Administrative Responsiveness with reference to Public Service Delivery in India

In measuring administrative responsiveness in the domain of public service delivery one would, at a rudimentary level, invoke two yardsticks. The first concerns the timeline. The second yardstick relates to the substantive consideration as to whether the services delivered are actually in line with the needs of the service-users.

One might therefore say that the caption of the theme-note defines with precision and elegance the scope of the Indian Journal of Public Administration's special issue for the year 2020. The instrument specially designed to create, preserve, protect, and enhance administrative responsiveness in the domain of public service delivery had arisen on the scene, in this country, in 1997. It carries a captivating name: it is known by the label of "citizen's charter". And today, when it is 22+, India's citizen's charter programme stands in the need of a scrutiny.

(1) Rise of the Idea

The idea of public services tailored to the requirements of the service-users had emerged as a paramount concern by the time the decade of the 1990s dawned. The rise of the 73rd and 74th Constitution Amendment Acts, in 1992, as much as that of the Panchayats (Extension to the Scheduled Areas) Act, 1996 and the Department of AR&PG initiative which culminated in the "Action Plan for Effective and Responsive Administration" following the May 1997 chief ministers' conference under the chairmanship of Prime Minister bear a fulsome testimony to this assertion.

 While the 1992 and 1996 legislations seek this via the route of localization – stressing devolution of power from the centre to localities *where the people actually live* – the Department of AR&PG's "Action Plan" seeks it through a stringent de-concentration strategy designed to extract maximal performance from the front-line functionaries (or the customer-contact employees) of the bureaucratic machine.

Devolution - that organizationally expresses itself in the form of local self-governing institutions (LSGIs) – forms the political route to decentralization and it aims to address the social justice and exclusion-related issues. Contrastingly, in referring to de-concentration one invokes decentralization in its narrow, techno-managerial incarnation concerned with the delegation of operations, not power. A principal-agent relationship obtains between the headquarters and field agencies unlike in the case of devolution where the delegator and delegate are co-ordinates of each other.

This was, in fact, a digression to address the issues of semantics as much as to underline that the "effective and responsive administration" debate of the nineties arose in a context: the rise, under the influence of neo-liberal ideology of 1980s, of what has since become known by the label of 'market-based public administration' as also the rise during the decade of 1970s of the Alternative Development paradigm that stressed people-centred development and, in keeping with the consideration of equity, laid emphasis on the participation in the governance process of the society's excluded and oppressed.

To return to the "Action Plan" let it now be said that the issuance of citizen's charters, by the providers of discrete public services, forms a key decision of this May 1997 declaration.

United Kingdom was the country which pioneered the path-breaking innovation involving the thought that the provider-user equations in the public domain can be adjusted to tilt the balance in favour of the service-user through a formal proclamation that will spell out the user's entitlements and parallelly indicate the service-provider's obligations. The said 'formal proclamation' was given the name of citizen's charter.

Citizen's charter in the U.K. arose on the scene as a part of a larger movement encapsuled in the expression New Public Management (NPM). National Performance Review (NPR) forms the American version of the NPM. NPR was the brain child of the Clinton Administration, it may be added. The 1980s was in fact also a period of pervasive reform of public bureaucracies in the OECD (Organization for Economic Cooperation and Development) countries. The African and Asian continents have not remained untouched either. The citizen's charter has moved to those countries as well. Client charter is how it is more popularly known in the African and Asian countries.

(2) Pre-eminence of the Citizen's Charter initiative in the middle of the Other Routes to Administrative Responsiveness

There exist, doubtlessly, a variety of routes – other than citizen's charter – to secure an improved service delivery, illustratively, e-governance which harnesses the power of information technology to make it easier for citizens to interact with the state. However, where the citizen's charter initiative stands out is in the philosophy that underlies the design and the promise that this design holds of setting into motion the forces that will exercise a benign influence on the public service-providers. The philosophy, very simply, is that the government should be demand-driven. As for the design, it situates the government in the TQM mode. It seeks the service-provider to anticipate the tension areas and eliminate what stands in the way of tailoring services to match the customer preferences.

How far has this been realized on the ground? It is time to scrutinize the actual status.

Besides, as we shall see in the ensuing paragraphs, the country's citizen's charter programme has, since its launch, registered a vast expansion as well as assumed the diversity that was originally not anticipated. All this, cumulatively, turns it into a uniquely eminent territory for exploration.

Later, in section-5 of the theme-note, there is given a further indication of the specific areas that the authors may like to explore. Needless to say that the indications we throw up (in section-5) form merely into an illustrative – rather than an exhaustive - list. The authors will naturally concentrate on the matters and issues that, in their judgment, are important when handling the subject of citizen's charter in its conceptual and empirical dimensions.

We shall briefly pause here to dwell, in bare outline, on two matters. First, a definitional issue: what is citizen's charter? Second, what are the salient features of India's citizen's charter programme.

(3) What is citizen's charter

Citizen's charter is a written declaration, from a public service-provider, that acknowledges the entitlements of the users of its services. It embodies in essence a three-fold commitment on the service-provider's part. First, regarding the standards and specifications of the services it offers. Secondly, in regard to the time-frame: the stipulated time-limit within which the given services shall be delivered. The third commitment concerns the grievance redress machinery – to address situations where the service-provider failed to deliver services of the promised specifications.

The spirit that underpins the design – involving information sharing on service standards and time-lines - is that of empowering the service-user. It is as much that of encouraging the service-provider to anticipate the potential tension areas so as to be able to pre-empt grievances. Ideologically, therefore, the citizen's charter scheme is anchored on the notion of the TQM-inspired zero-defect system. However, in order for such a vision to take roots on the ground there will need to be developed within the organization vigorous capacity-building strategies, empowered front-line employees, a bottom-up-management modus-operandi and so on.

(4) India's Citizen's Charter Programme

India's citizen's charter programme was launched on the 15th August, 1997; the day marked the golden jubilee of the country's independence. The twenty two-year stretch, from 1997 to 2019, falls in two distinct chronological phases. The year 2010, when the campaign for the conferment of statutory status on citizen's charters started, forms the dividing-line. According to one source, twenty state governments and union territories have since enacted the right-to-public-services legislations.[i] Things, however, shaped differently at the union government level. Diverse situations intervened to block the passage of the Government of India's Citizen's Charter Bill, 2011. And the Bill, finally, lapsed in 2014 with the dissolution of the fifteenth Lok sabha.

In terms of this there operate within the country two parallel sets of citizen's charters. First, those of the union government which are without a legal backing and, at the same time, a second set of citizen's charters – those of the state governments and UTs - which are legally enforceable.

India's citizen's charter programme is composed of three discrete components.

1. The first of these is the document that spells out the concerned bureau's service standards and its grievance-redress mechanism. The document under reference is indeed the concerned agency's citizen's charter.
2. Secondly, a quality management system that, against a set of pre-decided criteria, allows the service-providers to undertake self-assessment as well as which facilitates accreditation via an independent scrutiny of their performance. The particular initiative, christened *sevottam* – a linguistic hybrid of *seva* and *uttam,* which translates 'service excellence' in English, was introduced in 2005.
3. Finally, there are the agency-specific information and facilitation counters (IFCs). These are information-dissemination and grievance-tracking computerized offices that, with a view to enable an easy access to the concerned citizen, have been located outside the security zone of the respective ministries. Where the presence of an empowered IFC chief, by facilitating instant disposal of the routine matters, exercises a benign influence on the quality of government-citizen interface. Under the IFC scheme the responsibility for a range of subjects - involving, say, the client need for information or a status-report on a case under consideration – which would in the normal course have required the client to physically contact the corresponding functionaries seated inside the security zone – stands delegated to the individual manning this computerized office: the IFC chief.

Profile at the State/UT Level: Information Gap

Information - as regards the profile of the country's citizen's charter programme at the state/ union territory level - is deficient on the following three counts.

(1) What is the status of the sevottam scheme and IFCs under the service guarantee acts of the respective states and union territories?

Investigation of this matter, because it calls for the scrutiny of the twenty legislations, is doubtlessly an enormous task. But it is worth the time and resources it will cost given that both Sevottam as well as IFCs intimately affect the efficacy of the citizen's charter scheme.

(2) How many state governments and UT administrations participate in the country's citizen's charter programme?

There are divergent accounts as to the number of state governments and UTs that participate in the country's citizen's charter programme. According to one source, as was stated above, the number of state governments and UTs which have enacted the right-to-public-services legislations stands at twenty (the reference is to *Wikipedia*, see endnote-i). As against this, according to the Department of AR&PG website (www.goicharters.nic.in [accessed on 21 November 2019]), the number of state governments and UTs which participate in the country's citizen's charter programme, stands at 24.

This stresses the need for further investigation in order that the divergence is explained – that one is able to place it in context.

(3) Does the phrase "citizen's charter" in relation to the states/UTs with service guarantee acts mean a "notified service"?

This question assumes importance in view of the under-stated situation.

There is mention, in the Department of AR&PG website (www.goicharters.nic.in [accessed on 21 November, 2019]), of "729 citizen's charters formulated by 24 state governments/ union territories".

Do all 24 under reference actually have service guarantee acts? This needs to be ascertained for the reason that public services *which are granted as a right* under the legislations are notified separately through a gazette notification.

In this background, assuming that all 24 had the service-guarantee-acts, is one to understand the phrase citizen's charter – used in the Department of AR&PG website – actually refers to a "notified service".

The foregoing seeks merely to stress how the information gap obstructs a complete, holistic view of the country's citizen's charter programme. Obviously, there need be no sense of helplessness about the situation. It is merely a matter of commencing research to bridge the gaps on those counts.

(5) Domains to Explore: An Illustrative List

(1) Since there operate side by side two sets of citizen's charters in the country – (1) those without a legal backing (the original version) and (2) those that are legally enforceable (which arose on the scene with effect from 2010) - there is a dire need as well as abundant scope to empirically examine the outcomes that have arisen from the each pattern.

 (EXPLANATION) As to the conferment of legal status on citizen's charters there are discernible in the matter two schools of thought, or two traditions. The first of these maintains that unless the document, granting specific entitlements, had legal force no rights whatsoever could be said to have created for the citizens. The second school of thought takes the view that statutory backing is of a secondary importance as long as the programme bureaucracy was consumer sensitive. That the consumer rights were more effectively secured via this route than when the service-user was required to take recourse to the courts to establish their right to public services. Not merely this. The protagonists in fact argue that the statutory route is diversionary, and even perverse. Diversionary in that it hooks the system to procedures as much as that it diverts attention from the core issues of the employee motivation and employee empowerment. Perverse because the penalty imposed upon the defaulter/erring employee did not anyway bring relief to the aggrieved; that a tit-for-tat approach does not solve problem – aggravates it.

(2) What circumstances – during the course of the years 1997-2010 – contributed to the decision to turn citizen's charters into a legally enforceable instrument?

(3) What is the current status of the Sevottam scheme and IFCs? That these are in a sturdy state of health, it is necessary to ensure in order that the citizen's charter scheme will remain robust.

(4) Why did the task-force methodology -the originally designed methodology under which all stake-holders will participate in the citizen's charter formulation process - fail to take off?

(5) Invocation of the term "citizen" when service-user is actually no more than the client of a unilaterally-deciding producer-and-dispenser of public services is misleading, it has been contended.

 (6) What influence did the rise of the citizen's charter initiative wield on the work culture of bureaucracy? In addition, have the HRD practices registered a change with the rise of the initiative.

(7) What changes have the HRD practices (of civil service in India) registered with the rise of the citizen's charter initiative?

(8) Where should the possessive apostrophe rest? Should it be positioned as in the word *citizen's* or as in the word *citizens'*?

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i "Right to Public Services Legislation" *Wikipedia* (last edited on 30 September, 2019), Viewed on 13 November, 2019 (https://en.wikipedia.org/w/index.php?title=Right_to_Public_Services_Legislation&oldid=918763160).

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References:

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  Patnaik, U. (2007). *The republic of hunger*. New Delhi: Three Essays Collective.
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