



## CITIZEN'S CHARTER A MECHANISM FOR ACCOUNTABILITY: AN ANALYSIS OF INDIA CONDITIONS

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### ABSTRACT

*The initiatives of Citizen's Charter are an effort in solving citizen's problems that they encounter regularly over a long time while dealing with the government or any other organizations. It is a document of an official statement that ensures the accountability of the organization and their commitment towards the citizen in providing the quality of service. The charter aimed to revolutionize public service by empowering the people who were so long regarded as a silent spectator and a mere receiver on the government policies and programmes. In a democratic country, citizens have become more vocal towards the government responsibilities and they expect the administration not only to respond to their demands but also to foresee their needs in the future. In India, the Department of Administrative Reforms and Public Grievances in Government (DARPG) is in charge of organizing, directing, formulating, and operationalizing Citizen's Charters at the Central Government as well as States Government. However, the fulfillment of Citizen's Charter in India faced many difficulties due to its government bureaucratic structure and resistant to change in its working system.*

**Keywords:** *Good Governance, Grievances, Administrative Reforms, Charter, Transparency, Accountability.*

### Introduction

The concept of governance is not new. The term "governance" came originally from the Greek word "kubernaein" and later on it was derived from the Latin verb "gubernare", literally meaning "to steer". In

a broader sense, governance is as old as human civilization and it encompasses the exercising of controlling and directing a state. Thus, governance refers to the process of decision making and the process by which decisions are implemented.

Governance directs the power holder, decisions maker, the manner in which individuals make their opinion and desire perceived; in what manner the decision is implemented and administered (Michael, 2014).

Traditionally, governance is correlated with the government. In many works of literary texts, the word governance and government are frequently used identically corresponding to each other. But the political scientists in 1980s had broadened the meaning of governance. It includes not only a person acting on behalf of the government but also civil society personnel. In modern days, three sectors were included in governance; the civil society (non-governmental organizations), the private sector (households and companies) and the public sector (state personnel and institutions). In the process of governance, these three sectors have been working closely associated with each other. Thus, essentially citizens need to be consciously aware of the need and importance for good governance which will lead to the empowerment of the people and sustainable development.

### ***Conceptual Framework of Good Governance***

The World Bank in 1992 has formulated for the first time the conceptual framework of “good governance”. It was defined as “manner in which power is exercised in the management of a country’s economic and social resources for development”. In the World Bank Report paper titled ‘Governance and Development’, Good Governance was regarded as the

central theme of creating and sustaining an environment, that will promote and sustain the strong and comprehensive process to reduce disparities for meeting the needs of all the communities. This approach of development is an essential component of sound economic policies and administration.

Based on the variation of the subject, the context of the term ‘good’ is used with great flexibility. Therefore, the term good governance has been covered many aspects like adequate and effective people participation, human rights, the supremacy of the law, multi-stakeholder partnership, responsible and accountable procedure, diversified and multi-party political system, transparent and responsive institutions, an efficient and effective public sector, constitutionality, easily available data to acquire knowledge, education and information, social and political empowerment of people, impartiality, and attitudes and values that foster responsibility, solidarity and tolerance.

After World Bank formulated the notions of good governance in 1992, it has been recognized as an essential mechanism for administration of the nation to provide sustainable development and citizen-centric administration in a country. Base on the World Bank framework of Good governance, it has eight (8) major features such as responsive, accountable, effective and efficient, consensus-oriented, transparent, participatory, equitable and inclusive and follows the rule of law (Sheng, p.1). It guarantees a reduction of corruption, the opinion of minorities is given consideration and then the views and desire

of a vulnerable section of society are given importance in the decision-making. It also gives responsive administration to society for their present and future needs.

### **Transparency for Good Governance**

One of the basic principles of good governance is transparency, which aims for public perception into the duties and works of administrative institutions. Citizens should have an awareness and empowerment to examine the administrative actions and performance of the government. To scrutinize the administrative actions, there has to be a reliable mechanism for monitoring and evaluation system for any decision-making process which have directly or indirectly affected the citizens. Meanwhile, the regulations pertaining to the process of exercising citizen rights to inspect the administrative action should also be made available in an understandable way. Therefore, the citizens would be able to have a general understanding of their rights with regard to transparency governance.

The system of transparency and accessibility of information to the people can be classified into two such as proactive transparency and reactive transparency. Proactive transparency means that any information which has public importance was published even before it was required by the public. The hypothesis of proactive transparency is that information of public importance belongs to the public. The Public Administration thinkers and international organizations like the World Bank beliefs that the universal right of the public is to know about the nature and process of proactive transparency in the administrative

system. Meanwhile, reactive transparency also deals with the rights of the citizens regarding publish of information which has the public's importance, but in this case, it is carried out only after popular demand.

### **Concept of Administrative Accountability**

To break down the literary meaning of the word 'administrative accountability', Business Dictionary explains the meaning of accountability as, "It is an obligation of an individual or an organization to account for its activities, accept responsibilities for them and to disclose the results transparently. It also includes the responsibilities for money and other entrusted authority". In Cambridge Dictionary, the word administrative is "relating to the arrangement and work that is needed to control the operation of a plan or an organization". Therefore, the word administrative accountability means the obligation of the administrator to fulfill its responsibilities transparently and disclose the result of an operational plan in an organization.

The government can be considered the outcome of gradual change in the system of administration in the society. Historically, a group of people came together with a common political idea formed a political community for creating a higher quality of management and administration to meet their common needs. In a democratic system of government, administrative accountability has distinctive involvement. The concept of accountability and its mechanism is considered an important part of the efficiency and effectiveness of governance. It suggested that the people elected representatives must give explanations of

the electorate for all the policies and actions taken for their administration. It plays a significant role in providing administrative liability and responsibility in a democratic form of government. Therefore, accountability needs to be a sensible act of public representatives as it is one of the basic foundations for establishing a quality democratic form of government.

In a democratic state, administrative accountability can be broadly divided into three categories. Firstly, Political accountability focuses on the accountability of the administration to the political executives in the first instance. The bureaucrats work as an advisor to the political executive on matters connected with policy execution and policy formulation. Secondly, Legislative accountability which focuses on the political executive to be accountable to the legislature this includes the rights of any policy decisions taken by the political executive were questions in the Parliament to check and keep discipline in the administration. Thirdly, Judicial accountability where citizens were provided necessary legal rights to challenge the policy decision as well as the administrative decisions of the government.

Thus, it is clear that the administrative accountability is a mechanism to ensures the affairs of the government are conducted with due regard to the interest of the public. It ensures that all actions and decisions taken by the public officials were subject to oversight and to guarantee the objectives stated are met. While the administrator may delegate many of their responsibilities, but

they cannot delegate their accountability and they must be aware and abide the rules and regulations that there will be no weakness in the administration and thereby transparency and integrity will be obtained in the government.

### **Historical Background of Citizen's Charter**

The three important aspects of good governance are transparency, accountability and responsiveness in the governance. The initiatives of Citizen's Charter are an effort in solving citizens problems that they experience repeatedly over a long time while dealing with the government or any other organizations. It is a document of an official statement that ensures the accountability of the organization and their commitment towards the citizen in providing the quality of service.

The British Prime Minister, John Major took initiatives of formulating Citizen's Charter for the first time when he became the leader of the Conservative Party in 1990 and was announced to the public in 1991. Citizen charter aimed to revolutionize public service by empowering the people who were so long regarded as a silent spectator and a mere receiver on the government policies and programmes. The main mission of the Charter was to make transparent and comprehensible to the citizens how government administration and other related institutions were executing the delivery of public services. In short, it aims to make public servants and public service providers accountable to the public on the standard of service they were delivering.

The government report which introduced the Citizen's Charter in 1991 has opened with this statement "All public services are paid for by individual citizens, either directly or through their taxes. They are entitled to expect high-quality services, responsive to their needs, provided efficiently at a reasonable cost. When the state is engaged in regulating, taxing or administering justice, these function too must be carried out fairly, effectively and courteously" (Castellani, 2017).

The proposal report of the Citizen's Charter scheme was a comprehensive document. It discussed the prevailing practices in the government administration, the regulatory functions of the government over the privatized sectors, the use of research and trials in the production, outsourcing of public service to improve the quality-of-service delivery, and future legislation on the privatization of some government sectors. One of the most peculiar aspects of these proposals was it recommends establishing Citizen's Charters. Based on the proposals, every public service institution would be required to publish a charter, with the aims of enabling citizens to learn and decide the acceptable standards of any public service institution and to inform the citizens about the process of complaining and obtaining their redress in case of the service given was not up to the acceptable standard. Therefore, Citizen's Charters would empower the public who were depended on the government services by making sure that they acquire a quality service which they were entitled to receive (Castellani, 2017).

The scheme of Citizens' Charter has entitled every citizen a six-key precept on carrying out public services by the government. They were:

- a) Setting up of standard quality and issuing of clear-cut quality for services and the publication of real performance and implementation against these standards;
- b) Providing detail information and responsiveness in the provision of public services;
- c) Providing a choice of service delivery and periodic consultation with the citizens.
- d) Maintaining public servants' civility, courtesy, friendliness and helpfulness to the citizens;
- e) To take corrective actions in relations to redress mechanism, well-publicized and user-friendly system of complaints procedures;
- f) Providing efficient service delivery which is economically sound and has value for money within the affordable limit of national resources.

The introduction of Citizen's Charter in the United Kingdom has initiated a substantial engrossment on many countries and have implemented similar schemes such as Australia have started Service Charter in 1997, Belgium started Public Service Users' Charter in 1992, Canada have Service Standards Initiative in 1995, France started Service Charter in 1992, India started Citizen's Charter in 1997, Jamaica Citizen's Charter in 1994, Malaysia Client Charter was introduced in 1993, Portugal named it as The Quality Charter in Public Services

and started in 1993, and Spain has The Quality Observatory in 1992.

### **Citizen's Charter in India**

Interestingly, in the field of economic development and literacy rate, India has notable progress. The decadal growth rate of literacy in India rose from 52.21 in 1991 to 64.83 in 2001 (in 2011 it became 74.04). This has made the citizens in India progressively conscious of their rights from the government. These conditions have made citizens become more vocal towards the government responsibilities and they expect the administration not only to respond to their demands but also to foresee their needs in the future. This progressive evolution has created a situation where a consensus was evolved in 1996 for an effective and responsive administration in India. After a series of the conferences were held, the councils were formed to empower the citizens in relations to the public service delivery.

### ***Chief Secretaries Conferences (1996)***

In November 1996, the Prime Minister of India H.D. Deve Gowda has inaugurated a conference of Chief Secretaries with the theme of "An Agenda for an Effective and Responsive Administration" intending to ensure responsive, accountable, transparent, decentralized and people-friendly administration at all levels. The objectives of the conference were bringing back the confidence of the people through his partial treatment in the administration against the prevailing frustration and dissatisfaction and to make more systematic, well organized, upright, accountable and citizen-friendly on

public services. The Conference aims to introduce the popular policy prescription for a responsive and effective administration. They advocated that accountability should be explicated in a broader perception relating to the public contentment and responsive delivery of services. The introduction of Citizen's Charter was decided to implement on phase-wise to all the public service institutions by providing entitlement to citizen on public services. The conferences also discussed joint participation of consumer protection groups and citizen voluntary organizations, promotion of extensive publicity to the acceptable standards of performance, quality of service, service delivery on time, cost of service, etc. Lastly, further strengthening of independent inspection and evaluation regularly on the performance of public service institutions was also taken up in this conference (Jain, 1999)

### ***Chief Minister Conference (1997)***

To follow the event of Chief Secretaries Conference, an 'Action Plan for Effective and Responsive Government' at the Central Government and State Government was the main theme of discussion at the Chief Minister Conference which was held on 24<sup>th</sup> May, 1997. The Union Home Minister, Finance Minister, Law Minister, and Minister of State for Personnel, Public Grievances & Pensions, Cabinet Secretary, Chief Secretaries of the state and union territory, and senior officials in the Government of India have attended the conference and it was presided over by the Prime Minister. The delegates have concurred that an action must be taken

promptly to remove the cause of non-conformity and to bring back the faith of the people in the equity, impartiality, integrity and responsiveness of the government administration. The three main areas of Action Plan that were discussed in the conference were: 1) measures for implementing accountable and citizen-friendly administration 2) measures to secure and assure transparency in the administration and providing the 'right to information' to citizens and 3) measures to create clean records government institutions and motivated civil servants. Under these areas of discussion, the conference addresses that the Central and State Government would work out a plan to create Citizens' Charter starting with those departments which have a large public interface and followed by other government institutions. The Citizen's Charter would describe the acceptable standard of service and time limits of service delivery that the citizens can reasonably expect, the directions and process of grievances redressal system and provisions for periodic audit process involving the citizens and consumer protection group. Under the Chairmanship of Cabinet Committee, the implementation committee for Citizen's Charter was set up to prepare a plan for implementing the recommended Action Plan. A notable step taken for implementing Citizen's Charter was that under the Chairmanship of the Secretary drawn from Ministries or Departments which have a considerable public interface, a core group was formed to assist the implementation committee in finalizing the Charter. Finally, the sincere efforts of the implementation committee and

Department of Administrative Reforms and Public Grievances (DARPG) at the Central Government, Forty-Three (43) Citizen's Charter had been finalized by the end of the financial year 1997-1998 by several Central department and agencies, and Fourteen (14) Charters by the government of Tamil Nadu and National Capital Territory i.e. Delhi and Haryana (Jain, 1999).

In India, the Department of Administrative Reforms and Public Grievances in Government (DARPG) is in charge of organizing, directing, formulating, and operationalizing Citizen's Charters at the Central Government as well as States Government. It frames the guidelines of the Charters and the methods of formulating the frameworks were passed on to government departments and agencies for enabling them to formulate distinct and effective charters. While framing the Charter, the government agencies at the Centre and State levels were advised to constitute a task force with representation from consumers, higher-level personnel in management and the technical and skills staff in an organization. After a series of deliberations and careful considerations, the Citizen's Charter in India has incorporated six (6) elements such as providing vision and mission statement, publishing clear information on business transacted by the organization, a clear indication of details of clients, details of services provided to each client group, clear information on grievance redress mechanism and its access; and finally, to fulfill the expectations from the clients. These six elements are expected to be incorporated on the Citizen's Charter at the Central Government and the State Governments.

## **The Experience of Citizen's Charter in India**

In India, Citizen's Charter has presently been in place for over more than two decades especially in the Central Government. The similar principles of Central Government Citizen's Charter were implemented in several States and Union Territory such as Bihar, Madya Pradesh, Chhattisgarh, Himachal Pradesh, Delhi, Jammu and Kashmir, Rajasthan, Punjab and Uttarakhand (Yadav, 2011). The Government of India has developed a comprehensive website of Citizen's Charter launched by the Department of Administrative Reforms and Public Grievances (DARPG) on 31<sup>st</sup> May, 2002. This incorporated the Citizen's Charters issued by various department and agencies at the Central Government, State Governments and Union Territories. In November, 2020, the Government of India Citizen's Charter website listed 98 Central Government Charter, 25 State Government Charter, 110 Central Nodal Officers on Citizen's Charter, and 31 State Nodal Officers.

Since the introduction of Citizen's Charter in India from 1997, the framing of the charter was made voluntary. The main focused of the Citizen's Charter was creating a publish commitment of public agency containing the detail information of the services and clear indications of the timeline for delivery of such services. The practice of framing the Citizen's Charter gradually spread from Central Ministries and Departments to States Government agencies. However, in terms of coverage, its

scope, redress mechanism, the process of grievances system and the necessary information for the citizens, there is a great variation in formulations of the Citizen's Charter. Various charters are very concise and some are detailed, many charters do not provide any information about the redress functionalities while some are comprehensively framed. In most cases, provision is absent for any compensation for any loss or damage suffered by citizens in the absence of targeted services not being provided by the concerned agencies (Jain, 119). Therefore, the vast majority of its principles were remained incapable, unproductive, and dormant. In 2005, an initiative named "Sevottam" was created as a service excellence model for improving the Public Service Delivery and to give a new impetus to the application of Citizen's Charter. This new model has been successfully tested in a few selected public service institutions under the Central Government and States Government and is being significantly extended to more institutions. The sequel of strengthening the provisions of Citizen's Charter, a web-based portal service called "Centralized Public Grievance Redress and Monitoring System (CPGRAMS)" was launched in the year 2007. This web-based portal service created a platform for citizens to complain about the failure of service delivery within the stipulated time.

However, with the absence of enforceable law by the court in respect to effectively implementing Citizen's Charter for any organizations, government and public officials, it was visible that the effect was diffuse and restricted. In these

circumstances, the need for integrating Right-based approach was felt to make Citizen's Charter as statutory rights for giving the citizens a right to get delivery of services on time. Given the aforesaid, in 2011, the "Right of Citizens for Time Bound Delivery of Goods and Services and Redressal of their Grievances Bill" was initiated in Lok Sabha. This Bill includes constitutional bodies, statutory authorities, public-private partnership, Non-Governmental Organizations which were considerably funded by the government and the sectors that provide public service under a statutory obligation. The main focal point of the Bill is it seeks to implement time-bound delivery of goods and services by instigating compulsory publications of Citizen's Charter for every public authority within six months of the commencement of the Act. In case of failure to get service delivery within the time frame, the commissioner can impose a maximum of Rs 5000 to the concerned official. However, the Bill was lapse due to the dissolution of 15<sup>th</sup> Lok Sabha.

After experiencing Citizen's Charter in India for more than two decades, the present condition can be critically evaluated based on the Second Administrative Reform Commissions finding. The Commission evaluation brought out that measurable standard of service delivery is hardly given in the charter and the acceptable quality of service is inadequately defined. Thus, it becomes very difficult to monitor and evaluate whether the level of service has been achieved a desirable standard. Meanwhile, most of the Citizen's Charters are a wordy expression and contained a

promise that was vague and meaningless. In most cases, when there is a failure of service delivery, citizens found it very difficult to get compensation. Citizen's Charters are hardly amended by service institution to cope up with changing environment and time and importantly while drafting the charters, there use to be an oversight in considering the essential requirements of senior citizens and disabled. The Commission also highlighted that the success of Citizen's Charter was limited by lack of public awareness.

### **Concluding Observation**

It is obvious that Citizen's Charter was implemented in India in view of empowering the citizens by making the administration more transparent and accountable which will lead to good governance. The most productive facet of the charter is an obligation of disseminating information related to basic principles, organizational objectives, their particular role and functions of public service to the public as its main emphasis (Jain, 1999). However, the fulfillment of Citizen's Charter in India faced many difficulties due to its government bureaucratic structure and resistant to change in the working system at the Central and State Governments. Therefore, while formulating the Citizen's Charter, the following observation has to be kept in mind in order to attain the real objectives and key principles involved in the programme.

### ***Maximum Satisfaction of the People***

Citizen's Charter is originally a service-based programme. Therefore, the

Charter should be based on the people and its intention must be providing the highest contentment of the people's through service delivery of their need. The framework of the Charter itself has to formulate a clear system and mechanism of ensuring redress the citizen's grievances, explanation of the policies and programmes, an apology of not meeting the expected standards, and if it was necessary compensation schemes were made when things went wrong. The original framework of Citizen's Charter emphasized citizen as consumers which give a clear recognition of the customer in the delivery of public services.

### ***One Size Does Not Fit All***

As it was rightly recommended by the Second Administrative Reform Commission, the decentralization of framing Citizen's Charter should be accorded to Central and State level public authorities while the central administration layout only broad guidelines. It must be less centralized, more diffuse in its operation and each unit in an organization has to frame independent charter under the guidelines of the main organization's charter. In view of the decentralization of the programme, the Charter should be framed as close as possible to ground reality and the local condition. In this case, a publication of commitment in a local language can be the first step.

### ***Effective Redressal Mechanism***

The Citizen's Charter should distinctively bring out the corrective measures, the punishment or compensation in case of failure in meeting the standard

quality provided in the published commitment of an organization. The name of the officials or organizations that were responsible for the delivery of service should be clearly mentioned and in case of failure of service delivery at the stipulated time, the redressal in charge should give a penalty to the concerned authority or reasonably compensate the citizen.

### ***Free from Bureaucracy Influence***

In a complex bureaucratic system like India, it is important to keep the charter away from political and democratic influences in order to make the charter in a free and fair manner to all irrespective of status and positions. It needs to have a regular monitoring board which are as well free from political and bureaucratic influences.

### ***Legally Binding Charter***

The present Citizen's Charter has not provided a formal legal entitlement for the citizens. In the case of India, it is merely a publication of principles and commitment from the organization in providing public services. This is one of the major drawbacks of the charter. Legally binding and enforceable under the court of law will strengthen the charter and it will provide greater accountability.

### ***Training of the Personnel***

The employee responsible for this programme should have proper training in order to have an effective functioning of the charter. The personnel should be aware of the spirit and the content of the charter. It is important that the restructuring of the

organization and its personnel in the process of implementing the Citizen's Charter.

### **Public Awareness**

Only a small percentage of citizens were aware of the commitments made in Citizen's Charter Awareness campaign to educate the citizens regarding Citizen's Charter should be made systematically.

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