service Provider NIC-MOPR	Register for Core Service Provision	Provide Core Service

Metadata of a Service

- **General Attributes**
  - Name of the Service
  - Type of Service (regulatory, statutory or developmental)
  - Sector (education, health etc.)
  - Nature of service – Primary/derived service
  - Service Level
  - Programme/Scheme if developmental service
- **Beneficiary Profile**
  - Age, Caste, Gender, Economic Status, Occupation etc.
- **Application Form Definition**
  - Details of data elements to be included
  - Validations on the data elements such as data types, allowed values, mandatory, validation with another database through a web service etc.

Metadata of a Service

- **Application Submission Mechanism**
  - Various ways in which a Service Seeker can avail the Service
  - Through application form, selection from a beneficiary list, random selection, selection through nomination etc.
- **Payment Details**
  - Where citizen has to make payment to avail a service, details such as cost for different sections of citizens, mode of payment (through cash, DD, Cheque, Internet Banking, Mobile Payment etc.)
- **Service Deliverables**
  - Nature of service/ benefit offered to citizens such as certificate, financial, food grains etc. and their amount
- **Service Delivery Mechanism**
  - The manner in which Service will be delivered such as electronic means, by post, in person etc.

Metadata of a Service

- **Service Workflow**
  - Name of the step, responsibility center for the step in terms of the department or government unit, official etc., service level for the step, the official to whom it may be escalated if there is a delay in the step
  - Allows collaborative processing by multiple officials at the same time
  - Can be integrated with other e-Governance applications as part of the workflow
- **Service Provider**
  - The Service Owner can define who will be the Service Provider, may be a Government Unit such as Gram Panchayat or a private player such as CSC or both
  - Amount to be paid to the Service Provider for each provision of service

ServicePlus

ServicePlus – Features

Service Specific Functionalities:

- Register Service at central, state and local government levels
  - Define various service metadata
  - Define service process flows for services
  - Generate application forms for services.
  - Customize services defined by a higher level at the local levels.
  - Create and design certificate/report templates.

ServicePlus – Features

User Specific Functionalities:
- Citizen registration
- Voice enabled/icon-based interfaces for Citizen
- Service Provider/agency registration
- Querying based on citizen profile
- Application form generation based on citizen profile
- Application status tracking through email, SMS etc.
- Submission of Feedback by citizen on Quality of Service
- Register Third party Software applications for integration with Services
- Create Internal flow facility available to work flow players.

ServicePlus – Features:

- Integration with Payment, SMS and email gateways
- Digital signatures for all officers who are authorized signatory of a certificate.
- Facility for integration with other services
- Facility for integration with backend software applications

Stakeholder Benefits - Citizens

- Since Service Definition is available in a computable and query-able form, interfaces can be created through which the citizen can query the System in any which way to know about services available to him/her based on his/her profile
- Service Definition will now be available in more explicit and unambiguous manner as compared to the ambiguous nature of natural language
- Since Application Form definition is also available in the system, it can be used to guide the citizen on how to fill up the form
- Status tracking will now be available
- Citizens can subscribe for a service in a particular area such as education and proactive alerts can be sent to citizens on the launch of any new services in that area based on the citizen's profile
- Any change in Service Definition can be communicated immediately to citizens as soon as the change is confirmed by the Service Owner.

Stakeholder Benefits

- All policy decision related to a service can be defined once and made available to all concerned in the fastest and uniform manner
- Since all changes are explicit and transparent, the other stakeholders of the service need not contact the Service Owner for clarifications
- No additional investment on Software Development whenever a new service is launched or an existing service is modified
- All services can be defined through a single portal
- All services can be monitored through a single portal
- Performance of all internal and external stakeholders can be monitored

Conclusion

- The entire framework has been conceptualized after extensive consultations with State Governments
- Though it has been evolved under e-Panchayat MMP, the technology framework is generic enough to include line departments and urban local governments
- Adheres to all Government Standards and will be fully compliant with UID

The Electronic Delivery of Services Bill, 2011

To provide for electronic delivery of public services by the government to all persons to enhance transparency, efficiency, accountability, accessibility and reliability in delivery of such services and for matters connected therewith or incidental thereto
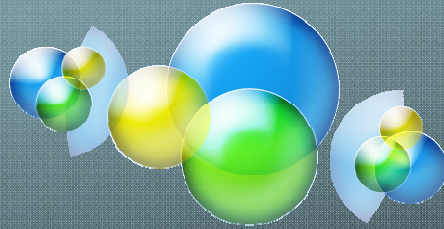
**GROUP –II
CAPACITY BUILDING: IMMEDIATE NEXT STEPS
CHAIR: DIV. COMMISSIONER, JABALPUR**

1. **CITIZNES' CAPACITY**

2. **SERVICE PROVIDER: STAFF AND/OR VENDOR**

3. **TRAINIING**

4. **MONITORING AND EVALUATION**

CITIZENS' CAPACITY

- Increase the IEC activity at the village level

- At least one but preferably multiple contact points below the designated office for the citizens.

- Reduce need for Citizens' presence: A citizen required to be physically present only once for a service; s/he can check the status of the application through Web or SMS or IVR.

- Citizen choice: normal or Tatkal service (in fast forward mode if s/he can afford it and for BPL it should be free).

SERVICE PROVIDER: STAFF AND/OR VENDOR

- Simplify procedures with back-end 'sub-process accountability

- Autonomous/Independent mechanism for receipt of applications and issue of acknowledgement receipt

- Provide Adequate HR (own or outsourced) based on Work load assessment for the Front Office

- Introduce separate budget allocation for zero-defect service delivery under the Act (to ensure timely action and prevent delays)

- Offline work to be continue till there is 100% connectivity.

- Make available all standard formats in a compendium in Frontline Offices for citizens' use

TRAINING

- Train all stakeholders including people who are involved in processing applications at various stages

- Emphasize use of professional institutions, training material and organize exposure visits.

- Introduce team-wise incentive/ award/recognition system like badges, stars and shifting of people on different desks (in order to sensitize them).

- Incentive for individuals: like in case of Delhi - Rs.5000/- for zero default

MONITORING AND EVALUATION

- Initiate Block level AND strengthen District level monitoring (as now only Collector and Zila Prabhandak are involved).

- Employ process monitoring and compare these processes at different places.

- Introduce Annual Third Party Assessment of progress

Recommendation of Group 3 : LEGAL   FRAMEWORK

1) The group feels that oversight mechanism for Public Service Guarantee should be internal as self-corrective, self-disciplining bureaucracy is the need of the hour and the very spirit of this unique initiative. Having external control structures like the ones envisaged in the Draft Bill of the GOI are absolutely unnecessary.

2) The definition of Public Authority as given in the Draft Bill is very far-ranging and even the judicial officers are not spared in its sweep. It should be more cautiously worded.

3) The very title of this Draft Bill is negative sounding. Empowering the citizen by providing a guarantee of public service delivery in more acknowledging of a legal right in comparison to a trite and hackneyed grievance redress. The group recommends for the change in title.

4) The group disagrees with the provision of the GOI Draft Bill which asks every public authority to publish timelines for the goods supplied and services rendered. It has to be a selective process. Each department has its own set of limitations.

5) The group recommends that the provision of acknowledgement of complaint   hrough telephone can be misused and be reworded so as to facilitate voice-recorded acknowledgement.

6) The timeframe given for grievance redressal can not be 15 days for all. The Draft Bill is recommended to provide more flexibility in determination in fixing timelines for different categories of services.

7) S.9(1)(a) and 9(1)(b) of the proposed Draft Bill are contradictory. First gives   the timeline of 15 days for remedying the grievance. Second gives one   month for the redressal of the grievance. The group could not appreciate the difference between remedy and redresssal. The group recommends the removal of the contrast.

8) S.9(2) of the Draft Bill enables the GRO to seek the assistance of any other officer and next subsection make it mandatory for this officer to fall in line. These too subsections are recommended by the group to be reworded so that the provisions can not be put to misuse.

9) Chapter VI of the Draft Bill is recommended to be totally omitted because it is highly centralizing. One HOD does not have the processing capacity of deciding appeals coming from all corners of the world. A decentered micromanagement of appeals on the lines of Public Service Guarantee Acts of states is much more preferable.

10) S.11(3) of the Draft Bill should exclude the powers provided under (c),(d),(e) and (f), that is, receiving evidence on affidavits, requisitioning of   any public record, issuing commission for the examination of witness and reviewing its decisions, directions and orders. Like the state acts, it should also be limited to the three powers vested in the Civil Courts.

11) S.11(4) of the Draft Bill was questioned seriously by our group. This Bill, on   one hand, provides the power of Civil Court to HOD and , on the other hand, says that HOD shall not be bound by the procedure laid down in CPC.

12) The group recommends that S.11(5) fixing the timeline deciding the appeals   at the HOD level in 30 days should be done away with as it is highly impractical, absurd and unrealistic. After burdening a

typically centralizing entity with astounding mass of appeal cases, one should not expect him to be able to dispose of appeals in just one month.

13) The group also recommends that proviso to S.11(5) which expects appeals of urgent or immediate nature to be disposed of within the same day of receipts of appeals should also be removed as it contrasts with the expectation inherent in S.11(4) requiring the principles of natural justice to be followed.

14) The group recommends that S.s 11(6) should also be struck down as it fixes an extremely exacting demand on the HOD to deliver copies of the decisions to the party concerned within 5 days.

15) Chapter VII of the Draft Bill on establishment of state public grievance redressal commission is recommended to be wholly discarded.

16) The Next chapter on the Central Public Grievance Redressal Commission should be confined only to the action and inaction of the Central Government Employees. Giving it appellate power over the decisions of the state commission is against the federal principle and to that extent it should be viewed as an assault on the functional freedoms of the state government employees.

17) The group recommends only a phase-wise introduction of services under the act.

18) The group recommends to make the mention of penalty on Bihar model where it is a matter of subordinate legislation.

19) The group recommends abolition of fines on appellate authorities.

20) The group recommends that a ceiling should be put on the fines which a Govt. employee is to pay under the Act.

21) The group recommends that quantum of penalty for the daily delay should be homogenized so as to bring it to the level of National Capital Territory of Delhi.

22) The group recommends that penalty to be imposed should be cognizant of hierarchical or collective nature of work and the Acts should be homogenized so as to provide for apportionment of the amount of penalty. It should be provisioned when the decision is collective, liability can not be individual.

23) The group recommends to include provisions, on the lines of Delhi Acts, for rewards to the officials who do not default even for once in a year.

24) The group recommends delinking of pecuniary sanctions with departmental disciplinary proceedings on the lines of Delhi Act.

25) The group recommends barring jurisdiction of the Civil Courts and other authorities.

26) The group recommends the Citizen to be given the legal right to obtain and monitor status of his application online.

27) The group recommends the Act being equipped with an overriding effect.

28) The group recommends enabling environment building measures, like what RTI Act has, to be mentioned in this Act too.

29) The group recommends that suo-motu revisional powers should be given to the Collector in all those cases where he is not a designated officer, first or second appellate authority.

30) The group feel that state can not distinguish itself from the Acts of its employees. Hence, state should also bear some burden of this. In USA, out of state funds moneys are paid for omissions or commissions by the   employees. In Australia, Torrens Compensation Fund is a good example of state taking the hit.

31) The group recommends not to directly capture the salary of the employee by way of asking the treasury officer to do so. Salary as per Treasury Code belongs to the family and not to the individual employee and thus, cannot be touched. A better course would be to issue RRC and recover the amount.

32) The group recommends that provision for final delivery of the disputed service should be included as this one thing, for which all the exercise is being attempted, is not deliberated in present enactments.

33) Last but not the least, there should be included a pronouncement of Citizen   rights on the lines of J&K Act. The ground feels that timely delivery of public service is more a Citizen's right than an official's assumption of duty.

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