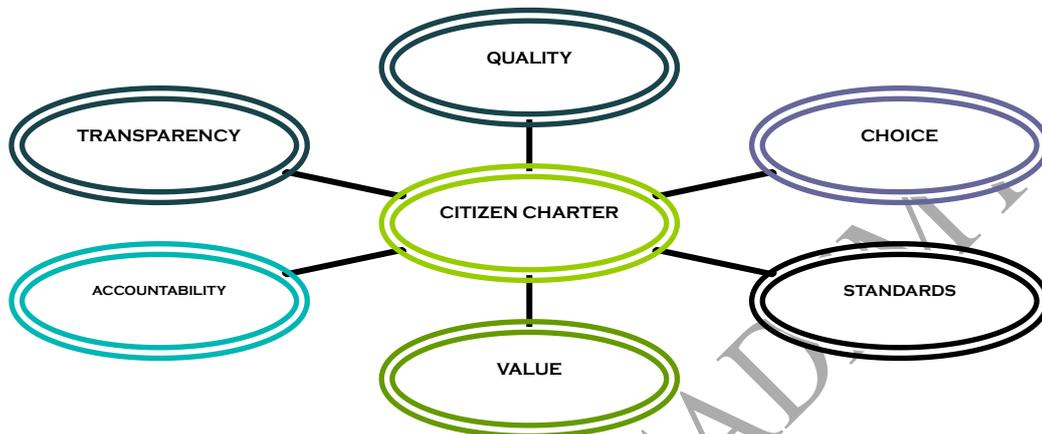


CITIZENS' CHARTER

A *Citizens' Charter* is a public statement that defines the entitlements of citizens to a specific service, the standards of the service, the conditions to be met by users, and the remedies available to the latter in case of non-compliance of standards.



The spirit behind the Citizen Charter.....

A customer is the most important visitor in our premises. He is not dependent on us; we are dependent on him. He is not an interruption in our work; he is the purpose of it. He is not an outsider to our business; he is part of it. We are not doing him a favour by serving him; he is doing a favour by giving us an opportunity to do so.

--- Mahatma Gandhi

1.EVOLUTION OF CITIZEN CHARTER :

- ❖ In **United Kingdom** – Prime minister **John Major** launched the strategy of Citizen Charter in 1991.
- ❖ First report on citizens' charter (1992) - *The Citizens' Charter*
- ❖ Citizens Charter will raise quality, increase choice, secure better value and extend accountability .
- ❖ For too long provider has dominated, and now it is turn of user.

REVISED PRINCIPLES OF CITIZENS CHARTER, 1998 :

- ❖ Set standards of service
- ❖ To provide Open and full information
- ❖ First Consult and involve in action
- ❖ Encourage access to service and promote choice for the users

- ❖ Treat all fairly(without discrimination)
- ❖ Put things right when they go wrong(self-valuation and correction)
- ❖ Use resource effectively
- ❖ Innovate and improve the standard of service delivered to the citizens
- ❖ Work with other providers of service.

CHARTER MARK :

- ❖ Charter Mark introduced in 1991 (United Kingdom) to **improve efficacy** of Citizens Charter
- ❖ Tool designed to help organisation, focus on and improve their customer service and delivery to users.
- ❖ Evaluation - carried out by an **independent agencies.**

2.INDIAN EXPERIENCE : CITIZENS' CHARTER

Concept of *good governance* not new to India,

Kautilya – “in the happiness of his subjects lies the happiness, in their welfare, his welfare, whatever pleases himself, he doesn't consider as good, but whatever pleases his subjects he considers as good”.

NEED FOR CITIZEN CHARTER IN INDIA :

1. Absolute **size of bureaucracy grown (Bloated)** – do not contribute much to Gross Domestic Product (GDP)
 2. **Productivity of the bureaucracy is low** – bureaucrats have life time contracts of service (**defended by Article 311 of Constitution**)
 3. **Need for efficient/effective/citizen centric bureaucrats** → lead to adoption of Citizen Charter in India.
- ❖ 1996 - Recommendation for Citizen Charter in National Debate for responsive administration.
 - ❖ 1997 - Chief Minister Conference - 3 action plans
 - 1) Administration - accountable, friendly
 - 2) Ensure transparency, right to information
 - 3) Cleanse and motivate civil service

- ❖ 1997 - Core group to draft charter under Secretary (Ministry/Department)
CCC - Consumer Coordination Council ~ to make field surveys in health, electricity, banking, commerce, municipal service.
- ❖ 1997 - Department of Administrative Reforms and Public Grievance (DAR & PG) - drafted model charter.
- ❖ May, 1997 **Citizen Charter launched in India** (2010 - 729 Citizen Charter in various Departments)

DAR & PG - GUIDELINES TO ENABLE MEANINGFUL CITIZEN CHARTER

1. Citizen Charter must be simple
2. Citizen Charter - >formed only with senior experts workers interact with users.
3. Create responsive climate
4. Begin with statement of service offered
5. Procedure/cost/charters/choice - made available
6. Though not justifiable - will be committed to fulfill the promise made through Citizen Charter
7. Frame structure - obtain feedback, performance audit, fix schedule to review Charter - 6 months
8. Separate charter for distinct services

- ❖ 1998 --> DAR & PG + CCC ~ made evaluation of Citizen Charter
- ❖ 2003~ Professional Agency - Standardized model for internal/external evaluations

Findings of Professional Agency :

1. In Majority cases - charter not formed through a consultative process.
2. Service Providers - >not familiar with goals, philosophy and features of Citizen Charter
3. Adequate Publicity of Citizen Charter is not given(lack of awareness)
4. No funds earmarked for awareness generation of Citizen Charter

- ❖ 2007 ~ **Independent Review of Citizen Charter** in India - Public Affairs Center (Bangalore)

Results/Reports : India's Citizen Charter - A decade of experience

1. Lack of public awareness
2. Inadequate groundwork
3. Charters are rarely updated
4. End users/NGOs not consulted while drafting citizen charter
5. Needs of senior citizen/disabled - not considered
6. Resistance to change

❖ **Making Citizen Charter Effective - An agenda for reform**

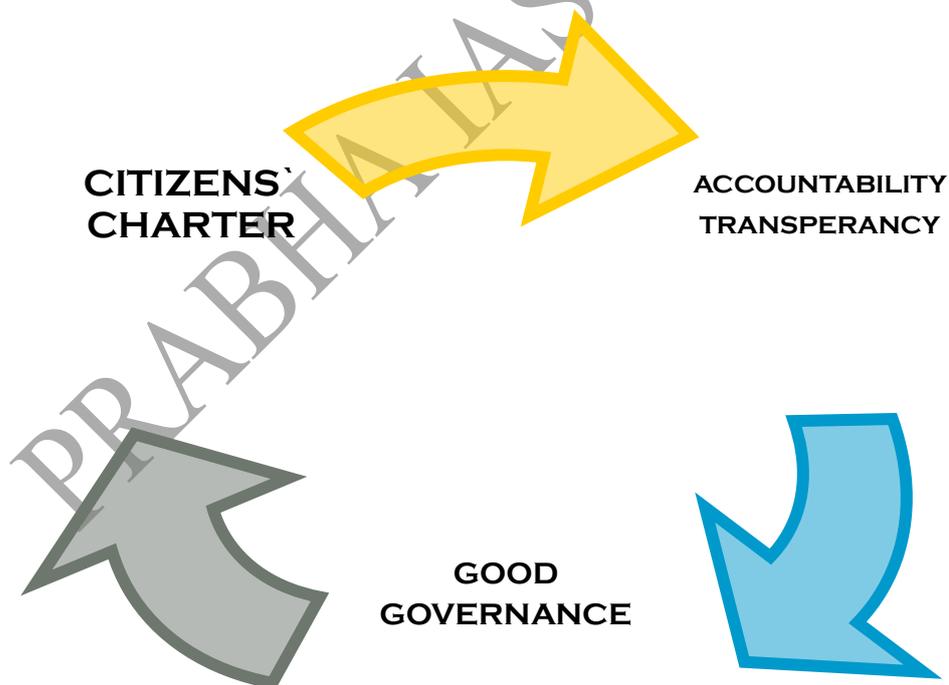
In 2nd ARC - > 4th Report "*Ethics in Governance*" - > discussed about Citizen Charter

Emphasis on

1. Internal restructuring should precede charter formulation
2. One size doesn't fit all - charters varies significantly in different department
3. Wide consultation process - while formulating
4. Firm Commitments to be made
5. Redressal Mechanism in case of default
6. Periodic evaluation of Citizen Charter
7. Bench Mark using end user feedback
8. Accountable - hold officers responsible for result
9. Include civil society in the process

❖ **IS : 15700 : 2005** - Standard for public service delivery

1. India first develop Indian Standard - Public Service Delivery
2. Indian Standard stipulates Quality Management



CITIZENS' CHARTER BILL 2011



1. SALIENT FEATURES

- ❖ ***Full name*** : The Right of Citizens' For Time Bound Delivery of Goods & Services & Redressal of Their Grievances Bill 2011.
- ❖ The Bill ***deals with*** government departments that deal directly with citizens: they include
 1. Constitutional bodies,
 2. Statutory authorities,
 3. Public-private partnerships,
 4. NGOs substantially funded by the government and companies that provide services under a statutory obligation.
- ❖ **Provisions**
 1. The Bill makes it mandatory for every public authority to publish a Citizen's Charter within six months of the commencement of the Act.
 2. Every citizen is given right to get time bound delivery of goods and services.
 3. If not delivered, there is redressal mechanism.
- ❖ **Format:**
 1. List the details of the goods and services provided by a public authority;
 2. The name of the person or agency responsible for providing the goods or services;
 3. The time frame within which such goods or services have to be provided;
 4. The category of people entitled to the goods and services; and
 5. Details of the complaint redressal mechanism.
- ❖ Bill aims to establish ~ **Public Grievance Redressal Commissions** @Centre and State level.

1. **Strength:** 1 Chief Commissioner + a maximum number of 10 Commissioners.
2. **Qualification:**
 - a) Present or former Supreme Court judges or Chief Justices of a High Court (district court judges for 10 years, or High Court judges); or
 - b) Present or former Secretaries to the central (state) government;
 - c) Eminent persons with at least 20 years of experience in social sectors with a post graduate degree in a relevant sector.(15 years for state panel)
3. **Appointed by:**
 - a. Governor (in state Commission)
 - b. President (in Central Commission)
 - c. But President /Governor will make appointments as per the recommendations of select Committee.
 - d. The select Committee will consist of
 - Union level: PM, Leader of opposition in Lok Sabha, Sitting just of SC
 - State level: CM, Leader of opposition in Legislative assembly (Vidhan Sabha), sitting judge Of HC
4. The Commissioners may be **removed by** an order of the President /Governor under certain conditions.

GRIEVANCE REDRESSAL MECHANISM:

1. Grievance Redress Officers (GRO). You send your complaint to him. He must address the issue within 30 days.
2. Designated Authority (DA), if GRO doesn't help.
3. State or Central Public Grievances Redressal Commission. If DA doesn't help.

In relation to an offence under the Prevention of Corruption Act, 1988, a third appeal against the decision of the Commissions shall lie with the Lokpal or the Lokayukta.

PENALTY

1. DA and Commission can impose fine of Max.Rs.50000 to concerned officials/GRO.
2. The penalty shall be recovered from the salary of the official. Such penalty may be awarded as compensation to the appellant.

CRITICISM

❖ *Against federal Spirit*

- 1.(BJP says) Yet Citizens' charter bill provides for GRO and Grievances Commission @state and central level. But Parliament doesn't not have jurisdiction to enact such law. Because 7th schedule of constitution->State list ->State Public services

- (Entry 41).
2. It means, only State legislature has jurisdiction to make laws regarding state public services.
 3. More than ten states have already enacted a Citizen Charter Act or Public Services Guarantee Act in their respective states.
 4. The states of Jammu and Kashmir, Delhi, Bihar, Madhya Pradesh, Uttar Pradesh, Rajasthan, Punjab, Uttarakhand and Himachal Pradesh have their own laws in place.
 5. Many of these state laws have provisions that are much better than the proposed Bill.
 6. The Central government can and should enact Citizen Charter for central services but should not encroach upon the states' domain. At best, the Centre can suggest a model law.
 7. However, the Ministry of personnel affairs, defends this bill saying "Provisions of the Bill relate to 'actionable wrongs' which comes under the concurrent list."

❖ *Duplication of work*

1. Several states such as Delhi, Punjab and Bihar have also enacted their own grievance redressal laws. The mechanism provided under these laws is different from that provided under the Bill.
2. So this will lead to duplication of work and organizations.
3. Similarly, MNREGA Act, RTE Act, National Food Security Bill, 2011, and the Public Procurement Bill, 2012 also have their own grievances redressal forums. = duplication.
4. Similar to R.T.I act, this bill also applies to organizations funded by Government. (e.g. Air India, Public Sector Banks, LIC.) However, if those organizations don't provide services on time, the matter also falls under jurisdiction of consumer courts, Banking ombudsman, IRDA respectively = lot of duplication.
5. So it seems Government hasn't done the homework, they just want to pass a bill to divert people's attention from more important issue, that is Lokpal.

❖ *Autonomy*

According to the bill, the commissioners may be removed without judicial inquiry. This is unheard of!

❖ *Lokpal yet to come into force*

Government officials intentionally delay the service delivery because they want to demand bribe. So the whole Citizen charter thing is incomplete, without Lokpal and Lokayukta.

❖ *Exclusion of Non Citizens:*

Only Citizens can seek redressal, NRI & PIO are not entitled.

❖ *Distribution of responsibility*

For example, if a passport is held up because the police verification took too long, should the passport office be responsible? Or should the police be held responsible? Bill is silent over the issue, this will only lead to blame games and further delays while seeking redressal.

Although not justiciable but these charters aim at affirming the commitment of an organization to people that it will deliver its particular services promptly, maintain quality, redressal mechanism available.

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