

Modelling the State's Right to Services Act, and impact assessment study of RTS-Act in Punjab

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In keeping with this ethos, Government of Punjab introduced "Right to Service Act" on October 20, 2011. The Act was significant as it places the onus of delivery on the service provider with penalties for delays in service provision. The Act provides right to obtain specified services within the stipulated time frame through a mechanism of initial application / first appeal, second appeal and appeal to Right to Service Commission.

This paper aims at recording the success of the Act and modelling it for its extension in other states. The study also conducts a critical and comparative analysis of the act. A total of 69 services have been covered under the Punjab Right to Service Act, 2011. For preliminary research, three districts of Punjab i.e. Kapurthala, Mohali and Mukstar Sahib were chosen as sample sets. All the three service providing centers i.e. Suwidha, Saanj and Fard Kendra were included in the survey to study the impact on general public. A total of 2155 people were surveyed across the three districts, out of which 1517 were beneficiaries, 558 were non-beneficiaries and 80 were service providers. Impact assessment was carried out to probe further, identify last mile challenges and suggest the way forward on the basis of on ground experience gathered during the study.

Keywords: Public service delivery, Right to Services, Governance

1. INTRODUCTION

The realization of democratic ethos requires accountability, transparency and equitability in the delivery of public services has emerged due to the emphasis on rights. In keeping with these ethos, the Right to Services Acts that guarantee time-bound delivery of selected services to the citizen have been enacted as a law by many State governments, beginning with Madhya Pradesh (and now Bihar, J&K, Delhi, Rajasthan, Uttar Pradesh and others). The Acts are significant as they place the onus of delivery on the service provider with penalties for delays in service provision.

The genesis of the recent spate of Right to Public Service Acts can be traced to the Citizen's Charter movement of the late 1990's and early 2000's. This saw promulgation of hundreds of charters by Government departments at both, the national and state level. The expectations of the citizens from the government have been explained in these charters. However, many felt that the precision necessary to be effective was lacking in these charters. As a 2008 Administrative Reforms Commission sponsored survey of these charters found, "Almost 41% of the Charters under consideration did not indicate any timeframe for redress of public grievances. 61% of them did not indicate any timeframe for acknowledging the receipt of public grievances and nearly 43% of them did not have the timeframe for responding to the petitioners. None of

the Charters reviewed specified whether a petitioner would be conveyed the reasons for rejection of his grievance."

If violated, these charters did not mandate any penalties against the government or its officials.

The covered services are to be clearly stated and must either be completed or denied (with explanation) within a specific timeframe under the mandate of the Right to Public Service Acts, in order to address these perceived failures. If a responsible officer does not complete the service within the timeframe a monetary fine is to be levied against him. Each State has notified various services to be covered under this Act. These notified services vary from state to state.

The delivery of services to the people within a given time frame and for matters connected therewith and incidental thereto is provided under Punjab Right to Services Act. This Act is to cover the entire state of Punjab.

Punjab is the first state in the north western region of the country to have passed the Act. Punjab Right to Service Act-2011 (PRTS Act-2011) was passed by the State Assembly and thus, came into effect on 20th October, 2011. The task of effective implementation of the Act is to be looked after by the Punjab Right to Service Commission (PRTSC) consisting of 1 Chief Commissioner and 4 Commissioners under the provision of Section 12 of the PRTS Act-2011. The task of making suggestions to the state government has been

entrusted to the PRTSC for ensuring better delivery of services. The revision applications against the orders of 2nd Appellate Authority will also be heard by the Commission. The Commission has been constituted since 23 Nov, 2011.

Through different service delivery mechanism, the PRTS Act-2011 has empowered people to seek services in a hassle free, corruption free, transparent and time-bound manner. That people take maximum advantage of time bound service delivery system will be ensured. The Act is divided into four parts. Part 1 contains the Acts, part 2 ordinances, part 3 Delegated Legislation and part 4 Correction Slips and Replacements. A total of 69 services under various state departments have been covered under Act.

Suwidha Centres have been conceived to facilitate citizen by capturing the input at a single point, defining a specified delivery date depending upon the type of service and accepting cash at the counter itself. Some of the services provided by Suwidha Centers are Death, Birth Certificates, Indemnity bonds, driving license related services etc.

Sanjh Kendra's have been set up to encourage the people of Punjab to freely approach police for redressal of their grievances. They are providing more than 25 different services under one roof in stipulated time. **Fard Kendras** provide all types of revenue services from single window to the citizens. Fard Kendras have been set up to ensure clean, transparent and efficient services to the people on one hand and save the citizens from undue harassment caused due to inordinate delay by the earlier procedure followed by the revenue officials.

2. METHODOLOGY

The approach adopted during the course of research focused on objectives which have been mentioned as under:-

1. To know the level of awareness of the Right to Service act to a common man;
2. To know the level of satisfaction and difficulties faced by the stakeholders in getting the services through Suwidha, Saanjh and Fard Centers.
3. To know the impact and quality of functioning of the Right to Service Act in Punjab;
4. To know the perception of the associated people in implementing the Right to Service Act; and
5. To suggest remedial measures for better implementation of RTS Act

2.1 Selection of Districts

In order to decide the districts to be surveyed for this study, Punjab population figure 2011 was obtained through internet. Additionally, District wise MIS report for the month of January 2013 was obtained from Punjab Governance Reforms Commission to know the number of service request received during January 2013.

Request per 1000 population was calculated by dividing total population (district wise) by the number of requests for RTS application (district wise). Ajitgarh (SAS Nagar, Mohali) received maximum number of request per 1000 of population

(51.52 per thousand) and Kapurthala received the minimum requests for Right to Service i.e. 13.71 per thousand of population. These two Districts were selected for survey on the basis of maximum and minimum request for RTS application.

As per rankings, Jalandhar was placed at S.No.11 with 26.09 requests per thousand and Mukhtar Sahib at S.No. 12 with 25.00 requests per thousand. It was proposed to survey Mukhtar Sahib as it is a rural district. By this methodology representative districts both from rural and urban areas were selected.

2.2 Sample Size

Three questionnaires were developed i.e. for Beneficiaries, Service Providers and Non-Beneficiaries. The beneficiaries, non-beneficiaries and service providers were surveyed from the three different centers where services are being provided through Suwidha Kendra, Saanjh Kendra and Fard Kendra.

The sample was selected on the basis of the following:

2.2.1 Beneficiaries: Total 2155 beneficiaries were interviewed from three districts i.e. Ajitgarh, Mukhtar Sahib & Kapurthala. In each district information was collected from the beneficiaries who visited Suwidha Centre, Farad and Saanjh Kendra in each district. The details of beneficiaries interviewed in each districts is as follows: Ajitgarh (SAS Nagar, Mohali):1266;Mukhtar: 594;Kapurthala: 295. The sample has been drawn on the basis of 0.4% of the total beneficiaries. Beneficiaries are randomly selected from the three Kendras (Suwidha, Saanjh and Fard).

2.2.2 Non-Beneficiaries: On the basis of random sampling, a total number of 558 Non-beneficiaries were studied i.e. 347 from Ajitgarh, 123 from Mukhtar Shaib and 88 from Kapurthala.

2.2.3 Service Provider Desks: Total 80 service Providers were studied from all the three centers (Suwidha Centre, Fard, Saanjh Kendra) and from all the three districts. Sample size was 21 from District Ajitgarh, 30 from Mukhtar Sahib and 29 from Kapurthala. In Mohali, 432 beneficiaries were surveyed at Suwidha Kendra, 431 were surveyed at Saanjh Kendra and 35 people at Fard Kendra. A total of 21 service providers were included in the survey. Rest 347 non-beneficiaries were also surveyed on various aspects of the Act.

In Mukhtar Sahib, 268 beneficiaries were surveyed at Suwidha Kendra, 95 at Saanjh Kendra and 78 at Fard kendra. 30 service providers were included in the survey. Rest 123 belonged to the non-beneficiary category.

In Kapurthala, the number of beneficiaries surveyed at Suwidha kendra was 142, 19 at Saanjh Kendra and 17 at Fard Kendra. From all the respective kendras a total of 29 service providers were included in the survey. Rest 88 people belonged to the non-beneficiary category

2.3 Data collection

The required data for the project was collected through primary and secondary sources. Personal interviews through

structured questionnaire & observations were done to collect information from the respondents. Separate interview schedule were designed for beneficiaries, non-beneficiaries and service providers.

A team of field investigators was selected and properly trained. They visited the Suwidha, Saanjh and Fard kendras of the respective districts. The questions were explained to beneficiaries and non-beneficiaries and their responses were recorded. Mostly the questions were designed to cover various aspects like awareness variables, what problems are they facing in getting the services in time, behavior of the staff, whether they are satisfied with the services, whether they made an appeal on the delay of delivery of services etc.

Service providers were asked various questions on whether they were aware of the Act and its various provisions, do they require any training in dealing with the cases dealing with RTS. They were also asked about services which are mostly demanded and number of people visiting their window etc.

Secondary data for 22 districts of Punjab was also collected from Punjab Right to Service Commission on several issues ranging from number of appeals filed to the appellate authority to steps taken by RTS commission for spreading awareness amongst people.

3. CRITICAL ANALYSIS OF DELIVERY OF SERVICES

3.1 Awareness and cost related: At Suwidha Centers, beneficiaries in all the three districts were asked whether the display boards indicated time and cost of service provision. 56% (80 out of 142) in Kapurthala, 27% (113 out of 432) in Mohali and 25% (69 out of 268) in Muktsar sahib gave a positive response and said that display board clearly indicated time and cost of services. 42% (62 out of 142), 69% (300 out of 432) and 74% (197 out of 268) respectively from the three districts didn't give any response. Also a question was asked if the cost of service availed was reasonable, 88% in Kapurthala, 89% in Mohali and 94% in Muktsar Sahib agreed that service provided was reasonable. This data point suggests that citizens are ready to pay a cost for the service as long as they are guaranteed the timely delivery of the same.

Additionally, Saanjh centre analysis indicated that 26% (5 out of 14), 57% (246 out of 432) and 100% (all 95) across three districts respectively found display boards helpful. Moreover, almost all beneficiaries believe that the cost of services availed is reasonable enough 100% in Kapurthala, 94% in Mohali and 99% in Muktsar Sahib.

The numbers are quite low for the beneficiaries at Fard Kendra where only 29% (5 out of 12) in Kapurthala and 49% (17 out of 35) in Mohali found the display boards helpful in indicating the time and cost of services, however, almost all beneficiaries in Muktsar Sahib found them to be of good help.

76% beneficiaries in Kapurthala feel that cost of services is reasonable and maximum number in Mohali and Muktsar Sahib (97% and 91% respectively) also feel the same.

It either shows that the display boards are not placed at strategic position or at the entrance gate. Also, the main services and costs are not highlighted properly to catch their attention.

3.2 Timeliness of provision of services:

Beneficiaries at Suwidha Kendra were asked that how much time they had to spend to submit their application, about 31% (46 out of 142) in Kapurthala claimed it was done within 15 minutes while, 39% claimed it took them more than 30 minutes. In Muktsar Sahib 44% (118 out of 268) said their application got submitted within 15 minutes while 25% said to have spent more than 30 minutes. While, the service provision is quit fast at Mohali where 69% (300 out of 432) beneficiaries said they had to spend only 15 minutes to submit their applications.

At Saanjh Kendras, Kapurthala 74% (14 out of 19) beneficiaries said they had to wait at least 15-30 minutes to submit their applications. While 65% (407 out of 431) in Mohali and 96% (94 out of 95) in Muktsar Sahib got timely submission of their forms that is, within 15 minutes.

However, the case is quite opposite at the Fard Kendra, Muktsar Sahib where only 51% (48 out of 95) of beneficiaries could get their applications submitted within 15 minutes, 43% had to wait for 30 minutes and more. At Mohali, efficiency is to be admired, for 89% (31 out of 35) people got their forms submitted within 15 minutes, while at Kapurthala either due to shortage of staff or due to slow technicality only 18% (3 out of 17) people got their applications submitted within 15 minutes rest had to wait for more than 30 minutes, some even claimed that wait to be for 10 days or more. The disarray needs to be looked into.

3.3 Demand for bribe and favour: 99% (141 out of 142) in Kapurthala, 99% (431 out of 432) in Mohali and 86% (230 out of 268) in Muktsar Sahib replied that no one asked for favor/bribe for providing the services in time.

At Saanjh Kendra, 100% beneficiaries both in Kapurthala and Muktsar Sahib said that no one asked for a bribe or favor for providing the services in time. 98% (424 out of 431) in Mohali claimed the same.

The analysis shows that 100% beneficiaries both in Kapurthala and Mohali said that they were not asked for any favor/bribe for providing the services in time. Similarly in Muktsar Sahib 97% claimed the same.

This shows efficiency of the service providers across the districts and whatever meager percentages of people were asked for bribe were checked by the provisions of the Act.

3.4 Satisfaction with services provided: Analysis indicates that 82% (113 out of 142) beneficiaries in Kapurthala, 98% (422 out of 432) in Mohali and 90% (387 out of 432) found Suwidha Kendra waiting area comfortable. Also 72% (100 out of 142) in Kapurthala were satisfied with the services

availed. 90% (387 out of 431) in Mohali and 88% (235 out of 268) in Muktsar Sahib were satisfied with the services availed.

Keeping in trend with the entire research, beneficiaries at Fard Kendra didn't find waiting area comfortable, only 67% (10 out of 17) in Kapurthala said that it is comfortable. In Mohali 97% (34 out of 35) people gave positive response that the waiting area was comfortable. 81% in Muktsar Sahib claimed the same. A similar agreement can be seen over the satisfaction with the services, where 82% (14 out of 17) people in Kapurthala were satisfied with the services while, almost all beneficiaries at Mohali and Muktsar Sahib were satisfied with the services availed.

3.5 Behaviour of staff : According to the survey beneficiaries seemed quite satisfied with the behavior of the staff as 89% (126 out of 142) in Kapurthala and 97% (417 out of 432) in Mohali and 92% (246 out of 268) in Muktsar Sahib said that the staff interacted with them politely. Moreover, 92% (131), 94% (406) and 90% (242) beneficiaries across three districts respectively believed that staff was properly trained. Looking at the data from Saanjh Kendra almost all beneficiaries surveyed were content with the way staff behaved both in terms of their politeness and the competence. The staff was properly trained to provide the services.

At Fard Kendra the numbers remain significantly satisfactory as 94% (14 out of 17) in Kapurthala and 97% (34 out of 35) in Mohali and 100% (all 78) in Muktsar Sahib agreed to the polite behavior of the service providers. Also, most of them 82%, 91% and 92% in the three districts respectively seemed convinced that the staff was properly trained. In Kapurthala, 18% beneficiaries indicated that the staff was not properly trained.

In order to enhance the capacity of staff at Kapurthala, training should be imparted in order to make them staff competent to discharge their duties efficiently and effectively.

3.6 Compensation and appeal : Beneficiaries at Suvidha Kendras were asked if they knew that they can appeal in case services are not delivered in stipulated time limit and also if they knew about the provision pertaining to compensation in that case.

The numbers were quite disappointing as only 16% (23 out of 142), 18% (76 out of 432) and 22% (59 out of 268) beneficiaries in Kapurthala, Mohali and Muktsar Sahib respectively claimed to know about the provision regarding compensation and 20% (29 out of 142), 34% (144 out of 432) and 28% (74 out of 268) claimed to know about the right to appeal. RTS must emphasize more on awareness generation campaign to strengthen the service delivery mechanization.

At Saanjh Kendra, no one in Kapurthala knew about the compensation provision under the Act. Both in Mohali and Muktsar Sahib laudable number of beneficiaries, 78% (338 out of 431 in Mohali and 74 out of 95) were aware about the compensation provision of the Act. Also in Mohali only 36% (156 out of 431) people were aware of the right to appeal,

84% (80 out of 95) in Muktsar Sahib gave positive response and said they were aware of the provision related to making appeal in case of delay of services. Only 11% (2 out of 19) in Kapurthala knew about the fact that they can appeal in case of non-delivery of services within stipulated time limit.

Looking at Fard Kendra both in Kapurthala and Muktsar Sahib 18% (4 out of 17 in Kapurthala and 14 out of 78 in Muktsar Sahib) beneficiaries were aware about the compensation provision while, in Mohali 37% (13 out of 35) beneficiaries were aware of it. In Kapurthala, 58% (11 beneficiaries) and in Mohali 63% (22 out of 35) beneficiaries were aware of the right to appeal. Only 14% (11 out of 78) in Muktsar Sahib said they knew about the right to appeal in case of delay in delivery of services.

The numbers are quite confusing however a great deal of people in Mohali and Muktsar Sahib at Saanjh Kendra claim to know about the provisions but beneficiaries of Muktsar Sahib at Fard Kendra seems less aware about the provisions. We cannot comment on such disarray. Such discrepancies might have risen due small sample we collected.

3.7 Improvements after enactment of the Act : 77% (109 out of 142) Suvidha Kendras beneficiaries in Kapurthala, 85% (368 out of 432) in Mohali and 80% (214 out of 268) in Muktsar Sahib believed that the working of departments has improved after the enactment of the Act.

74% in Kapurthala (14 out of 19), 88% (375 out of 431) in Mohali and 100% (all 95) in Muktsar Sahib felt that working of the departments has improved after the enactment of the Act.

Beneficiaries at Fard Kendras had a positive perspective about the Act and believed that working of the departments has improved a lot after the enactment of the Act. At Fard Kendra 76% in Kapurthala, 97% in Mohali district and 100% in Muktsar Sahib surveyed agreed that the working has improved.

To know the perception of the service providers regarding the Right to Service Act, a total of 80 service providers were included in the survey from the three districts of Kapurthala, Mohali and Muktsar Sahib. A questionnaire was designed to get information from the service providers regarding service provision at Suvidha, Saanjh and Fard Kendras

3.8 Provision pertaining to compensation to applicant:

Service providers were asked if they knew of the provision pertaining to compensation of the applicant in case of non-delivery of services within stipulated time limit.

At Suvidha Kendra, 76% (13 out of 17) of them in Kapurthala were aware of the provision, while 89% (8 out of 9) and 85% (11 out of 13) in Mohali and Muktsar Sahib respectively, were aware of it. Surprisingly, at Saanjh Kendra almost all the service providers claimed to know about the provision pertaining to compensation to the applicant in case of non-delivery of services within the notified time limit.

At Fard Kendra 89% (8 out of 9) in Kapurthala and 86% (6 out of 7) in Mohali were aware of the provision pertaining to compensation to the applicant in case of delay in service provision, while all 10 service providers surveyed in Muktsar sahib knew about it.

3.9 Mode of entry of receipt of applications:

At Suwidha Kendra, 76% (13 out of 17) service providers in Kapurthala used electronic mode of entry while 12% of them said they used both modes i.e. electronic and manual. In Mohali almost all the entries were made using electronic mode. In Muktsar Sahib 77% (9 out of 13) of the entries were done both electronically and manually. While 15% said they made entries using computers only.

At Fard Kendra however, in Muktsar Sahib all entries were made manually. It was completely opposite in Kapurthala where every entry is made electronically. In Mohali 86% service providers use both the modes of making the entry.

This clearly shows that there is a lot of room for improvement as far as computerization of back end infrastructure is concerned at these centers.

3.10 Training for employees:

Service providers were asked if they needed training in dealing with RTS cases.

Most of them at Suwidha Kendra, 53% (9 out of 17) in Kapurthala 89% (8 out of 9) in Mohali felt the training was necessary while majority in Muktsar sahib 54% (7 out of 13) said they did not need any training whereas 38% said felt the need of training.

Similar was the case at Saanjh Kendra where majority were in favor of training 100% in Kapurthala, 60% in Mohali and 71% in Muktsar sahib. While, 40% in Mohali and 29% in Mukstar Sahib said they did not need training.

Case was opposite at Fard Kendra where none of the service providers neither in Kapurthala nor in Muktsar Sahib felt the need for training. However, in Mohali around 86% (6 out of 7) of the service providers felt the need of training in dealing with RTS cases.

As majority of the interviewee felt the need for training, the government must organize training camps or seminars for them to ensure that the work is done efficiently, plus it will also fill whatever little percentage of gap is there in awareness regarding various provisions of the Act

4. CONCLUSIONS AND RECOMMENDATIONS

From the analysis of the data we have concluded that Right to Service Act is a very good initiative by the Government of Punjab by which it has tried to deliver the notified services within stipulated time period. The study is clearly indicative of the impact of this Act. The Act aims to bolster the faith of people in government and its employees. Generally people and the service providers have a positive perspective about the Act and its aim of making the services accessible up to the grass root level. With speedy delivery of the services the Act

has been successful in saving both time and money and thereby making the mechanism efficient

But at the same time, implementation of RTS Act suffers from several shortcomings. From the study it came out that very few people were aware about RTS Act and its provisions (ranging from 20% to 30%). This is because RTS is not given proper publicity among the common man. Also, Most of the applicants are not aware about the display board indicating time and cost of the services.

As a part of this research we have also provided a list of recommendations to make the implementation of RTS more effective.

First 10 recommendations relate to processes followed in the Suwidha Centre, Saanjh Kendra and Fard Kendra in delivering the services and recommendation number 11 relates to awareness variables.

1. Uniformity in providing services to the people will have to be ensured through Suwidha Centres across the State. All 69 services notified under Right to Service Act should be provided through Suwidha Centre, Saanjh Kendre and Fard Kendre. Departments should not provide any notified services. It will help the people in having services at one stop shop.

2. First Appellate Authority should be empowered to impose fine upto some limit in case of deficient/delay in providing services to the people. The limit of fine may be decided by the Chairman of Right to Service Commission. In the alternative, Ombudsman should be notified in all the districts to provide services at the door steps of the stakeholders.

3. Contact numbers of First Appellate Authority, Second Appellate Authority, Chairman, Member and Secretary of RTS should be displayed at Suwidha Centre, Fard Kendre and Saanjh Kendre for the benefit of the people, so that people can approach the authorities to make complaints.

4. There is uncertainty amongst the staff working in Suwidha Centre, Saanjh Kendre and Fard Kendre, about their continuation of jobs in the centres. The pay and perks of the staff working in the service providing centres be equated with their counterparts in Government in order to retain them.

5. Information and Communication Technology based tools must be employed as they will bring about greater transparency, accountability and efficiency and also help in identifying defaulting officials.

6. More trained and skillful staff should be employed that will help in reducing the excess burden on the existing staff and thereby help in timely delivery of services.

7. Display boards indicating cost of services and time required to provide the services must be placed at entrance in both English and Punjabi language in large font.

8. One staff person should be deployed to assist the beneficiaries in filling up the form at nominal rates.

9. Token system should be used to help the beneficiaries in order to avoid congestion at the centre.

10. SMS system should be started whereby applicants can know the status of their application just by sending in their application number.

11. The Government must aim at efficiently creating awareness regarding the Act and its provisions to the common man so that they can be benefitted from it. Print and electronic media must be used for this purpose. Seminars and street plays can be conducted to increase awareness. Moreover, banners must be put up at strategic locations in the districts to aware the people about RTS

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