

CITIZENS' RIGHT TO PUBLIC SERVICE

DOCUMENTATION OF BEST PRACTICE

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EXECUTIVE SUMMARY

Bihar had for long been touted as India's centre of inefficient governance. Rampant corruption, inefficiency and lack of transparency in conduct of government affairs had made citizens suspicious of and distant from the government. The situation was even worse for the marginalised, remote, illiterate and poorer sections of people. The development of such an attitude among citizens is undemocratic. However, with a change in government in the state in 2005, in sync with a nationwide increasing emphasis on good governance and government's critical role in development, Bihar is now leading the way in innovative solutions to citizens' problems.

The Right to Service Act 2011, implemented on August 15, 2011, had made it mandatory for the state government and its agencies to extend services to people within a stipulated time frame. Officials failing to meet the deadline can face penalties ranging from INR 500 to 5,000 and dismissal from service, in extreme cases. The Act currently covers 30 services and 10 departments. Information and Communication Technology tools have been utilised to make the process of implementation and monitoring streamlined, corruption-free, centralised, and less labour-intensive. Primary components of this ICT system are *Adhikar*- service delivery and monitoring software; mechanisms for tracking applications; an Interactive Voice Response System wherein citizens will be able to call a helpline-*Samadhan*- and get clarifications about their entitlements and service covered under the Act, procedure for filing applications, track application status and connect to Public Grievance Officers; there is also a provision for on line applications and on line delivery of services. Acknowledgement receipts are instantly generated at the time of application submission, providing applicants with authentic proof to claim redressal in case of non-delivery of services requested. Provisions for First and Second Appeals act as safety nets for the applicants as well as the penalised Designated Public Officials.

Many parts of the programme are still in the development stage and some enhancements are in planning. However, within the first month of its operation, the Act has seen exemplary demand coming from the citizens for procuring a variety of government services. The RTPS has cut down the need to make multiple rounds to government offices, bribe officials, or face harassment in terms of loss of their files and such like. Within the first month, 1,574,989 applications had been filed under RTPS with more than 86,000 disposed successfully.

METHODOLOGY

The introduction of the Right to Public Service in Bihar needs to be seen in conjunction with a move in many Indian states- Punjab, Jharkhand, Kerala, UP- to ensure better governance and public service delivery mechanisms. Bihar is the first state in the country to have enacted a law on Right to Public Service. *Bihar's RTPS is unique in its extensive application of ICT tools and existing infrastructure for implementation of the programme.*

In order to verify best practice, secondary research was conducted to understand the provisions of the Act and implementation of the programme. Since the programme is only little over a month old, there is a dearth of any existing literature on RTPS except the Act's provisions and media reports. The most significant source for understanding the programme was the presentation made by the Administrative Reforms Secretary of Bihar at the Third Conference of Secretaries (Administrative Reforms) held at Vigyan Bhavan in New Delhi on September 2, 2011. To understand the functioning of the ICT aspect of the programme, a telephonic interview was conducted with the Managing Director of Software Education and Research Private Limited, based in Patna, who was directly responsible for the development of the software used.

BACKGROUND

India's Tenth Five Year Plan and the Eighth Inter-State Council meeting in August 2003 emphasized good governance and government's critical role in development. In 2005, the World Bank identified a development strategy for Bihar that consists of two key elements- to improve Bihar's growth performance and investment climate, and to strengthen delivery of public services. The first of these requires a strategic shift towards core infrastructure by re-examining the basic role of the government, exploring alternative delivery mechanisms, and improving law and order. With regard to the second pillar for Bihar's development strategy, the need for improved public services is particularly acute among the rural communities, where the quality and availability of services is weakest and development indicators are the worst.

In the national and international policy circles, this thrust on the urgent need to improve public service delivery was accompanied by a change of government in Bihar in 2005. The *Bihar Prashasanik Sudhar Mission* (BPSM) was launched in 2008 with the overall objective of transforming the governance of the state under the Bihar Governance and Administrative Reforms Programme (BGARP). A number of measures are being taken to introduce ICT and related tools in the delivery of government services to the citizens, with a focus on reaching the most remote and disadvantaged population of the state.

In keeping with this emphasis on increasing accountability, the Bihar Right to Public Service Rules, 2011 were introduced on August 15, 2011. In order to modernise the administrative processes for implementing of the Act, ICT tools have been adopted that will work in three phases. Currently, in phase one, computerised entry of application at the front office and generation of acknowledgement cards have been facilitated. In the first month of its operation, a total of 1573783 applications were received at the department level.

OBJECTIVE

The RTPS in Bihar utilises ICT tools to enable the citizens of Bihar to demand time-bound services from public servants.

PROGRAMME DESIGN

The unique aspect of the RTPS in Bihar is the extensive employment of ICT tools to assist and monitor the implementation of the programme. Various provisions of the Act have been effectively woven with technological innovations with the aim to (a) modernise administrative processes, (b) reduce manual work, and (c) ensuring transparency and accuracy in public service delivery by giving citizens the means to track their application at every stage.

The RTPS in Bihar currently covers services provided by 10 departments, which include the General Administration Department (GAD), departments for Commercial Tax, Transport, Home, Social Welfare, Human Resources, Food and Consumer, Urban Development, Revenue and Land Reforms and Registration. It covers provision of services like caste/income/domicile certificate, ration card, pension, land related services, driving license, and scholarship.

Salient Features of ICT-facilitated RTPS in Bihar

- Bihar Right to Public Service Rules, 2011 introduced on August 15, 2011
- Time bound delivery of notified services to citizens as a right
- Receipt for acknowledgement of application
- Individual Designated Public Servants made accountable for delivery of services
- 50 services in 10 departments selected in the first phase
- Provision for first and second appeals, and review in case of delay or denial of service
- Defaulting officials to be penalized INR 500 to 5000; aggrieved official may appeal against penalty
- Adoption of ICT tools for implementation and monitoring of the programme: *Adhikar* software developed in-house
- Field level IT Managers, Assistants and Executive Assistants recruited for managing the IT systems at different levels of administration
- Provision for tracking applications

The major components of the ICT-facilitated RTPS in Bihar are:

- *Adhikar*- Service delivery and monitoring software
- On line application and on line delivery system
- The exiting *Jigyasa* call centre has been equipped with additional resources to manage citizens' enquiries under RTPS
- Interactive Voice Response System (IVRS)- *Samadhan*- established for making applications, tracking application progress and grievance redressal

- Use of print and electronic media for generating awareness regarding RTPS among people

Adhikar

The *Adhikar* software has been designed by a technical team of 5 at Software Education and Research Private Limited. The key features of the software include:

- Consumer data can directly be entered on the application form
- Generation of an acknowledgment receipt along with a Unique ID (UID)- The UID is coded in a manner that it facilitates instant recognition of the district, block, department, office and the service for which the application has been filed
- Generation of monitoring reports for services at the block, sub-divisional, district and state level
- Every Designated Public Servant (DPS) has access only to the data related to the level of jurisdiction (s)he is responsible for. For instance, a Block Development Office (BDO) has access to data related to his/her block only. A District Collector (DC) can see data concerning all the blocks within that particular district.
- Provision for tracking application status
(<http://210.212.23.54/ADHIKAR/SearchRTPS.aspx>)
- An online list of pending cases (http://210.212.23.54/rtps/dps_pendingReport.aspx)
- A state level unit set up for monitoring of total applications received as well as disposed and pending cases.

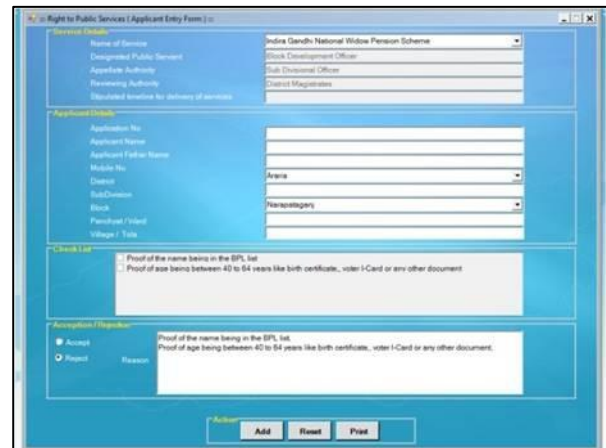


Figure 1: Screenshot of the RTPS application form

On line applications and on line delivery of services

This system has been piloted in the district of Jehanabad. It is aimed at reducing the need for citizens to travel to the office of DPSs, saving time and costs. However, considering the level of illiteracy in Bihar, especially among the poor in remote areas, the impact of this provision might remain limited.



Figure 4: Screenshot of web portal for online applications



Figure 5: Sample of a character certificate delivered online

Interactive Voice Response System (IVRS)

An Interactive Voice Response System (IVRS) has been established in 20 districts of the state and piloted in Nalanda district. Under this system, citizens will be able to call up the number 9308001000 in order to make queries about the provisions and functioning of the Act, seek help in identifying the appropriate DPS for the service sought, get help in applying for the service, and reach the Public Grievance Officer in case of a complaint.

The IVRS would operate from the already existing *Jigyasa* call centre that has been equipped with additional call operators and resources to shoulder the work load.

Training and Capacity Building

A Training of Trainers was conducted at Patna for 141 Nodal Officers identified from various districts and departments. PGOs, IT Managers, *May I Help You* booth operators-numbering 500- were trained in the provisions of the Act as well as in technical aspects of the programme. IT Assistants were appointed and trained for all the 534 blocks.

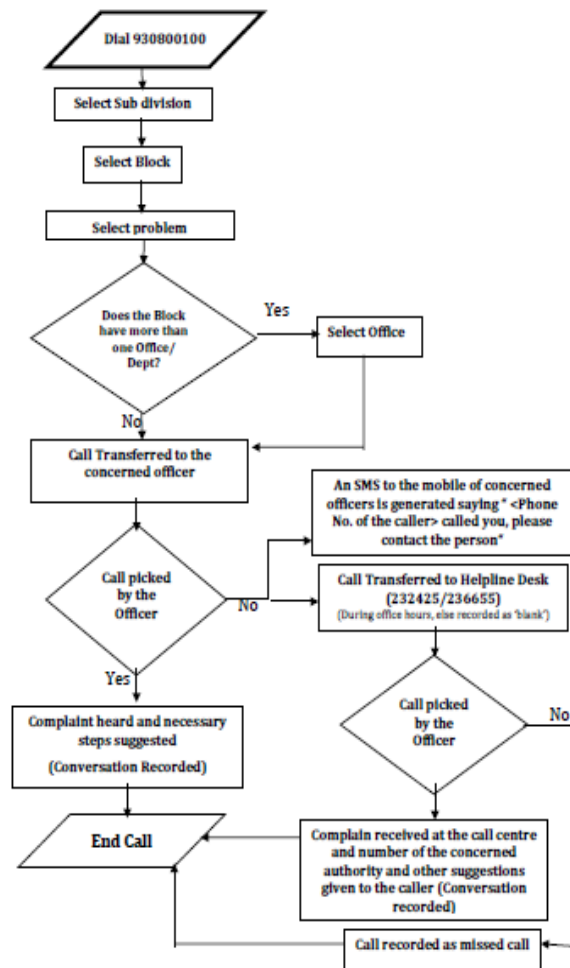


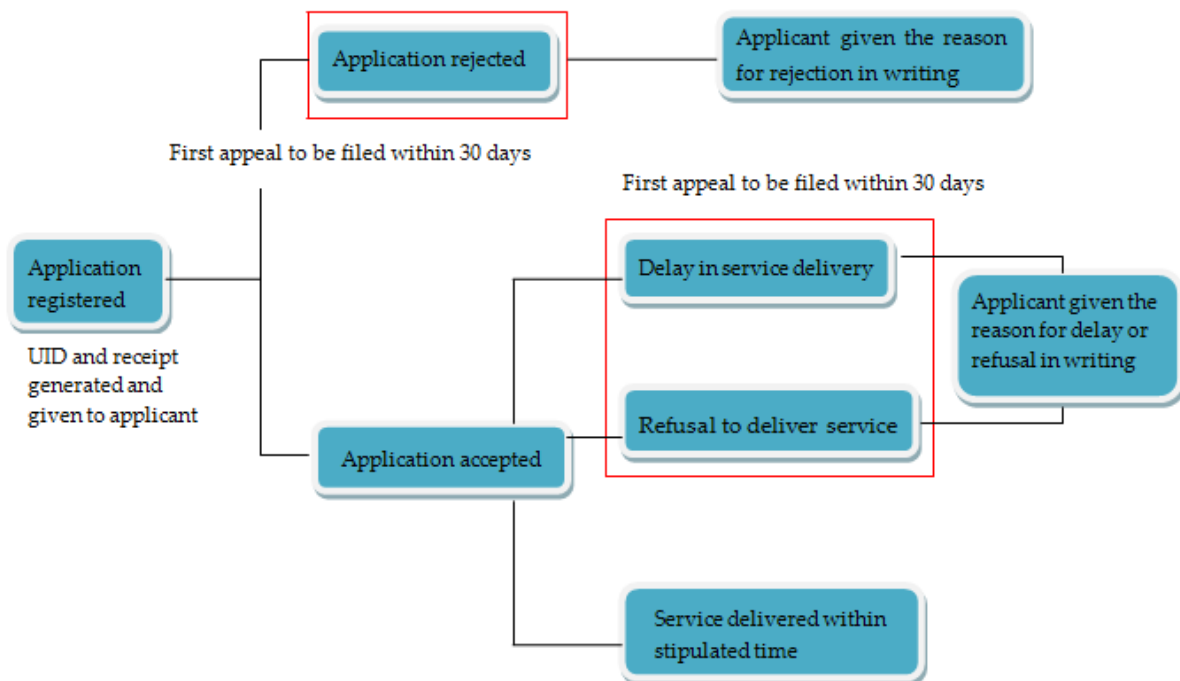
Figure 6: Process flow of the IVRS

KEY STAKEHOLDERS

- Government of Bihar
- Software Education and Research Private Limited
- Department of International Development (DfID)
- IT Managers, IT Assistants, Executive Assistants, Public Grievance Officers (PGOs)
- Citizens of Bihar

PROCESS FLOW

Step 1: Application for services under the RTPS



Any citizen of Bihar can approach the office of the Designated Public Officer responsible for the service they need to procure. Executive Assistants (EAs) have been recruited for all DPS offices. Their primary role is to man the RTPS computerized application counters in these offices and to assist the Public Grievance Officers (PGOs) in addressing people's complaints. 6 PGOs have yet been employed for 6 blocks and some key departments to guide citizens on their entitlements under the Act, to monitor the implementation of the programme at the field level and to train employees at the cutting edge of technology. At the block level, 534 IT Assistants have been employed for reporting and providing technical support. Further up, IT Managers are placed in all 38 districts and key departments of the state; they are the personnel responsible for managing the IT systems at the district level.

Once the application has been submitted, a Unique ID (UID) code is instantly generated and a receipt given to the applicant. The UID is coded in such a manner so as to reveal the

district, block, department and the service under which the application has been made. The time limit for provision of service differs from service to service, ranging from 7 to 45 days.

Application tracking

Citizens can track their applications by utilising any of the three provisions for the same.

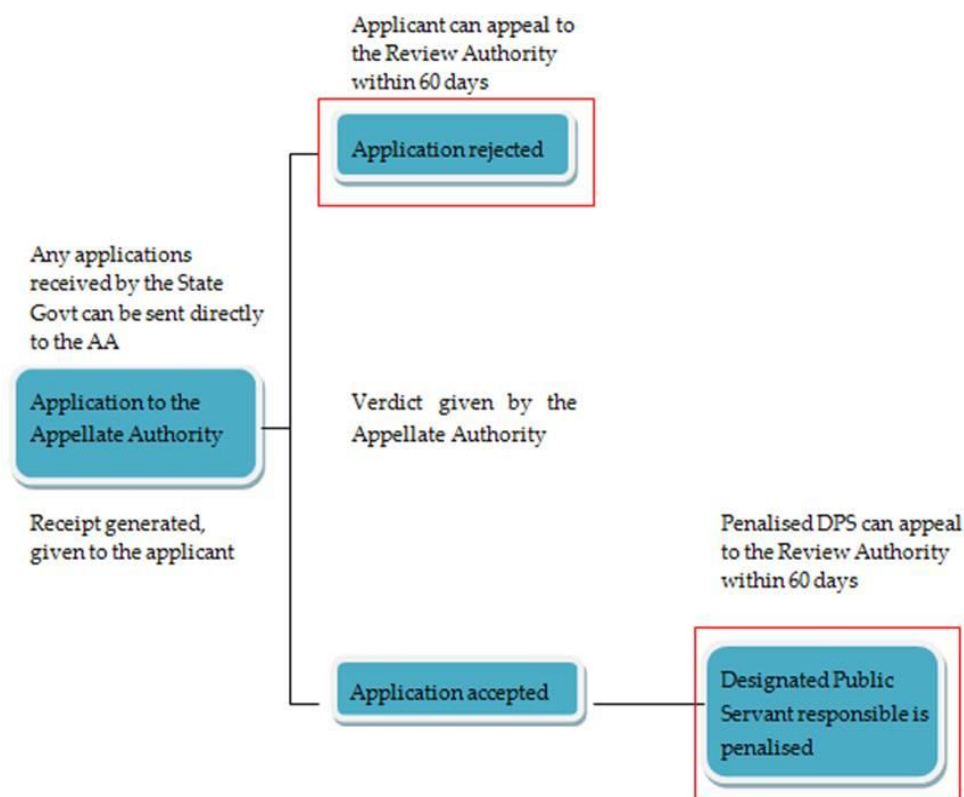
(a) Online tracking at <http://210.212.23.54/ADHIKAR/SearchRTPS.aspx>

(b) SMS tracking by sending RTPS <Application ID> to 56677

(c) Call centre tracking by calling up *Jigyasa* call centre at 0612-2233333 and stating the application UID. *Jigyasa* was set up in August 2010 under the BPSM to facilitate provision of timely, correct and reliable information to citizens with regard to public services they are entitled to. The capacity of *Jigyasa* has been enhanced by including 5 team members specifically for the purpose of handling queries related to RTPS. The service can be availed from 8 a.m. to 8 p.m. The caller is charged as per the prevailing local call rates in Bihar.

The applicant can file the First Appeal with the Appellate Authority in case of refusal, delay and failure on part of the DPS to deliver service.

Step 2: First Appeal under the RTPS

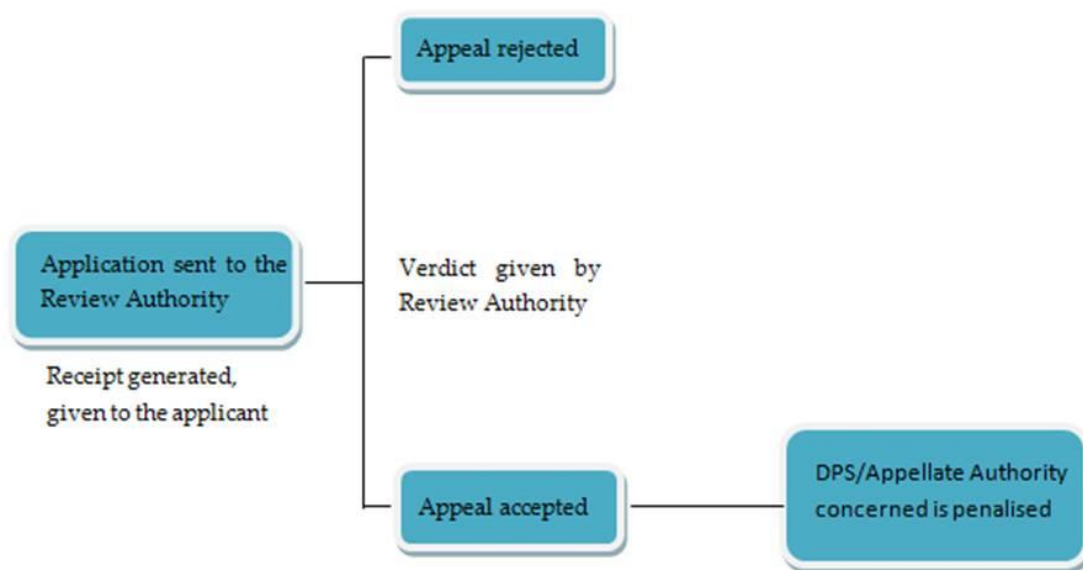


Powers of the Appellate Authority are equivalent to those of the Civil Court. Non-compliance with the Appellate Authority's verdict would amount to an offence.

If the Appellate Authority finds the DPS in question guilty, the latter can be penalised INR 500 to 5,000 that is deducted from his/her remuneration. The particular DPS can apply to the Review Authority for revocation of the penalty. On part of the applicant, if his/her First Appeal is rejected, a Second Appeal can be filed with the Review Authority.

In case the Second Appeal is also rejected, a new application will need to be filed.

Step 3: Second Appeal under the RTPS



Powers of the Review Authority are equivalent to those of the Civil Court

FINANCIAL RESOURCES

RTPS has been introduced under the *Bihar Prashasanik Sudhar Mission*, which is a joint venture of the Government of Bihar (GoB) and the UK Department of International Development (DfID). Under the Mission, DfID provides financial resource for the administration of BPSM, to implement administrative reforms, modernise administrative processes, strengthen human resource management and increase accountability under the Bihar Governance and Administrative Reforms Programme (BGARP).

RTPS is accordingly funded jointly by the GoB and DfID.

ACHIEVEMENTS

The RTPS was introduced in Bihar on August 15, 2011. Despite being in the nascent stage of implementation, there has been a tremendous demand for its use. Figure 2 exhibits the impressive performance of the Act in the first month of its operation. Even though only a little over 50 per cent of the applications received have been disposed, the primary achievement of the programme till now has been to encourage citizens to demand public services from the government.

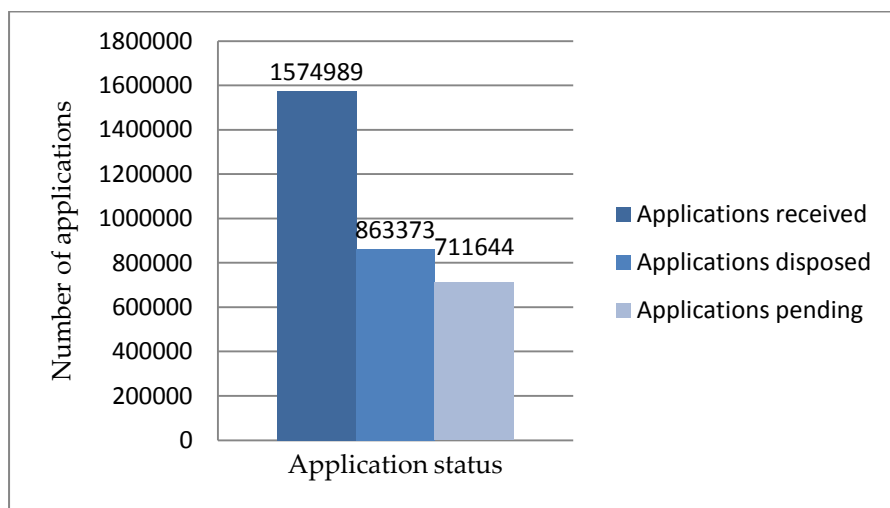


Figure 2: Total number of applications received, disposed and pending (Aug 15-Sep 15, 2011)

Figure 3 shows the percentage share of each of the ten departments in the total number of applications received. The GAD received the largest share of these applications at 74 per cent while departments of Human Resources and Urban Development received less than a per cent of the total applications.

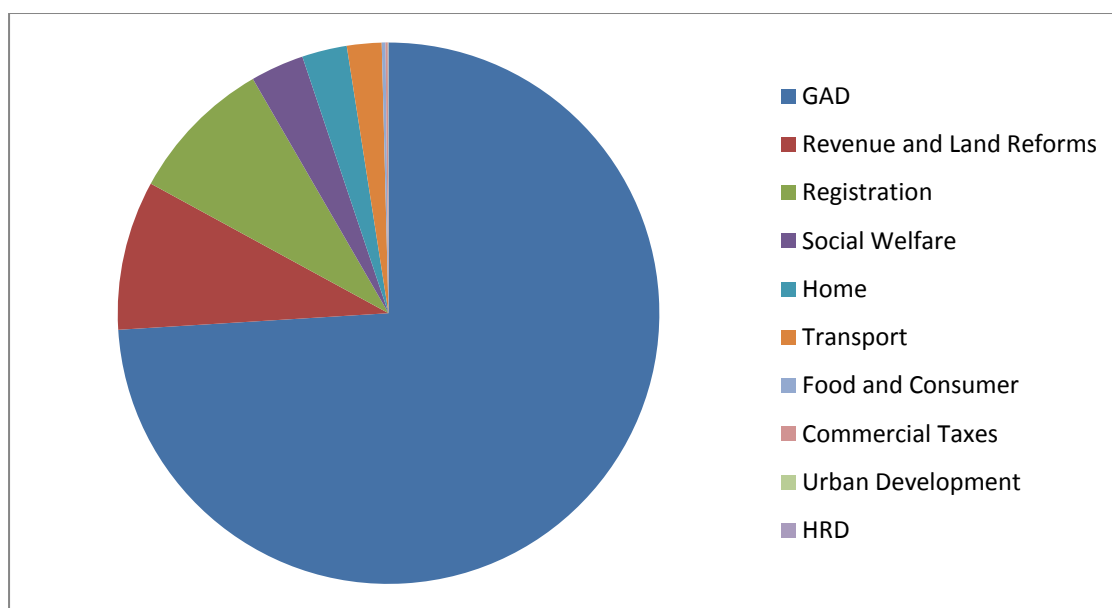


Figure 3: Percentage share of the 10 departments in applications received (Aug 15-Sep 15, 2011)

Table 1 gives a breakdown of the applications received by each of the ten departments currently covered under the RTPS. Department for Registration, followed by the Department of Commercial Taxes, has shown the highest rate of success in disposing the applications received while departments of Social Welfare, Human Resources and Food and Consumer have a success rate of less than 20 per cent. Near average performance has been achieved by the GAD, Department of Home and Department of Transport.

Name of the Department	Applications received	Applications disposed	Applications pending	Success percentage
GAD	1165870	619967	545901	53.17
Revenue and Land Reforms	140455	56815	83640	40.45
Registration	137090	126809	10281	92.5
Social Welfare	50331	10016	40315	19.9
Home	42336	26171	16195	61.81
Transport	32580	21591	10989	66.27
Food and Consumer	3517	41	3476	1.16
Commercial Taxes	2142	1793	349	83.7
Urban Development	428	144	284	33.64
HRD	240	26	214	10.83
Total	1574989	863373	711644	

Table 1: Number of applications received, disposed and pending by departments (Aug 15-Sept 15, 2011)

CHALLENGES IN IMPLEMENTATION

Since the programme has only been in operation for a month, it is difficult to ascertain definite challenges to it. However, a potential challenge can develop out of the current reach of the programme at the local level. The lowest level at which the programme currently operates is that of the block. Since the primary objective of the Act is to provide the most remote and poor sections of the population a mechanism for accessing public services, the restricted reach of the programme as it stands today would defeat the purpose.

THE WAY FORWARD

Planned enhancements to the programme include introduction of *tatkal* (fast track) services that would allow citizens to procure services in a shorter time than the time limit stipulated under RTPS. The details- charges etc- of this provision are still in the development phase. The Government of Bihar has recognised the need to make changes in the existing administrative system with regard to new systems and processes. RTPS will subsequently be up-scaled to include more services and departments.

CONCLUSION

The RTPS in Bihar is an exemplary initiative by the state government to check corruption in public service delivery. The law enables the citizens to demand public services as a right and also includes a provision for penal action against officials failing to provide the services within the stipulated time. The idea is to generate a demand for services, and to provide citizens with a platform for getting their grievances redressed. Employment of technology in implementation of the programme will work to ensure that manual paper work is kept to the minimum, applicants are given instant receipts for their applications, a consolidated report as well as daily reports are maintained, DPSs have quick access to the applications filed and that there are multiple levels of checks on the data fed. Owing to human interaction at the time of application submission, language and illiteracy barriers will be overcome. With the enhancements planned and some currently under limited operation, the reach of RTPS has tremendous potential to expand and include use by an even larger number of people.

Research was carried out by the OneWorld Foundation, Governance Knowledge Centre (GKC) team.

Documentation was created by Research Associate, Aditi Dayal

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APPENDIX A – INTERVIEW QUESTIONNAIRE

Software Education and Research Private Limited

1. What is the role of your company in the RTPS programme?
2. Who are the main stakeholders in the programme? What are their exact roles?
3. What are the main ICT components of the programme?
4. Please provide the following details about *Adhikar*.
 - i. Hardware and software involved
 - ii. Unique features- receipt generation, daily monitoring, application status tracking
 - iii. Time and costs involved in its development
5. Please provide a process flow of the IVRS.
6. What available infrastructure and human resources were utilised for the IVRS?
7. Our research indicates that an online application and online delivery of services has been planned for the programme. Please provide details for the same.
8. What training was provided to the IT Managers, IT Assistants, Executive Assistants and Nodal Officers?
9. How is the programme funded?
10. What have been the main challenges to programme implementation till now?
11. Are there any enhancements planned for the future?