

15th March, 2012

- 1. Synergy amongst Information, Grievance Redressal and Electronic Services frameworks:** The framework for ensuring disclosure of information under RTI Act, redressing grievances under this Bill and the providing electronic services under the introduced Electronic Delivery of Services Bill are synergized. In effect, the Commission overseeing the implementation of RTI Act, Grievance Redressal Bill and the electronic delivery of services would be the same according to the amendments proposed. Accordingly, the functions envisaged in Electronic Delivery of Services have been assigned to Grievance Redressal Commission. These amendments fully integrate the provisions of the proposed Electronic Delivery of Services Bill. Therefore a separate legislation and creation of multiple authorities can be avoided. The consequential amendments necessary in the RTI Act also have been provided as part of the Schedule attached to this Bill.
- 2. Scope of Citizen's Charters:** The scope of citizen's charters has been defined sharply to ensure that all goods and services which are amenable to timely delivery of services and any violation of order, rule of law pertaining to that department are covered by the enforceable charters. Organizations such as non-governmental organizations, companies etc., are given the same rights as citizens in respect of charters, and redressal of grievances. Further, the amendments seek to provide separate timeframes for different classes of grievances: Grievances related to electronic services or goods and services that do not have any supply constraints; those which require physical works; and those which require due process to redress in matters relating to rule of law. Realistic timeframes are incorporated in dealing with grievances of each of these classes.
- 3. Local Ombudsmen:** A provision has been incorporated for creation of Ombudsmen in each district and Municipal Corporation to act as the designated authority for the purposes of this bill. The Commission in consultation with the State Government would appoint them.
- 4. Mandatory Penalty, Compensation and Reward:** In addition to the proposed penalty for the erring public servants, compensation has been mandated for the appellant. Complementing this penalty mechanism, this bill proposes reward mechanisms to actively promote better public service delivery.
- 5. Continuous Improvement of Service Delivery:** The amendments proposed also provide for continuous improvements in public service delivery process. It mandates a feedback mechanism to be instituted in each department. Further the feedback should be compiled periodically with an action-taken report to be sent to the Commission. The Commission is also entrusted with dissemination of best practices and assist in capacity building process of the public servants. In the same vein, the Commission has been mandated to ensure that every public authority shall be Sevottam certified in a span of five years. The Central Government has instituted this Sevottam standard (IS

15700:2005) to encourage public authorities to specifically institute citizens charters, grievance redressal mechanisms and build adequate capacity for effective implementation of the charters and redressal mechanisms.

6. Empowerment and Oversight of the Commission: The Commission has been given powers to direct the appropriate public authorities where required to either resolve the grievances filed or ensure convergence of delivery of service points or provide services in electronic form or take necessary steps for improvement of public services. The appropriate public authorities shall ordinarily comply with the directions of the Commission. The Commission shall file annual reports that shall be laid before the legislature. This report shall have a memorandum on the instances where the public authorities could not comply with the directions and the reasons provided for such refusal. We believe this mechanism will provide the necessary wherewithal to the Commission to strive for improvement of service delivery of services, yet not encroach upon the policy sphere, which shall remain the government's prerogative.

The above recommendations along other with other minor recommendations have been incorporated in this amended version of the bill. All the amendments have been shaded and a rationale for each of them provided in the footnotes. Any omitted text is also appropriately marked in the Bill. The numbering pattern adopted in the bill has been kept the same for easy comparison with the bill introduced by the Government. Accordingly, any insertion of section or sub-section or clause has been numbered with suffixes starting "A" or "a" to the number preceding it.

With these recommendations, we hope that the country will have an effective institutional setup for ensuring timely delivery of goods and services, and giving the citizens great relief and satisfaction in dealing with the government machinery.

With warm regards,

Jayaprakash Narayan