RAKSHAK FOUNDATION

Accountability Mechanisms in Governance and their impact on Civil Servants

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PREFACE

I am M Jaya Bharath Reddy. I am a 4th year Chemistry student, pursuing my Integrated M.Sc. degree from Indian Institute of Technology, Kharagpur.

This report is the result of my work as an intern in the summer internship program of Rakshak Foundation, 2014. The main goal of this project is to study various accountability mechanisms in governance and their impact on the decision-making process of civil servants. This could address various issues like risk averseness and policy paralysis, which have been plaguing our bureaucracy in the recent times. The scope of the project includes accountability mechanisms, performance management systems, analysis of the co-existence between the aforementioned and existence of an equilibrium between accountability and flexibility.

This report was preceded by eight weeks of project related work. The kind of work done over eight weeks includes literature research, field visits, interviews, and surveys.

This internship program was very unique and rigorous that it made me think about the problem at hand and work towards finding an effective solution to tackle it in an efficient way. Though there are problems of varied categories in India, most of them shouting at out face and demanding an immediate solution, this issue is also of no less importance. There is a demand for more attention towards this issue because people are ignorant about the possibility of this issue. Therefore, this demands a deep and extensive knowledge about this situation.

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Acknowledgements

Foremost, I would like to thank Rakshak Foundation for giving me such a great opportunity to work on public policy issues, under the guidance of an eminent IAS officer.

I also take this opportunity to express my heartfelt thanks to my mentor, Shri Devesh Chaturvedi. It was very kind of him to accept me as his mentee in spite of his busy schedule and various commitments. His guidance has been very valuable and the project wouldn't have gone forward without him.

Though I have met various people during my field visits, each of whom has contributed a lot towards this report, I would like to give a special note of thanks to two specific personalities. Shri V. Channa, Retd. IAS, and Shri R Ramani, Retd. IAS, have given inputs which have largely helped shape the report.

Finally, I would like to put forth a special note of thanks to the internship coordinators and my fellow interns. They have been very supportive and helpful.

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List of Abbreviations

ACR	Annual Confidential Report
ARC	Administrative Reforms Commission
CAG	Comptroller and Auditor General
CBI	Central Bureau of Investigation
CCI	Cabinet Committee on Investment
CIC	Central Information Commission
CVC	Central Vigilance Commission
DSPEA	Delhi Special Police Establishment Act
EPW	Economic and Political Weekly
GOI	Government of India
IAS	Indian Administrative Service
IFS	Indian Foreign Services
IIT	Indian Institute of Technology
IIM (A)	Indian Institute of Management - Ahmedabad
INR	Indian National Rupee
NIPFP	National Institute of Public Finance and Policy
PA	Performance Appraisal
POCA	Prevention of Corruption Act
PRI	Performance Related Incentives
RTI	Right to Information
UP	Uttar Pradesh
UPID	Uttar Pradesh Irrigation Department
UPSC	Union Public Service Commission

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Executive Summary

This report deals with the impact caused due to various accountability mechanisms in governance, and suggests methods – in the form of a non-uniform top-down accountability emphasis and real-time accountability over post-mortem basis to address these impacts. It also gives an account of the various mechanisms in place and discusses the merits and demerits of some of the important ones.

This report has been divided into several chapters, each consisting of sections and subsections for the readers' perusal. The first chapter is an introduction to the issue at hand, and provides the reader with background information of the issue and the current status of the same. The second chapter clearly elaborates the research methodology employed – literature research, surveys, field visits and mentor meetings. The field visit that had been undertaken to Lucknow proved to be very valuable, both in terms of quantity and quality. The third chapter talks about various efforts being made by the government to deal this issue of policy paralysis that has been plaguing the bureaucracy. The fourth displays the findings from the literature research, results from the survey which were analysed using the z statistic test, and the qualitative findings from the interviews that took place during the field visits. The fifth chapter discusses the recommendations and their scope. This project is heavily subjective in nature, and hence the recommendations were arrived upon on the basis of inputs from senior officers and the logical reasoning behind those inputs. These recommendations do not have a strategy for implementation, but they are put forth in such a way that they address the issue at hand. The sixth chapter discusses the scope for future work, which is minimal in nature. The seventh chapter concludes the report. The eight chapter cites all the references and sources of data used in the report. The report ends with an appendix of tables and figures that have not been used in the main body.

Throughout the report, the major focus is on the trade-off between accountability and efficiency. The LK Jha Commission famously concluded: "What we have in our system is essentially accountability for error and wrong doing and not for non-achievement or inefficiency." Though this was way back in 1982, this still applies for the state our bureaucracy is in today. The major issue for the same is the fact that not enough emphasis is put on results. Most of the emphasis is on adherence to procedures and personal conduct. This has led to a state of paralysis in the bureaucracy. Civil servants are no longer ready to take risks with bona fide. There

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has been so much delay in the approvals of projects, especially private sector that a Cabinet Committee on Investment (CCI) had to be set up to clear large stalled projects. The CCI cleared over 90 projects worth over 51$ billion dollars.

Setting up a CCI every time projects have to be cleared cannot be the solution. The purpose of the survey designed in this project is to find the extent of issue at hand. The key findings on the basis of analysis of the survey are as follows.

Key Findings:

- The mechanisms currently in place for ensuring the accountability of civil servants working in the Government of India are appropriate. They are neither excessive nor inadequate in nature.
- The multiplicity of accountability mechanisms in government does not have an adverse impact on the functioning of the civil servant.
- In general, civil servants consider adherence to procedures and processes more important than delivering performance in terms of expected outputs or outcomes. This would act as a shield for them as there only exists accountability for error or wrong-doing.
- Effective implementation of the Lokpal would not lead on to attribute a tendency of risk aversion among civil servants. But at the same time, it must include provisions that contribute towards the protection of a civil servant against penalization for their bona fide acts.

On the basis of the above findings, some recommendations have been made. It is to be noted that they are very subjective in nature, taking into account the kind of problem being dealt with. The recommendations are encapsulated below.

The uniform method of method of enforcing accountability from top to bottom should not be followed. The cutting edge level has a fixed set of procedures and regulations for almost every single task. There is no need to differ from the established procedures. Also, at this level, performance can be gauged on the basis of adherence to procedures. The other important point is that this level is the interface between the bureaucracy and the society. They are the ones who are involved in interaction with the common people at all time. So it is very important that they maintain a high amount of accountability towards personal conduct.

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The same reasoning applies to the middle level. The only difference is that there should be extra emphasis on the adherence to procedures so that it trickles down.

Now, at the policy-making level, it is absurd to take away the degree of flexibility. Innovation and improvisation is a very important skill at this stage. And skills become sharp only when they are nurtured over a period of time. This is one reason as to why there must be a slight emphasis on performance-oriented accountability right from the lower levels. This would give time for the skill to inculcate itself into the bureaucrat. By applying a strict adherence to procedures, the skill would slowly decay. So, heavy emphasis must be laid on result-oriented mechanisms.

The other recommendation in this report aims at providing provisions of the Lokpal and Lokayuktas Act of 2014. The provisions include an emphasis on the need for scrutiny on the basis of Performance-oriented accountability mechanisms, the need to attempt to establish the intent of mind before booking a bureaucrat in a graft case, and the need for this body to function on a real-time basis as opposed to a post-mortem basis.

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Proposed Action Points

By the Government officials at various levels;

- The cutting edge level should be made more accountable towards procedures and personal conduct.
- The middle level should be made highly accountable towards procedures.
- The policy making level should be made more accountable towards Performance-oriented accountability measures and there must be emphasis on a certain amount of flexibility and discretion.

By the Government through legislation;

- The scrutiny must be done on the basis of Performance-oriented accountability measures.
- There must be attempts made to establish *mens rea*, because it is important to establish the mal fide intent of the mind before prosecution as per the POCA. This aims at protecting the honest bureaucrat.
- The Lokpal must operate more on a real-time basis than on a post-mortem basis. This would tackle both the issues, namely penalizing the wrong-doer and not compromising on efficiency.

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1. Introduction

1.1 Background Information

The civil services are the backbone of the administrative system in India. They are the key players in the domain of public policy. The members of the civil services system are exemplified by their characteristics of absolute integrity, patriotism and devotion to duty. It is the most respected profession in the country. Of this, there is little doubt. But the most respected services in the country are going through a dark phase. A series of scams and controversies, some of them being the 2G scam and the Coalgate scam, have brought about a lot of criticism and ill-fame towards the bureaucracy as a whole.

Other than this, the perception developed towards the bureaucracy because of media, films and other medium is largely on the negative side. All these factors combined have led to imposition of an increased number of accountability and transparency measures on the bureaucracy. Accountability and bureaucracy are probably the most important cornerstones of good governance. Of this, there is little doubt or debate. Efficient accountability measures and proper transparency initiatives are the essence of establishing a system of checks and balances in governance. Such a system is of paramount importance for the smooth and continuous functioning of the government.

Focussing specifically on the executive arm of the government, plenty of legal frameworks have been established to create a system of checks and balances, right from 1947. Actually, much before that, during the time of the British rule, there were already systems of regulations and pointers for the functioning of civil servants. According to the report of the Public Service Commission, 1887-87, officers serving in the Indian Foreign Services were to inculcate skills related to public relations with the help of special training based on special aptitudes[1]. Though we would all point out that this skill is necessary for all officers in the current scenario, this need wasn't felt in those days.

Anyways, let us put our focus on the legal frameworks established after 1947. Majority of these legal frameworks were designed with the aim of tackling

[1] The Public Service Commission. *Report of the Public Service Commission, 1886-87.*

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corruption among Public Servants. Some of the major ones are encapsulated below.

- *The Prevention of Corruption Act, 1947*: This Act did not bring about any major changes to the framework already existing in the Indian Penal Code. Sections 161 to 165 of the Code already enabled prosecution against a corrupt public servant. One of the major changes that were brought about was in regard with the harassment of honest officers. From the 4th report of the 2nd Administrative Reforms Commission, I quote: "In order to prevent harassment to honest officers, it was mandated that no court shall take cognizance offences punishable under Sections 161, 164 and 165 without the permission of the authority competent to remove the charged public servant[2]". I wanted to draw attention to this point because of its importance with context to my project. This Act considered the protection of the honest officer as an important agenda.

- *The Criminal Law (Amendment) Act, 1952*: This brought about some changes in regard with corruption. A new section was also inserted in the IPC, Section 165A, which made the abetting of offences defined in Sections 161 and 165 of the IPC, an offence. It was also mentioned that all corruption related offences will only be tried by special judges. As such, this Amendment did not hamper with any of the protection mechanisms.

- *The Santhanam Committee, 1964*: Highly intensive amendments were made in the anti-corruption laws in the year of 1964. The very definition of 'Public Servant' was expanded. Section 4 of The Prevention of Corruption Act was extended to include offences defined under Sections 5(1) and 5(2)[3]. Section 5(A) was also amended to empower the State Governments to authorize officers of the rank of Inspectors of Police to investigate cases under the Act. All the above were on the basis of recommendations made by the Santhanam Committee.

- *The Prevention of Corruption Act, 1988*: Not only does this Act consolidate the provisions of all the previous acts and amendments, it also creates new provisions with the intent of setting up an effective anti-corruption culture among civil servants.

Before we move on to the next section of the report, it would be utilitarian to discuss the general classifications of accountability mechanisms. We can categorize

[2] Second Administrative Reforms Commission. *Ethics in Governance, January 2007.*
[3] *Ibid*

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accountability on various dimensions, like political versus legal accountability. One of the specific divisions that need be highlighted is the categorization of Horizontal Accountability vs. Vertical Accountability. Horizontal accountability mechanisms refer to all the constitutional and statutory bodies in India. Some examples are the office of the Comptroller & Auditor General, the Central Bureau of Investigation, and the Central Vigilance Commission. Alternatively, vertical accountability is the mechanism through which the civil society and the mass media enforce standards of good performance on officials. Some examples are the RTI Act, media, watchdog bodies, and elections.

Figure 1(Horizontal vs. Vertical Accountability, Source: Fourth Report of the Second ARC)

Outside the State (Vertical)	
• To the people through elections • Through RTI Act to citizens	High effectiveness
• Citizens'oversight committees • Civil society/watchdog bodies • Media	Low effectiveness
• Service delivery surveys • Citizens' charters	Low to medium effectiveness
Within the State (Horizontal)	
External (Outside the Executive)	• Parliament • Judiciary • Lokayukta • CAG • CVC
Internal (Within the Executive)	• Superior officers 1. Rewards/punishments 2. Disciplinary procedures 3. Performance Management System • CBI/police/vigilance • Internal Audit • Grievance Redressal Mechanisms

If there ever raises a debate about which category of accountability mechanisms are more effective, horizontal or vertical, it can only be concluded that each has its own function and amount of effectiveness. Now that a brief idea has been presented about various accountability mechanisms in governance, let us examine their direct effects on civil servants and their indirect impacts on the society.

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1.2 Main Problems, their scope and impact on the society

They say that necessity is the mother of all inventions. The reason for so many accountability mechanisms to have been established is the need for them. The civil society has always been clamouring for an increase in accountability mechanisms, both quantitatively and qualitatively, and will always continue to do so. But what one does not realize is that there is also a downside to mounting on a pile of accountability mechanisms as we please. It has an adverse effect on the flexibility in the decision-making process of a bureaucrat. It leads to risk averseness among civil servants as they start thinking that every decision that they make will be criticized on hindsight.

Let me try to elaborate the issue with the help of an example. Let us say that there is a person 'A' who is employed in a profession 'X'. Now, if 'X' is such a profession that it already has specified set of rules and procedures to be followed so as to achieve a desired target or goal. Since there are a specified set of rules and procedures in place, it is easy to hold 'A' accountable on the basis of any deviation or variance from the pre-defined set of rules or procedures. But, if 'X' was such a profession where there cannot exist a specified set of rules or procedures because of the nature of the challenges faced in that particular profession. They might involve day to day problems or crisis-management. Such problems are never of similar kind but are like the infinite variations of a symphony. What might work with one problem might only make the other worse. Such problems have to be dealt with in a flexible and an innovative manner. But this initiative leads to divergence from regular or widely accepted methods. But just because it is different does not mean that it is wrong. Therefore, accountability mechanisms should be tailor-made. We cannot have a straight-jacketed top-down approach.

Shailaja Chandra, a former Secretary to the Government of India, observes that most of the complaints against civil servants are a result of the decisions that they make regarding the governance strategies adopted. Let us try to understand the implications of this. This phenomenon has the potential to create a tendency among civil servants to play it safe. No major decisions would be taken. Every minor detail would be mulled over, but not necessarily for a better result. This phenomenon has been rightly dubbed as *policy paralysis*. Policy paralysis is a relevant and pressing issue because as much as we want to avoid corruption, we

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also do not want to end up with administrative lethargy. This acts as a severe deterrent to the progress in our country.

One of the most adversely affected areas due to policy paralysis is the public-private partnership. Even slight delays in the decision-making process are heavily reflected in the confidence factor exhibited by investors. Some examples for projects that were delayed are the Mumbai Port Container Terminal initiative and the Tilaiya ultra mega power project in Jharkhand. Finally, a CCI had to be established to clear the projects. It is both time-consuming and inefficient. Also, this cannot be a permanent solution.

Though it may seem like a good thing that project approvals and policy decisions are made after much consideration and deliberation, unbiased research must be carried to find out how far the merits go. Is policy paralysis an unplaced fear, or is it a valid issue that has been plaguing the bureaucracy of our country? India's bureaucracy needs disincentives to curb corruption, but it also needs incentives for objective and quick decision-making[4].

1.3 Goals and Objectives

The overall objective of this project is not a straightforward one. It is possible that the entire hypothesis behind this project might be wrong. The fact as to whether policy paralysis is really an issue or it is just an unfounded fear can be established by the means of a survey. So, with the survey being the centre point, the project could fork into two different directions. A crisp idea about the goals and objectives of the project undertaken is as follows:

- To research and identify the various accountability mechanisms existing in governance.
- To break down the various accountability mechanisms into three categories: towards due procedures, towards personal conduct, and towards results.
- To identify the various bodies, commissions, or independent authorities responsible for enforcing each separate category of accountability mechanisms.

[4] Siddharth Singh. *The First Task for Modi: Giving Bureaucracy the Freedom to Act.* Fair Observer, June 9th 2014

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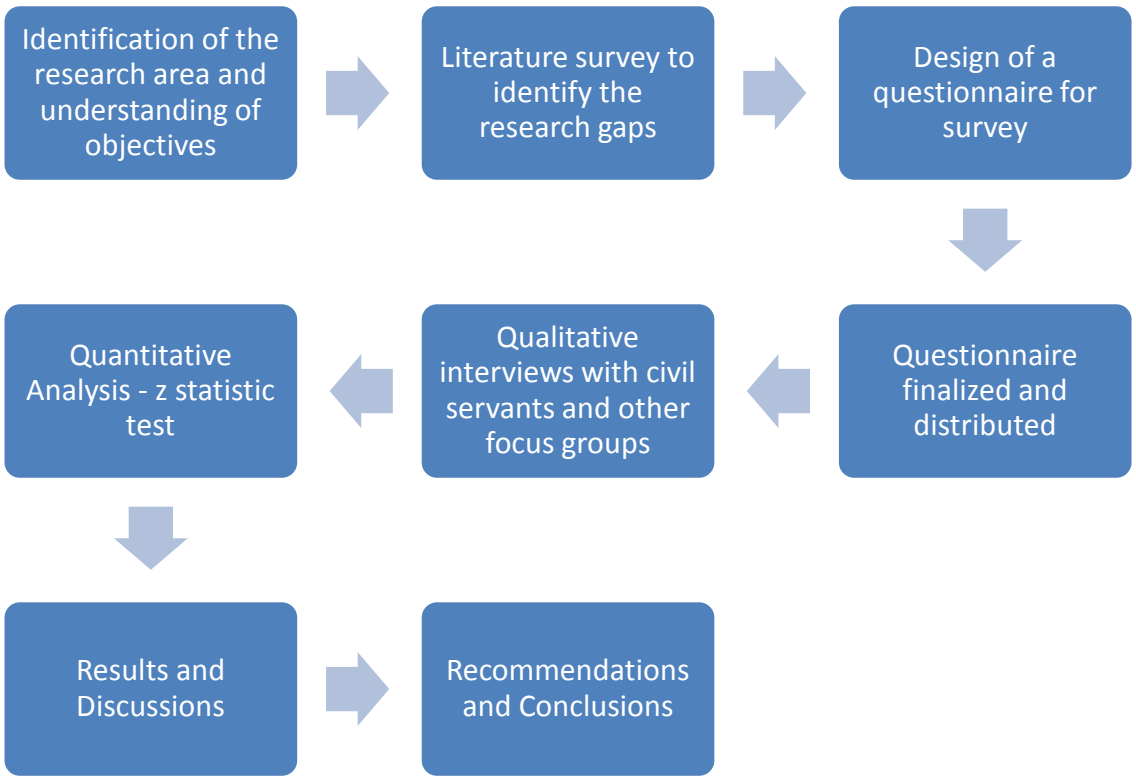
- To try to understand the various protective measures that are in place, so as to protect honest civil servants from unwarranted harassment and frivolous issues.
- To conduct a desktop research on the historical impact of the above mechanisms in the working of civil servants. To also find out secondary data, if available, through this research.
- To prepare a questionnaire with the aim of obtaining the opinions of civil servants of junior, mid and senior levels working in critical policy making and implementation levels.
- To meet aspiring and retired civil servants for their opinions on the same.
- To have the survey filled up by members of the civil service and the civil society. Through the quantitative analysis of the results of the survey, using the SPSS software, a conclusion would be reached regarding the hypothesis.
- Use the qualitative inputs from the civil servants and civil society to illustrate the quantitative inputs.
- If the hypothesis is proved to be correct, then work would be done to in regard to the accountability mechanisms. If the hypothesis comes out to be negative, then work would be done in regard with the protection mechanisms.
- To try to achieve accountability in the system, without compromising on the efficiency or leading to policy paralysis.

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2. Methodology

The research methodology adopted in the approach towards the project is a straight-forward one. The meetings with the mentor made the scope of the project clear and gave a structure to the entire work that took place in the eight weeks. Field visits yielded various valuable inputs which were qualitative in nature. The survey which was undertaken for the members of the civil services and the civil society provided me with quantitative inputs and a way to test the hypothesis. The cohesion of the qualitative inputs with the quantitative analysis gave rise to an elaborate creation.

Figure 2 (Flowchart for Methodology adopted)



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2.1 Literature Search

The nature of my project is such that it involves a lot of literature research. There is an abundance of literature on this topic, and its related issues. So a major part of the methodology adopted by me, during this project, is an extensive amount of literature research. Many diverse areas have been covered by me during my literature research. The procedure followed during the literature research is one of parallel processing. Accountability mechanisms were studied in their entirety and at the same time the protective mechanisms in place to shield civil servants from frivolous cases or harassments were also studied, so that a criss-cross can be established. Also, a heavy emphasis was laid on the study of performance management systems. It is very important to understand if these performance management systems can be used to enforce accountability, but not by paying the heavy price of efficiency which leads to policy paralysis.

Some of the major works of literature that I have gone through are as follows:

- Fourth Report of the Second Administrative Reforms Commission
- Tenth Report of the Second Administrative Reforms Commission
- Performance – Related Incentives (PRI) in Government by IIM(A) for the Sixth Central Pay Commission
- Report of the Public Service Commission, 1886-87
- Report on Public Administration, 1953
- Report of the Committee on Prevention of Corruption (famously known as the Santhanam Committee)
- The Report of the Economic Administrative Reforms Commission (famously known as the LK Jha Committee)
- New Mechanisms for Public Accountability: The Indian Experience *by Samuel Paul*
- Performance Management in Government; an internal study by the Department of Administrative Reforms and Public Grievances

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- Various issues of 'Performance Matters', a quarterly newsletter by the Performance Management Division of Cabinet Secretariat
- Various articles from the Economic and Political Weekly
- Prevention of Corruption Act, 1988
- Right to Information Act, 2005
- The Lokpal and Lokayuktas Act, 2013
- Various articles from The Economic Times
- Various articles from The Hindu
- The Delhi Special Police Establishment Act, 1946
- Central Vigilance Commission Act, 2003
- Articles 148-151 of the Indian Constitution(CAG)
- Articles 309-311 of the Indian Constitution

The purpose of the literature research was to gain background knowledge about the issue at hand. The origin of the issue is the various mechanisms in place and the way they are misused for the frivolous harassment of the honest officer. So the purpose of the literature research was to locate the presence of any redundant mechanisms. Such mechanisms would only add to the clutter of the bureaucracy and hamper their efficiency. So they have to be dealt with.

2.2 Field Visits

The major role field visits played in my project was to reveal the problem of risk averseness plaguing the bureaucracy in general and issue of policy paralysis in particular. Field visits have been undertaken in the local surrounding areas and to Lucknow. Interaction with officials belonging to various levels of the organisational hierarchy took place in Lucknow. In Delhi, meetings were undertaken between members of the civil society who were working in the domain of public policy. So the field visits could be classified into two categories. Both had

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their own distinctive purpose. Meetings with the officers granted an insiders' perspective of the issue at hand. Meetings with people working in the domain of public policy granted a perspective of what the people on the outside think about the way things are dealt with in the bureaucracy.

2.3 Surveys

Personal experiences of civil servants is a major pivot on which this project is based upon. If it is found that the fears of a negative impact on civil servants are anything but unwarranted, then no specific recommendations are required to change the existing system of multiple accountability mechanisms. A survey of the civil society was also conducted as they are the other major stakeholders of this issue at hand. The members of the civil society will include aspiring civil servants and people working in the domain of public policy. These are the major focus groups. A copy of the survey undertaken can be found in the Appendix.

2.4 Meetings and Interviews

Apart from field visits and literature search, discussions with the mentor regarding the problems plaguing the bureaucracy were a major gain. Apart from the mentor meetings, discussions were held with several people – a majority of them being a part of the bureaucracy.

2.4.1 Mentor Meetings: A total of four personal meetings have taken place. Three of them were at UP Sadan, Delhi, and one was in Bapu Bhavan, Lucknow. The main points of discussion during these meetings were scope and purpose of the project, the existence of sources and the situation to deal this in.

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2.4.2 Field Visits:

The field visits were planned in such a way that there is an ever representation from the focus groups. This was while keeping the time available in mind. The distribution of the focus groups was thus – two from the civil society, two junior officers of the bureaucracy, two senior officers of the bureaucracy and two retired officers.

Table 1 (Abridged Version of Field Visit Discussions)

Date	Name	Designation	Institution	Topic of Discussion
29th June' 14	Ms. Vennela Gandikota	Program Manager	Pratham Education Foundation	Joint accountability in the system – bureaucrats and politicians
29th June' 14	Mr. Vutla Vamshidhar	Analyst	NIPFP	Perception of bureaucrats among the public
2nd July' 14	Shri Nitin Bansal, IAS	Special Secretary	UPID	Establishment of the intent of mind and the subjective nature of the ACRs
2nd July' 14	Shri Prakash Bindu, IAS	Special Secretary	Stamp and Registration, UP Gov.	The amount of discretion granted to civil servants and the role played by the media
2nd July' 14	Shri K. Rama Mohana Rao, IAS	Secretary	Social Welfare, UP Gov.	Existence of policy paralysis in the bureaucracy and the effectiveness of PRIs
2nd July' 14	Shri Mani Prasad Mishra	Special Secretary	Food and Civil Supplies, UP Gov.	Very high environment of risk averseness in the bureaucracy and the CBI as a political tool over the recent years
3rd July' 14	Shri Vivek N Channa	Retired IAS	-	Absence of the sense of idealism due to the change in the age limit over the years

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				and the attention surrounding the CAG reports
3rd July' 14	Shri R Ramani	Retired IAS	-	Rules of Business laid down for the Cabinet and the need for a real-time watchdog

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3. Current Government Efforts

The current Government of India recognizes the need for officials who can make decisions that are timely and that can answer the need of the hour. But for officials to be able to do so, they must be empowered. They must know it, as a matter of fact, that the decisions made in bona fide would not be scrutinized with the aim of harassing them or penalizing them at a later point of time. The following are some of the initiatives, or modifications of already existing mechanisms, that are being taken up by the GOI with the aim of tackling the menace of policy paralysis.

- There is one very important change that is being championed very heavily. There is a plan underway to amend the Prevention of Corruption Act, 1988, so as to shift the onus onto the investigating agencies that they have to prove that monetary benefits, or benefits of similar nature, have be supplied to the civil servant before he can be booked in a corruption case. This could be very important because it only offers protection to the honest officers. Officers actually involved in a corruption or graft case can still be booked but an honest officer cannot be harassed on a frivolous ground.

- There are also tactics being worked out so as to cope up with the quashing of Section 6A of the Delhi Special Police Establishment Act quite recently. Section 6-A had stated that no employee of the Central Government above the level of the Joint Secretary can be investigated by the Delhi Special Police Establishment, without prior permission/approval from the Central Government.

3.1 Ethics in Governance

The fourth report of the Second Administrative Reforms Commission tackles the issue of protecting the honest civil servants in a brilliant way. This report recognizes the need for ensuring accountability in the system, without compromising on managerial efficiency and effectiveness. Some of the recommendations laid out by the committee in this regard are discussed below.

- The committee recommends that case of corruption that has been received against a public servant must first be scrutinized with utmost care and concern before any move is actually made against the person concerned. The credibility of the allegation must be paid extra heed before any further decision or analysis is done. The allegation must not be on the basis of a hunch and must be verifiable. Only after all this must approval be sought from the competent authority to move the investigation further.

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- If the case is that of corruption or graft charges, indiscreet enquiries must be made initially on the basis of information provided by the complainant that is verifiable. The people involved with the investigation must be fully aware of the sensitivity of the case at hand. Until and unless the verifications or enquiries are found to yield sound results, they must be carried under an act of secrecy. If they are found to be baseless, then the matter must be immediately put to an end without breaking the act of secrecy.

- It must be utterly ensured by the supervising officers that only those prosecutions of public servants must be approved where the evidence is very strong and infallible.

- The analysis of the allegations must be done in an unbiased and just manner. Any bias on the part of the investigating officer might lead to a sub-standard evaluation and the honest civil servant will have to pay the price for the same.

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4. Results and Discussions

4.1 Findings from the literature

My analysis of literature related to accountability mechanisms became much more fruitful after my mentor, Shri Devesh Chaturvedi, provided me with a division of the accountability mechanisms on the basis of three categories:

i. Accountability for results
ii. Accountability for adherence to duly established rules and procedures
iii. Accountability for personal conduct of a public servant

The division of various mechanisms is as presented below. The mechanisms for ensuring accountability towards results include:

i. Performance Appraisal
ii. Performance Related Incentives(The study done by IIM(A) for the Sixth Central Pay Commission)
iii. Performance linked Career Progression

The mechanisms for ensuring accountability towards due procedures are:

i. Audit by CAG
ii. Central Vigilance Commission
iii. CBI established by the Delhi Special Police Establishment Act
iv. Media Scrutiny
v. Judicial Scrutiny
vi. Parliamentary Committees
vii. Central Information Commission with the Right to Information Act

The mechanisms for ensuring accountability towards personal conduct are:

i. CIC
ii. CVC
iii. CBI
iv. Grievance Redressal Mechanism

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My mentor, Shri Devesh Chaturvedi, notes that there is dominance in the realm of adherence to procedures or process oriented accountability than compared to results or outcomes. Time and again, this report aims at highlighting the point that an efficient government cannot be achieved without having the desire and confidence to take decisions. If, at this point, all the people working in the government are replaced with new ones, will we have a better government? Maybe for a period of time, but things will get back to square one before long. Systemic reforms are the need of the moment. And if the reforms are based on performance oriented models, rather than sticking to process oriented, we can achieve a bureaucracy that actually delivers.

What follows is a small analysis of some specific mechanisms.

4.1.1 Delhi Special Police Establishment: The Delhi Special Police Establishment Act was brought into force in 1946. This led to the establishment of special police force which would carry out investigations regarding specific areas. Over the passage of time, this duties and functions of this Establishment have been modified time and again. On 1st April 1963, the Delhi Special Police Establishment has been renamed as the Central Bureau of Investigation. The CBI is answerable to the Central Vigilance Commission in context with anti-corruption cases. Even the appointment of the director of the CBI is done on the basis of recommendations of the Central Vigilance Officer and other panel members.

There are some recent cases of alleged harassment faced by retired civil servants at the hands of the CBI. One such an example is that of Mr. P.C. Parakh, former coal secretary. CBI had booked Mr. Parakh under 'criminal conspiracy' in the Coalgate scam after his retirement. Kumar Mangalam Birla was also booked under similar charges. The CBI alleged that Mr Parakh made use of his position and favoured Hindalco to share a coal block that was not assigned to it. This led to national loss to the exchequer. Mr Parakh has written a book '*Crusader or Conspirator? Coalgate and Other Truths'* regarding the same. One more example is that of Mr Shyamal Ghosh at the hands of the CBI. Mr Ghosh was the former telecom secretary and he was booked by the CBI, nine years after retirement, for misuse of position in alleged spectrum allocations. Such cases have led to fear amongst the civil servants. There are lots of claims by the government that this is the prime reason for policy paralysis in the government.

Also, one specific that I have come across in my literature research is that the CBI has been granted blanket exemption from the Right to Information Act, 2005. This is the cause for much debate.

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4.1.2 Central Vigilance Commission: The Central Vigilance Commission came into force in 1964 with the special purpose of tacking corruption. It is an autonomous body. The function of the CVC is that of an advisory body. It cannot carry out direct investigation, except through the CBI or through the Vigilance Officers in the Departments. The CVC, unlike the CBI, falls under the ambit of the Right to Information Act.

4.1.3 Right to Information Act: This Act has been considered as one of the most powerful tools of Vertical accountability in the hands of the civil society. It came into force in 2005. From then on, it has been used to address various issues from varying aspects of life. This Act has achieved transparency unlike any other policy.

In 2006, the Government of India tried to bring into force an amendment that would have excluded 'File notings' from the ambit of the RTI. This was met with huge uproar from Information activists. 'File notings' are the hand written notes by bureaucrats in files. The reasoning behind this amendment was that it has led to an undesirable stage of signature paralysis. This is the state where bureaucrats are afraid to even put their signatures on files because of the fear of scrutiny on hindsight. The amendment was put down upon facing massive resistance from the civil society. The government argued that many civil servants would rather prefer to stay away from the decision making process, because they would be penalized, even if they acted in bona fide manner.

Is there is a pressing need for such an amendment? Will it impact the performance levels and the decision making capabilities of our bureaucracy? These questions cannot be answered in a layman-sort of a way. Detailed research has to be carried out and opinions of people working inside the bureaucracy must be given weight.

4.1.4 The Lokpal and Lokayuktas Act, 2013: The Lokpal was the supposed watchdog over the integrity of Ministers and the Members of the Parliament. The basic idea behind the setting up of Lokpal at the centre and the Lokayuktas at the state is the famous Latin phrase '*Quis custodiet ipsos custodes*' which translates as '*who watches the watchmen?*' in English. These bodies would be instrumental in battling corruption in our country in the years to come.

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But the questions that arise in context with this project are different from the orthodox ones. Will the Lokpal go on to increase the tendency of risk averseness among civil servants? Should Lokpal include provisions to protect civil servants against victimization/penalization for their bona fide acts?

Most people would argue that the amounts of accountability measures in place are actually insufficient and inadequate. They would put up massive resistance for increased number of accountability mechanisms. But would that solve the problems? Please note that a lethargic administration is as much an issue as is corruption to the progress of our country.

4.2 Findings from the survey

A survey was carried out among two groups. The first group consists of aspiring civil servants and people working in the domain of public policy. The second group consists of the people who are a part of the bureaucracy or are retired civil servants. A total of 134 responses were recorded. Out of this, 92 belong to group one and 42 belong to group two.

4.2.1 Method used for analysis: There were 10 statements in the survey circulated. Each statement can be considered as a Hypothesis. The null hypothesis, stated as null, is a statement about a population parameter, such as the population mean, that is assumed to be true[5]. The null hypothesis is the starting point. We will test whether the value stated in the null hypothesis is likely to be true. An alternative hypothesis is a statement that directly contradicts a null hypothesis by stating that the actual value of a population parameter is less than, greater than, or not equal to the value state in the null hypothesis[6]. The alternative hypothesis states what we think is wrong about the null hypothesis. We can then use the test statistic for a one-independent sample z test called as the *z statistic*.

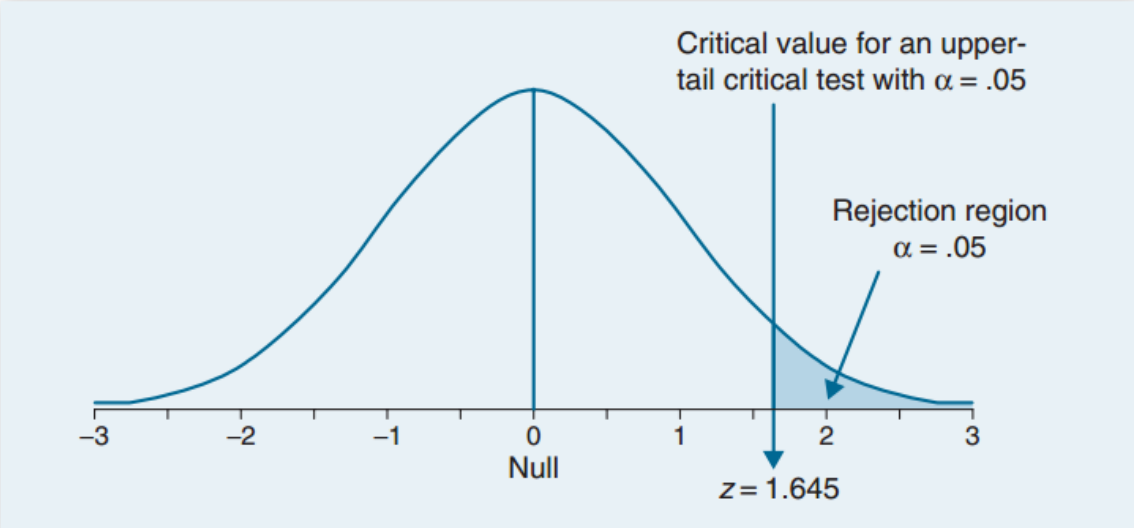
$$\textbf{z statistic: } z_{obt} = \frac{M - \mu}{\sigma_M}, \text{ where } \sigma_M = \frac{\sigma}{\sqrt{n}}.$$

In the above formula; M is the sample mean, μ is the population mean, sigma is the standard deviation and n is the population size. The denominator, in entirety is called as the standard error.

[5] Vassar Stats. *Concepts and Applications of Inferential Statistics.*
[6] *Ibid*

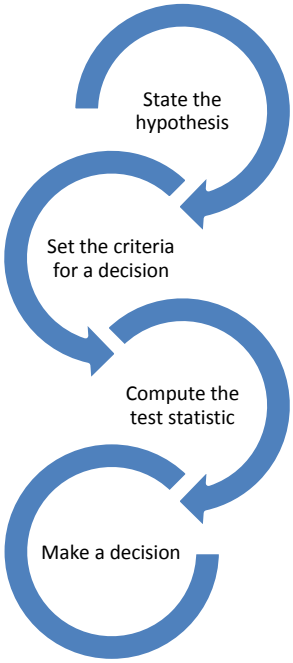
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Figure 3 (One tail test, Source: Statistics for the Behavioural Sciences, Fredrick J Gravetter)



As depicted in the picture above, if we obtain the value of the z statistic as less than 1.645 then we retain the null hypothesis. If it exceeds 1.645, then we reject the null hypothesis and accept the alternative hypothesis. The four essential steps of hypothesis testing, or significance testing, are encapsulated below.

Figure 4 (Procedure for Hypothesis testing)



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4.2.2 Analysis:

Null Hypothesis; "The mechanisms currently in place for ensuring accountability of civil servants are excessive."

Table 2 (Analysis for nature of existing accountability mechanisms)

Group	Sample size	Mean	Std. Deviation	Std. Error
One	92	3.22	0.981	0.102
Two	42	2.86	1.002	0.155

Using the above, we obtain the z statistic as 11.96 for group one and 5.5 for group two. So we reject the null hypothesis in both the cases. Now, taking into consideration the frequency of responses, the alternative hypothesis is stated as; "The mechanism currently in place for ensuring accountability of civil servants are appropriate." This is taken as true.

Null Hypothesis; "The multiplicity of accountability mechanisms in the government has an adverse impact on the Performance orientation of civil servants."

Table 3 (Analysis for impact of multiple accountability mechanisms)

Group	Sample	Mean	Std. Deviation	Std. Error
One	92	2.57	0.905	0.094
Two	42	2.31	0.897	0.138

Using the above, we obtain the z statistic as 6.06 for group one and 2.246 for group two. So we reject the null hypothesis in both the cases. Now, taking into consideration the frequency and median of the responses, the alternative hypothesis is stated as; "The multiplicity of accountability mechanisms in the government does not have an impact on the Performance orientation of civil servants." This is accepted as true.

Null Hypothesis; "Civil servants consider adherence to procedures and processes as more important than delivering performance."

Table 4 (Analysis for adherence to procedures than performance)

Group	Sample Size	Mean	Std. Deviation	Std. Error

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One	92	3.87	0.904	0.094
Two	42	3.81	1.042	0.161

Using the above, we obtain the z statistic as 1.382 for group one and 1.18 for group two. Both of them are less than the critical value, which is 1.645. So, we accept the null hypothesis in both the cases.

Null Hypothesis; "The Lokpal will have a positive impact on ensuring transparency in governance."

Table 5 (Analysis for effect of Lokpal on transparency)

Group	Sample Size	Mean	Std. Deviation	Std. Error
One	92	3.52	0.908	0.095
Two	42	3.45	1.152	0.178

Using the above, we obtain the z statistic as 5.05 for group one and 3.08 for group two. So in both the cases we reject the null hypothesis. After going through cumulative percentages and frequencies, it is understood that no major impact is caused by this. Most of the responses are bordering neutral.

Null Hypothesis; "The Lokpal will help in reducing the corruption in government strongly."

Table 6 (Analysis for effect of Lokpal on corruption)

Group	Sample Size	Mean	Std. Deviation	Std. Error
One	92	3.37	0.969	0.101
Two	42	3.05	0.882	0.136

Using the above, we obtain the z statistic as 6.23 for group one and 6.98 for group two. So, in both the cases we reject the null hypothesis. Taking into consideration the remaining descriptives, we can frame the alternative hypothesis as the following; "The Lokpal will have no major impact in reducing the corruption in the government."

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Null Hypothesis; "Lokpal will lead on to attribute a tendency of risk averseness among civil servants."

Table 7 (Analysis for effect of Lokpal on risk averseness)

Group	Sample Size	Mean	Std. Deviation	Std. Error
One	92	3.63	0.922	0.096
Two	42	3.48	0.773	0.119

Using the above, we obtain the z statistic as 3.85 for group one and 4.37 for group two. So we reject the null hypothesis for both the cases. Therefore, we frame the alternative hypothesis as; "Lokpal will not lead on to attribute a tendency of risk averseness among civil servants." We accept this as true.

Null Hypothesis; "Effective Lokpal should have provisions that contribute towards protecting civil servants against penalization for their bona fide acts."

Table 8 (Analysis for protection of honest officers)

Group	Sample Size	Mean	Std. Deviation	Std. Error
One	92	4.07	1.036	0.108
Two	42	3.88	1.214	0.187

Using the above, we obtain the z statistic as 0.648 for group one and 0.642 for group two. Both these value are less than the critical value, which is 1.645. Therefore we retain the null hypothesis in this case. It should be noted that this hypothesis has a majority.

Null Hypothesis; "File notings fall under the ambit of the RTI. This restricts the free and impartial thinking of civil servants while recording their views on a matter."

Table 9 (Analysis for File notings)

Group	Sample Size	Mean	Std. Deviation	Std. Error
One	92	3.04	0.960	0.100

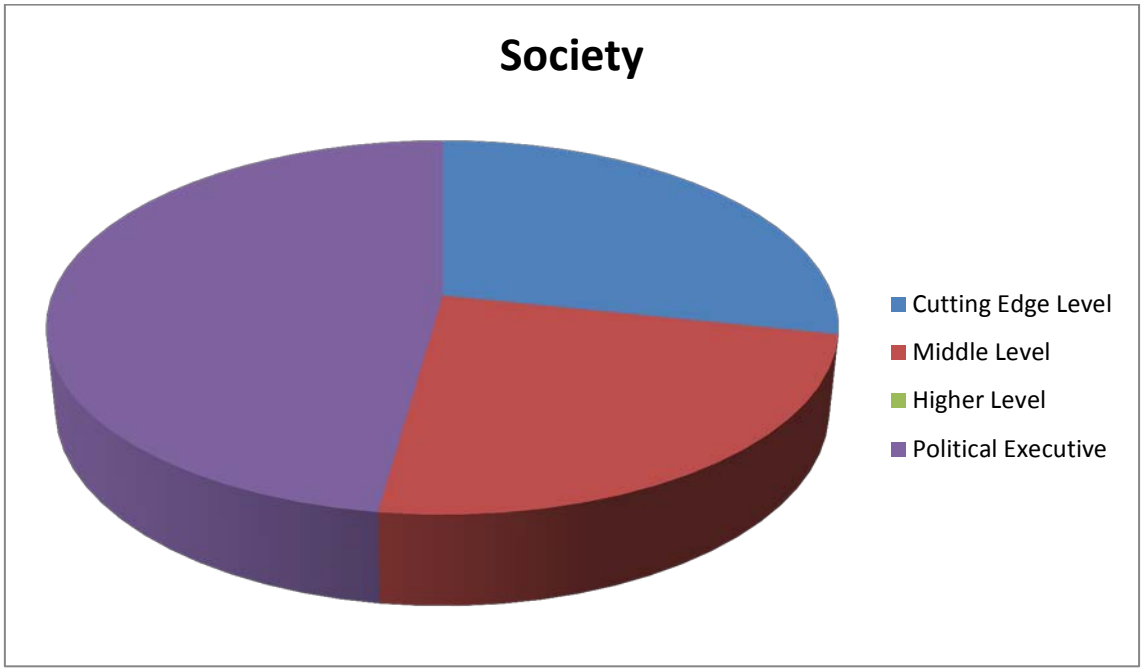
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Two	42	2.90	1.226	0.189

Using the above, we obtain the value of the z statistic as 9.6 for group one and 5.82 for group two. So, we reject the null hypothesis in both the cases. Using the value of the mean and the median, we frame the alternative hypothesis as; "File noting come under the ambit of the RTI. But this does not restrict the free and impartial thinking of civil servants while recording their views on a matter."

One of the other purposes of the survey was to find out which level of the bureaucracy should the strictest amount of accountability measures be imposed. The following pie-charts depict the results.

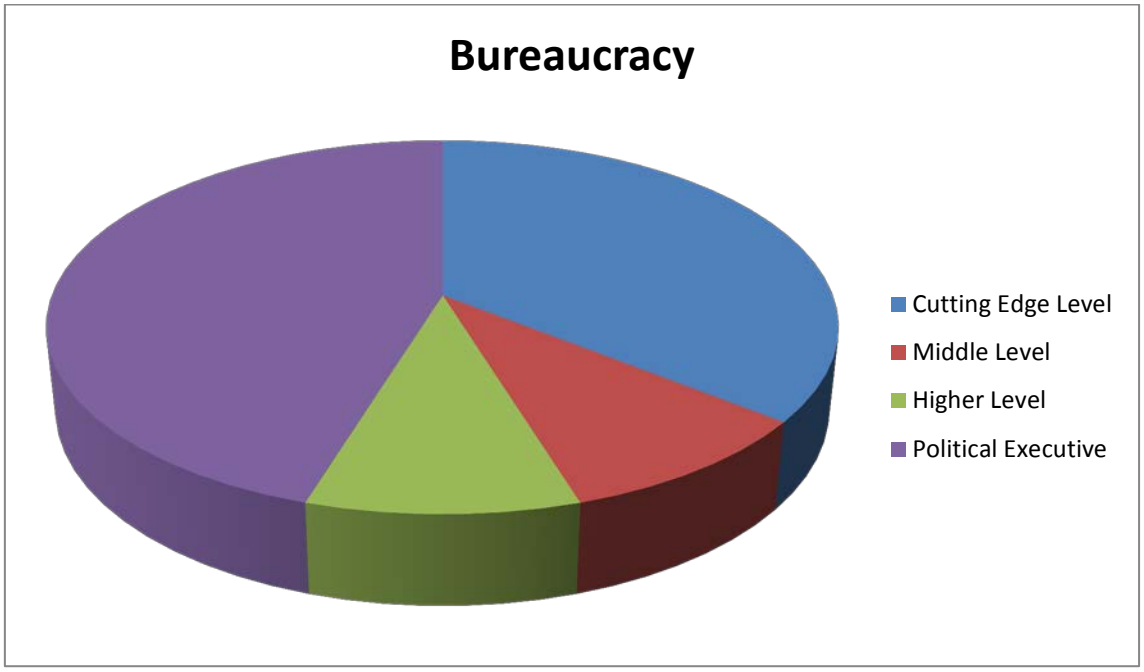
Figure 5 (Civil society responses for level of emphasis for accountability mechanisms)



It can be inferred that the society feels that the Political Executive should have the highest amount of accountability mechanisms in place around him. The cutting edge level and the middle level take an equal percentage and the percentage for the higher level is almost non-existent.

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Figure 6 (Civil servant responses for level of emphasis of accountability measures)



Even among the bureaucracy, it is felt that the political executive must have the highest amount of accountability mechanisms in place. He must be held responsible and then it will trickle down from the top. There is also a major chunk that feels that the cutting edge level should be held most accountable. This way, the services delivery will occur in an efficient way.

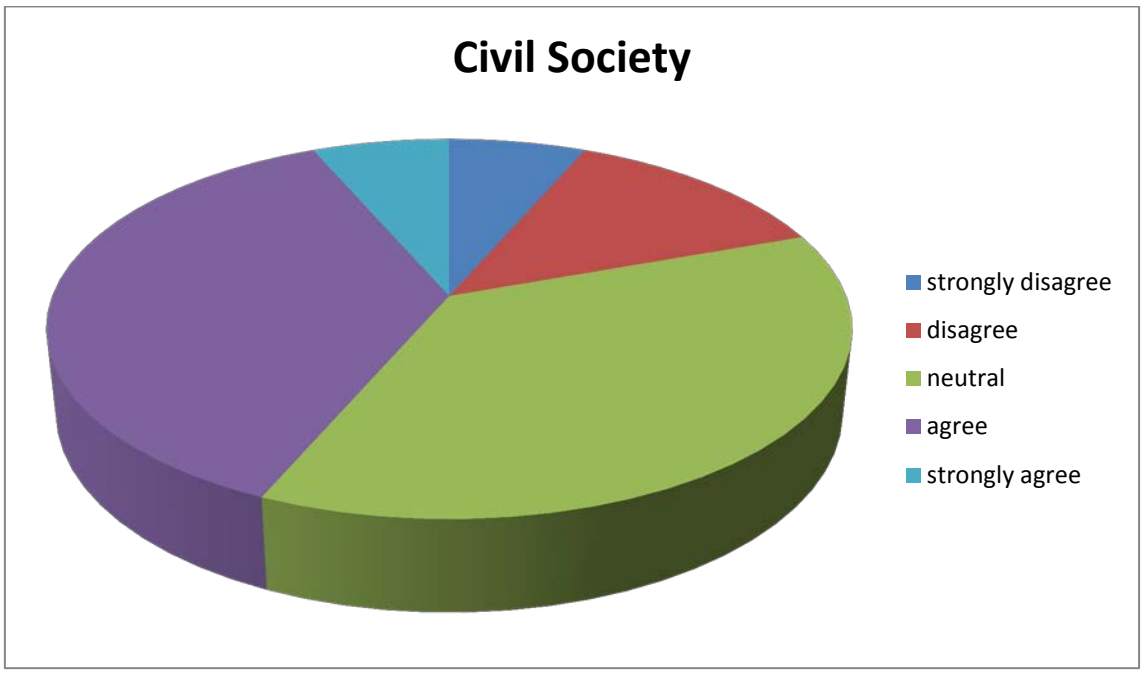
The final issue covered by the survey is now elaborated. Quite recently, a special bench of the Supreme Court had quashed Section 6A of the Delhi Special Police Establishment Act. Section 6-A had stated that no employee of the Central Government above the level of the Joint Secretary can be investigated by the Delhi Special Police Establishment, without prior permission/approval from the Central Government. This could be easily exploited for harassing the honest officer. The opinion of the society and the Civil Servants was sought in this matter.

The question posed to them was whether they agree with the action of the Supreme Court quashing Section 6(A).

The results are as follows.

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Figure 7 (Civil Society responses for DSPEA)



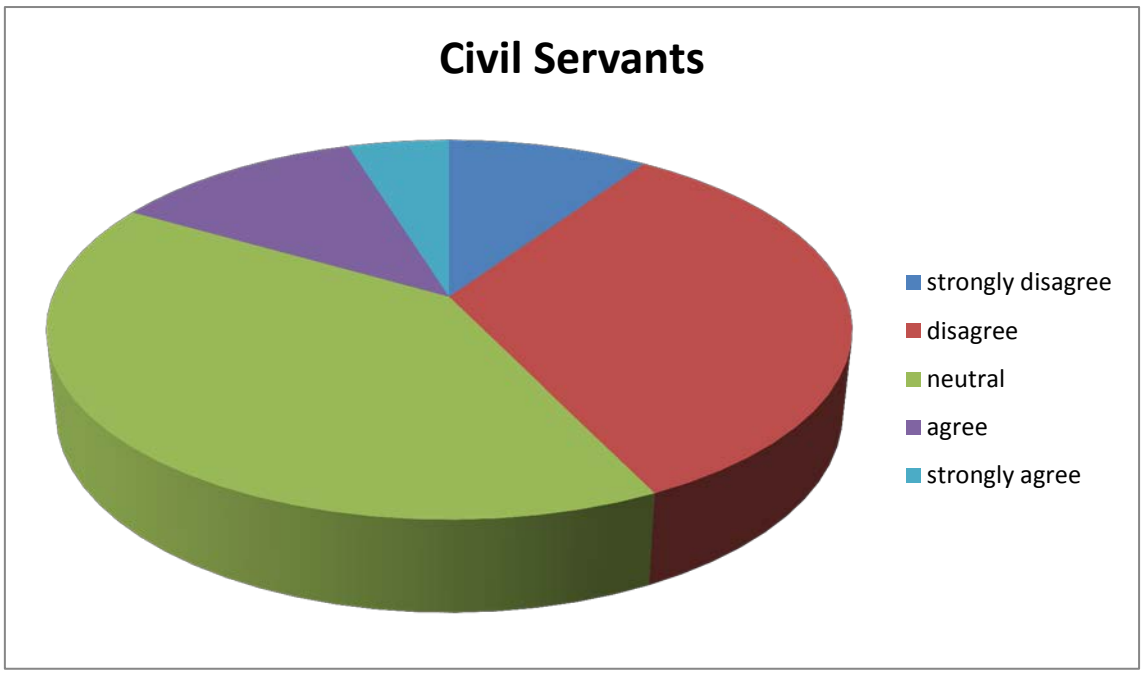
It can be noted that two major groups are being formed. 37% of the people agree on this action and another 37% are taking a neutral stand on this issue. There is also a small group of about 13% which disagrees with this action. All in all, what we could say from these results is that the civil society wants the bureaucracy to be held more responsible. And they are willing to make a trade-off with the protection mechanisms in place in order to achieve their goal.

These results are in tandem with the usual trend that persists among the general public. There is a feeling of discontent about the way the bureaucracy functions and the results that they deliver. By setting down some of the protection mechanisms like Section 6A, a certain sense of fear can be instilled among the bureaucrats in terms of penalization. This entire opinion is based on the concept of a negative motivator. By showing what they stand to lose, rather than what they stand to gain, a certain sense of responsibility is being instilled. But this would only tend to increase the environment of risk averseness. In such an environment, a strict adherence to procedures would be maintained as this would act as a protective shield.

The responses from the bureaucrats are as follows.

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Figure 8 (Civil servant responses for DSPEA)



The difference in the responses between the two groups is immediately evident. There is a majority group which feels that this does not have any significant impact, similar to the results of the civil society. But the other major chunk of the respondents is in disagreement with the action. There are also a considerable amount of respondents who are in strong disagreement with the action.

The reason behind this difference in responses is that the bureaucrats feel the need for protection for people who are engaged in the upper echelons of policy making. This is an area where there cannot be a fixed procedure or a fixed set of decisions. There is a need to be flexible and to improvise on the basis of need. Improvisation is, therefore, a very important skill for people in these levels. But the lack of a protection mechanism for people who have acted in a bona fide manner ensures that the skill never sees any particular use.

The prime area of conflict is the possibility of misuse of Section 6A by a corrupt officer. If this conflict can be addressed in an effective manner, then a win-win scenario can be established.

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4.3 Findings from Field Visits

The field visits were instrumental in securing valuable qualitative inputs from personalities of various backgrounds. Some of the most relevant and important ones are highlighted as follows.

- Accountability measures basically are meant to make someone feel more responsible for their actions. While these need to put in some amount of control, they should also create a conducive environment that facilitates innovation and encourages positive actions. Currently the accountability measures are all extremely procedural in nature. It is important to understand that civil servants are under the constant scrutiny and monitoring of media, politicians and general public. Hence, risk averseness is natural. Innovative practices, honest opinions and bold steps need to be publicized and disseminated officially by the government and judiciary as this would bring in confidence and belief that such actions would be protected and defended.

- Civil servants might indulge in corrupt practices on the pressure of politicians at times. In such cases, the involvement of the civil servant is recorded but the evidence against the politician is fluid and vague. Accountability measures need to be modified to ensure that there is joint accountability and the involvement of the politician is clearly recorded on paper. This concept of a joint accountability system could be very effective in the amount of corruption that takes place. It does so by hacking at the very root cause and killing the intent.

- The role played by media is very important. They are the interface that tells us what exactly the issue is. They must not make a controversy out of an issue. They must not brand a bureaucrat as corrupt before he is established as such. There must be an intrinsic or internal regulation of the media. This is something that BBC does, and maybe the local media should also follow this.

- Much more than the media, which provides facts albeit in a slightly distorted form, movies play a huge role in forming a perception about the bureaucracy and the politics they are involved in. They are always shown in a negative light, if not in a helpless state, and are shown to be involved in shady deals and businesses. This largely affects the way the general public perceives the bureaucracy as a whole and its officers individually.

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- The equilibrium between accountability mechanisms and the protection mechanisms, of at all it exists, is a very complicated one. It is very dynamic in nature. We cannot have a standard set of accountability and flexibility assigned to the entirety of the bureaucracy. People working in different Departments will have to carry out different tasks in different ways. So we cannot follow a set pattern of rules for each and everyone one. There are some services which have a defined set of rules for every procedure and task. There is absolutely no need to deviate from these rules. So we need to make sure that we understand the need of each and every role assigned and give flexibility accordingly.

- Judging performance/results in the government is really tough. What might work in the private sector might not necessarily work in the government. So, Performance Related Incentives might not really be that effective. Also, monetary incentives might not be that attractive. A better system of incentives would include ideal postings or postings close to home, etc. Also, the need for incentives is felt at the cutting edge level and not at the higher level. It would be really tough to ensure uniformity of incentives provided across various departments and ministries. Plus the nature of incentives would also have to vary from the state machinery and the central machinery.

- Even in a murder case, the intent for the murder case has to be established before the prosecution can go ahead. The Latin phrase for this is *mens rea* which means intent of mind. So, before a civil servant is harassed for an act, it is very important to establish the intent of the mind. The difference between a bona fide act and a mala fide has to be clearly understood.

- Presently, the amount of discretion granted to civil servants is very shaky. Either discretion should be removed completely or if it is to exist, complete discretion should be granted with a solid trust basis. Let the bureaucrat quote the sound rationale behind the discretion involved, and if that is found to be logical, it should be allowed.

- The CBI has become more of a political tool over the past few years. It has been used at the whims and fantasies of the politicians for waging personal wars and vendettas. And much more than the trial put by the CBI, the media trial is very harmful for the civil servant in question. There is a very high possibility that an honest officer might never recover from the harassment put by the media on the basis of frivolous reasons.

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- The compulsory annual increments that exist for civil servants must be regulated or taken away. They must be granted only to performers. This is a very radical idea but it must be implemented to ensure the existence of officers who will give more importance to performance and the deliverance of results, rather than a passive approach towards their duties. They should also be encouraged to take initiatives on their own for the benefit of the people.

- In the 1960's, the range of eligible age for the civil services was 21-24. So, there was a certain sense of idealism present among the officers. But when the age limit was raised, the kind of people who were coming in was less idealistic in nature. So, there was a totality shift in the way the bureaucracy functions and the way people look at it. So the functioning of the bureaucracy is most definitely effected by the change in the entrance exam.

- Whenever the Media covers a case of corruption or a scam, most of the figures quoted are nominal and might not be the exact amount of loss. There are various other factors and opportunity costs to be considered before accusations are made. Also, all the attention surrounding the reports put forth by CAG has only sprung up in the past few years.

- There are very specific Rules of Business laid down for the Cabinet to transact business and activities. From this, essential secrecy is a part of the government. The process of decision making is a confidential thing. Nowadays, civil servants are free to do things to an extent, but they are being held accountable later anyway. This has become like a Catch-22 situation.

- During the time of the Election Commission, everything runs so smoothly and perfectly. There are no issues and there is no chaos. This should tell us something. The system is right and the procedures that have been established are good. Therefore we must let the system run without any interference. This has been clearly explained by quoting the functioning of a fridge. It functions at its best with minimum interference from any external factors.

- Our executive and our politicians should work together but the interference in each other's functions. They are like two live wires, they must be together but they must be insulated from each other, else it will lead to a short circuit. One more example quoted is that of a car and a driver. The driver must only drive the car but not tamper with it.

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- There are already many committees and commissions that work on a post-mortem basis. They cannot be effective in curbing out corruption or brining out an efficient bureaucracy. The need of the hour is an independent body that acts on a pro-active basis. Such a body could maintain a continuous vigilance, while keeping the interference to the minimum, and ensure a smooth functioning of the bureaucracy.

- Bureaucrats already have the ultimate protection from politicians. The politicians do not have to power to hire or fire. After this, there is a need to ensure some more mechanisms to protect a person who has acted in good faith. We must also try to stop people who are colluding in the system. People who are colluding are basically dominating the system.

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5. Recommendations and their scope

After interacting with various officers of the bureaucracy and analysing the results of the survey, it has been understood that the project is very subjective in nature. It is not a technical issue that can have a specific and well-defined solution. Keeping that in mind, the following recommendations are put forth.

- The first hypothesis was that the mechanisms in place for ensuring accountability of civil servants are excessive. But after using the z statistic test, it has been rejected. So there are no recommendations in this regard.
- The second hypothesis was that the multiplicity of accountability mechanisms in Government has an adverse impact on the Performance Orientation of civil servants. But after using the z statistic test, this has also been rejected. So it has been concluded that the multiplicity of accountability mechanisms do not have an impact on the Performance Orientation of civil servants. So there are no recommendations in this regard.
- The third hypothesis was that civil servants consider adherence to procedures and processes as more important than delivering performance in terms of expected outputs or outcomes. This null hypothesis has been retained. So this issue has to be dealt with. The recommendation is the introduction of Performance Related Incentives as detailed by the report submitted by IIM (A) for the Sixth Central Pay Commission.
- The next hypothesis is that effective Lokpal will lead on to attribute a tendency of risk aversion among civil servants. But after applying the z statistic test, this has been rejected. So it has been concluded that Lokpal will not lead on to attribute a tendency of risk aversion among civil servants. There are no recommendations in this regard.
- The next hypothesis is that effective Lokpal should have provisions that contribute towards protecting civil servants against penalization for their bona fide acts. This hypothesis has been strongly retained. In this regard, the recommendation is the necessity to establish *mens rea* before the civil servant can be penalized.

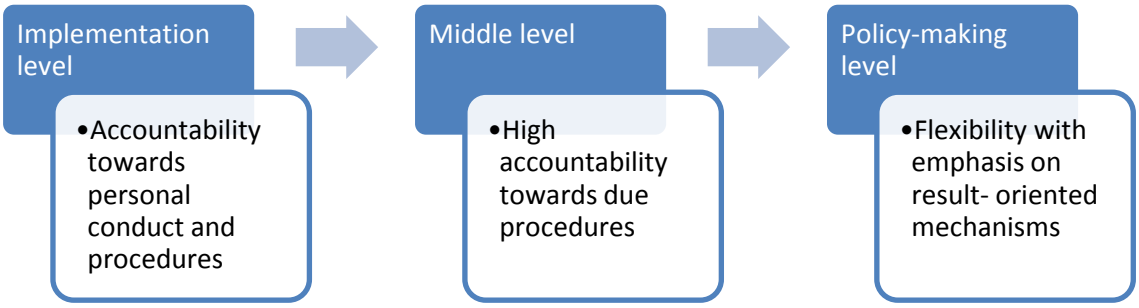
5.1 Varied Accountability Measures

Our bureaucracy has always followed a top-down uniform approach in regard with accountability mechanisms. The only thing that varies is the level of protection that is offered at different levels of the hierarchy. Now, almost everyone clamours for more and more accountability but there never exists an emphasis on the kind of accountability that has to be imposed. As a matter of fact, there is barely an understanding about the different types of accountabilities that are in existence.

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It has been proved by the help of a survey that civil servants consider adherence to procedures and process as more important than delivering performance in terms of outputs and outcomes. This habit has created a system that is lethargic and inefficient. The LK Jha Commission famously concluded: "What we have in our system is essentially accountability for error and wrong doing and not for non-achievement or inefficiency[7]." So the bureaucracy must be made accountable in terms of performance and it has to be done in a smart way. Imposing uniform accountability will not achieve anything. A decision has to be made about which level of bureaucracy has to be made accountable in procedures or performance or personal conduct or a combination of the above. The following is a proposed combination.

Figure 9 (Level Specific Accountability mechanisms)



The reasons for the above proposal are:

I. The Implementation level has a fixed set of procedures and regulations for almost every single task. The listing of procedures is actually enormous. There is no need to differ from the established procedures, even by a slight amount, in this case. Also, at this level, the performance can be gauged on the basis of adherence to procedures. The other important point is that this level is the interface between the bureaucracy and the society. They are the ones who are involved in interaction with the common people at all time. So

[7] Department of Administrative Reforms and Public Grievances. *Economic Administration Reforms Commission Report on Accountability.* 1984

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it is very important that they maintain a high amount of accountability towards personal conduct.

II. The same reasoning applies to the middle level. The only difference is that there should be extra emphasis on the adherence to procedures so that it trickles down.

III. Now, at the policy-making level, it is absurd to take away the degree of flexibility. Innovation and improvisation is a very important skill at this stage. And skills become sharp only when they are nurtured over a period of time. This is one reason as to why there must be a slight emphasis on performance-oriented accountability right from the lower levels. This would give time for the skill to inculcate itself into the bureaucrat. By applying a strict adherence to procedures, the skill would slowly decay. So heavy emphasis must be implied on result-oriented mechanisms. If the person fails to deliver, then have him penalized.

5.2 Provisions for Lokpal

On the basis of the survey undertaken and the qualitative inputs of senior officials, the following provisions are recommended for inclusion in the Lokpal and Lokayuktas Act of 2014.

I. The emphasis on the scrutiny of the project under question must be on the Performance – oriented accountability measures rather than procedure oriented accountability measures. There are already many bodies functioning with emphasis on the latter. So this would create a change in the environment.

II. Attempts must be made, as much as possible, to establish the intent of mind before a bureaucrat is prosecuted in a graft case or sorts. No specific procedure has been arrived upon for the same, despite various attempts. One point to be highlighted is that this should be given special attention during a crisis, as desperate times call for desperate measures.

III. All the Accountability mechanisms have been functioning on a post-mortem basis. This might lead to reduction in wrong-doing, but it never helps up the efficiency factor. Therefore a real-time analysis, while keeping the interference to minimum, would help up the efficiency factor.

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Figure 10(Provisions for Lokpal)



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6. Suggestions for future work

The nature of the project is such that allocating more time to it would not yield marginally different results or recommendations.

One of the things that could be done is to increase the sample size of the survey. This might throw some conclusive light on the hypotheses that are bordering neutral. One such a hypothesis is about the effectiveness of the Lokpal in combating corruption. No specific conclusion could be reached in this regard. Increasing the sample size might lead to an effective conclusion and thereby enabling the need for a recommendation in this regard.

One crucial thing that could be worked upon is an analysis of the PRI systems proposed by IIM (A) and then mould it such that it is tailor-made for individual Departments and Ministries. It should also be differently implemented at the state level and the central level.

Work could also be done in the direction of changing the perception of bureaucrats among the public. A similar project had been taken up by a few co-interns in Rakshak Foundation where they worked towards the improvement of perception about the Police among the public. A similar project could be undertaken with regards to the bureaucracy.

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7. Conclusion

This report will be concluded by ascertaining the clarity in the sense in which we use the term accountability. There is a very high possibility of confusion if the distinction is not kept in mind.

While one sense of accountability focuses on form, the focus of the other sense is on substance. While the first one is all about the need to conform to a set of norms and methods, the other one goes beyond the need to conform to something and deliver concrete results. The latter represents a more positive and purposeful form of accountability whereas the former instils a sense of dread and can be rightfully dubbed as a negative sense of accountability.

There is a very pressing need to inculcate a positive sense of accountability and replace it with the negative sense. This not only requires various technical changes, but also a huge change in the attitude. This report was made with the hope that it is a move in the direction to achieve that change in attitude.

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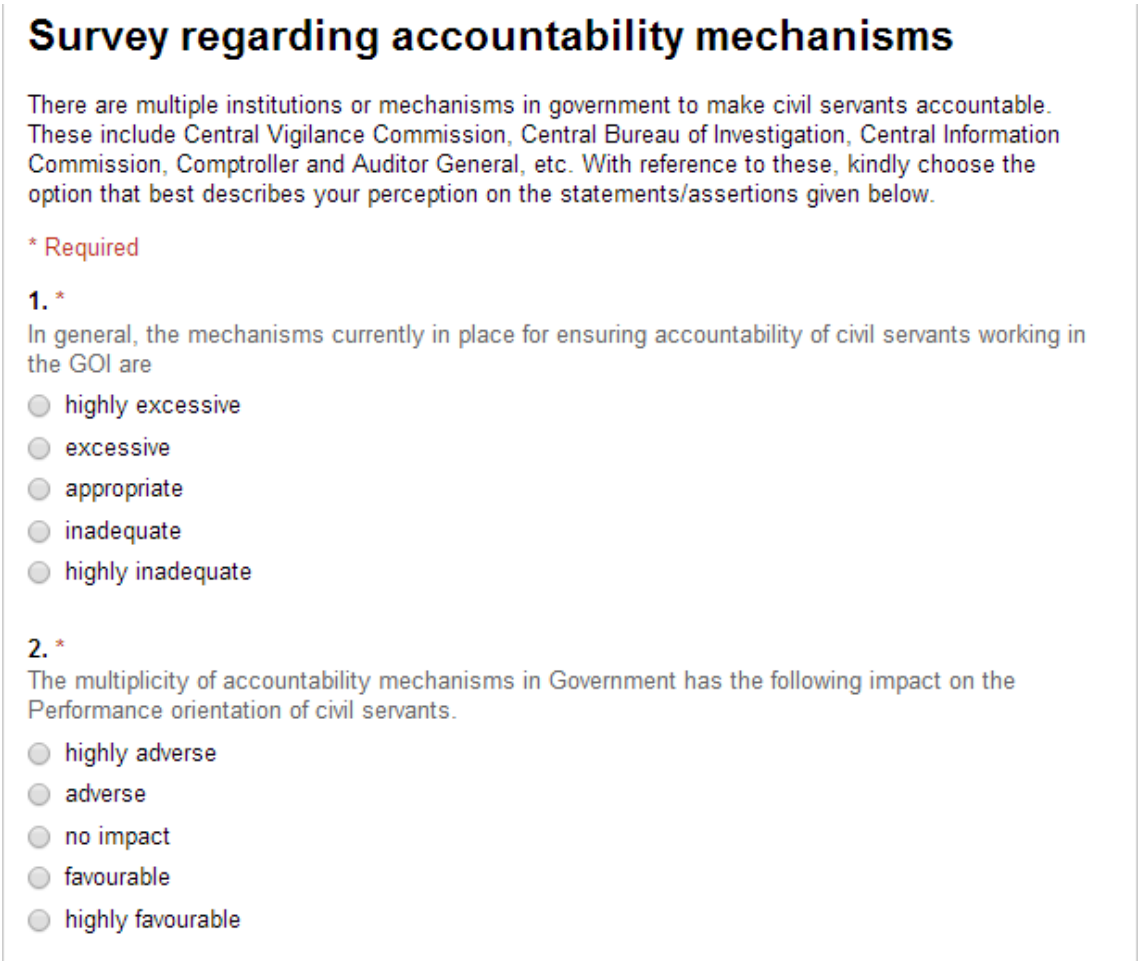
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9. Appendix A

Figure 11 (Copy of the Survey-a)



Survey regarding accountability mechanisms

There are multiple institutions or mechanisms in government to make civil servants accountable. These include Central Vigilance Commission, Central Bureau of Investigation, Central Information Commission, Comptroller and Auditor General, etc. With reference to these, kindly choose the option that best describes your perception on the statements/assertions given below.

* Required

1. *

In general, the mechanisms currently in place for ensuring accountability of civil servants working in the GOI are

- highly excessive
- excessive
- appropriate
- inadequate
- highly inadequate

2. *

The multiplicity of accountability mechanisms in Government has the following impact on the Performance orientation of civil servants.

- highly adverse
- adverse
- no impact
- favourable
- highly favourable

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Figure 12 (Copy of the Survey-b)

3. *
In general, civil servants working in the ministry consider adherence to procedures and processes more important than delivering performance in terms of expected outputs or outcomes in Government.

- strongly disagree
- disagree
- neutral
- agree
- strongly agree

4. *
In your opinion, the Lokpal will have a positive impact on ensuring transparency in Governance?

- strongly disagree
- disagree
- neutral
- agree
- strongly agree

5. *
In your opinion, the Lokpal will help in reducing corruption in Government strongly?

- strongly disagree
- disagree
- neutral
- agree
- strongly agree

6. *
In your opinion, effective Lokpal will lead on to attribute a tendency of risk aversion among civil servants.

- strongly disagree
- disagree
- neutral
- agree
- strongly agree

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Figure 13 (Copy of the Survey-c)

7. *
Effective Lokpal should have provisions that contribute towards protecting civil servants against victimization/penalization for their bona fide acts.

- strongly disagree
- disagree
- neutral
- agree
- strongly agree

8.
Quite recently, the Supreme Court has quashed Section 6A of the Delhi Special Police Establishment Act. Your opinion on this?

- strongly disagree
- disagree
- neutral
- agree
- strongly agree

9. *
On which levels of the Government are strictest accountability measures required?

- cutting edge level
- middle level
- higher level
- political executive

10. *
File notings fall under the ambit of the RTI. Does this restrict the free and impartial thinking of civil servants while recording their views on a matter in the file?

- strongly disagree
- disagree
- neutral
- agree
- strongly agree

Name

Designation *

Department/Organization *

Submit

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Table 10 (Table for Pie-chart one)

Question9

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	26	28.3	28.3	28.3
	2	22	23.9	23.9	52.2
	4	44	47.8	47.8	100.0
	Total	92	100.0	100.0	

Table 11 (Table for the second pie-chart)

q9

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	15	35.7	35.7	35.7
	2	4	9.5	9.5	45.2
	3	4	9.5	9.5	54.8
	4	19	45.2	45.2	100.0
	Total	42	100.0	100.0	

Table 12 (Table for the third pie-chart)

Question8

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	6	6.5	6.5	6.5
	2	12	13.0	13.0	19.6
	3	34	37.0	37.0	56.5
	4	34	37.0	37.0	93.5
	5	6	6.5	6.5	100.0
	Total	92	100.0	100.0	

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Table 13 (Table for the fourth pie-chart)

q8

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	4	9.5	9.5	9.5
	2	14	33.3	33.3	42.9
	3	17	40.5	40.5	83.3
	4	5	11.9	11.9	95.2
	5	2	4.8	4.8	100.0
	Total	42	100.0	100.0	

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"The highest measure of democracy is neither the 'extent of freedom' nor the 'extent of equality' but rather the highest measure of participation."

- A.D. Benoist

Rakshak Foundation creates awareness domestically and internationally about the rights and responsibilities of citizens towards the society and state. Rakshak engages in and supports social and scientific research on public policy and social issues.







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