CHAPTER - 5

ACCOUNTABILITY, TRANSPARENCY, GRIEVANCE REDRESSAL AND SERVICE DELIVERY
The primary concern today is to take up measures to provide a better accountability framework in the Urban Local Governments in order to focus on service delivery that is consistent with citizen preferences, and to minimise corruption, waste and inefficiencies which generally permeate public governance. The top-down hierarchical controls should be made more effective. Citizens should be empowered to hold governments accountable.

A policy options paper was prepared in 2004 with the following salient features:

**Constitution and Government**

- Executive powers should vest with Empowered Standing Committee;
- Five-year term for Mayors/Chairpersons;
- Provision for wards and ward committees;
- Classification of functions into core functions, functions assigned by government and other functions;
- Supercession of elected bodies only after review by a committee;
- Re-election of dissolved council within six months.
Financial Management

- State governments to prepare municipal accounting manual.
- Municipalities to prepare annual balance sheets.
- Provision for appointment of a Municipal Accounts Committee.
- Provision for appointment of Chartered Accountants as auditors.
- Heads of accounts to be separated for capital, maintenance, water supply, roads etc.
- Preparation of annual inventory of municipal properties.
- Comprehensive debt limitation policy by state government.
- Enabling access to capital markets and financial institutions for capital investments.

Municipal Revenue Generation

- Property tax assessment system on capital value or plinth area basis.
- Self-assessment of property tax by rate payers.
- Implementation of State Finance Commission’s recommendations.

Urban Environmental Infrastructure and Services

- Participation of the private sector, the NGOs and CBOs in urban service delivery.
- Service charges to reflect Operation & Maintenance and capital costs.
• State-level regulatory commission on municipal services.

Others

• Representation to municipalities on District/Metropolitan Planning Committees.
• Implementation of development plans by Urban Local Governments.
• Regulatory powers to manage illegal construction activities.
• Easy access to information on various activities of municipalities


The Government of Andhra Pradesh started e-Seva centres in all municipalities and municipal corporatism in 2003. They have been functioning effectively by rendering electronic service in respect of eight services pertaining to different governments. It is proposed to include a total number of 36 services under the e-Governance.

The Department of Municipal Administration, Government of Andhra Pradesh, made certain efforts in the recent past to expedite
disposal of grievances and delivery of services to the public fixing a reasonable time through various circulars, but not with much success. The Department finally prepared a Citizens' Charter which was approved by the Government of Andhra Pradesh in order to root out corruption in public service especially at the service delivery end of the system, by prescribing a timeframe in respect of four important services, namely, (1) Assessment of property tax and allocation of Door Number (2) Disposal of Building Applications (3) Sanction of water supply house service connections and (4) Issuance of birth and death certificates.

The Citizen Charter is a document which represents a systematic effort to focus on the commitment of the Urban Local Government to its citizens in respect of standard of services, information, choice, and consultation, non-discrimination and accountability, grievance redressal, courtesy and value for money. It is also a commitment of the Urban Local Governments to improve service delivery, ensure accountability and guarantee citizen satisfaction. The system worked marvellously well since under the charter the Official concerned was penalised @ Rs.50/- per day for delay in delivering the service beyond the time frame prescribed by the Government. In order to implement the Charter effectively, a service Centre was opened in every Municipal Office in the entire state of Andhra Pradesh on 14th May, 2001 and citizens were required to submit their applications for any of the above services only through the service centre and the service would be delivered through the same centre within the timeframe specified in the Government Order as well as in the acknowledgement of the application.

The system was designed mainly to ensure adequate and effective sanitary arrangements, adequate safe drinking water,
proper maintenance of roads, drains and street lighting, to provide for and maintain sufficient number of parks and to provide for prompt registration of births and deaths.

The above system could put a check on the field staff who would generally harass the public at the service delivery end and could at least minimise, if not totally eradicate corruption.

Accountability of officials in Urban Local Governments in the country and prompt delivery of services to the needy could be achieved through drastic reforms in the law dealing with public utility services. The primary concern of victims of corruption in public life should be not just punishing the erring official on a complaint lodged by them but the prompt delivery of service. All the anti-corruption measures initiated by Government should reckon with this ground reality. Punishing the corrupt personnel is entirely different from ensuring accountability on the part of the officials entrusted with the responsibility of delivering service to the public.

Lack of accountability in the official machinery in Urban Local Governments in India is not only due to widespread corruption among the officials concerned but also due to their incompetence to discharge their duties and perform functions entrusted to them. In Sweden there is an official called Ombudsman entrusted with the responsibility of receiving complaints from the public against officials and redressing public grievances. He is an autonomous inquisitorial authority into complaints. Official malfeasance like transgression of law in the discharge of duties, illegal activities, delay in service delivery, discourtesy or rudeness, incompetence, suppression of facts or furnishing false information etc are covered under the powers of
enquiry of the Ombudsman. A similar institution called Lok Pal at the centre, and Lok Ayukta at the states is established in India. Their role is, however, confined to the complaints referred to them, but the accountability of Urban Local Governments to public call and need is not ensured by them. A more acceptable alternative, therefore, would be to reorganise the Urban Local Governments in such a way that meritorious services are rewarded and corruption, inefficiency and delay are exemplarily punished promptly. The most practicable and effective arrangement to achieve this end is by introducing incentives for meritorious service and penalty for delay in service delivery. The opening of Service Centres in all Urban Local Governments under the Citizen Charter has ensured prompt delivery of service in respect of the four important services mentioned above and the penalty collected from erring officials in certain Urban Local Governments created ripples of fear in service delivery officials which enabled the effective functioning of the Service Centres. However, much has yet to be done in regard to grievance redressal. The District level and Regional level Officials exercising vigilance and control over Urban Local Governments must be empowered to play a more effective role to set right the wrong resulting from corruption, inefficiency and official malfeasance. They should be free from undue and unwarranted interference in the discharge of their duties from people of influence and power.

Corruption in Urban Local Bodies is not the only root cause of lack of accountability and transparency. Besides the incapacitated, ill-informed and lethargic official machinery, there are too many laws for too simple matters which also contribute to ineffective service delivery and improper accountability. What is required in these circumstances is to train the service delivery officials in decentralised planning, simplification of procedures and
sensitising the public in respect of the public service delivery system. Besides imparting expert training in service delivery methods, the Local Government employees are required to maintain the highest standards of character and integrity in the performance of their functions, the discharge of their duties and the exercise of their powers. The Local Government employees should ensure that, in the discharge of their duties, they are never influenced by personal gain or advantage, their conduct does not give rise to suspicion of any self-centred motives, and that they remain impartial in implementing the policies of the Local Government regardless of their personal or political opinions.

It is not possible to ensure that the employees of Urban Local Governments strictly adhere to the above code for reasons quite obvious. The appointing authority in Urban Local Bodies is the Chairperson who is elected on political party lines. The Chairperson quite naturally expects the staff appointed by him to be loyal to him, totally disregarding other factors. It is pertinent to mention that the staffs of Local Governments are exempted from duty in the elections to Local Bodies since they are apt to involve themselves in active local politics and their involvement in the election process may vitiate the very purpose of free and fair election. In order to ensure that the conduct of officials, particularly those involved in the service delivery end, meets the above standards, drastic changes in the law relating to the appointment, service conditions and punishment of officers and servants of Urban Local Governments are needed. The Government of Andhra Pradesh had amended the provisions dealing with appointment and punishment of Municipal employees in order to ensure that they would not be influenced by local political considerations. As per the amendment, "appointment to the posts of officers and employees shall be made by the
Commissioner (instead of Chairperson) from a panel prepared by a Committee constituted for the purpose by the Government (of Andhra Pradesh), by notification, from time to time'. But even before the constitution of the first committee by the Government, the Government had to withdraw the amendment under the heavy pressure mounted by elected civic chiefs. Thus, the pernicious evil in Urban Local Governments of Andhra Pradesh has remained unchanged and the same, it may be presumed, is the situation in most of the Urban Local Governments in the country. The question before us, therefore, is how to ensure that the officers and employees strictly adhere to the code of conduct designed for them.

The minimum requirements of an employee of Urban Local Government are commitment to achieve the objectives set for, total dedication to the work allotted to him or her, reasonable knowledge of the rules, regulations, byelaws and other legal procedures governing the Urban Local Government and candid nature in the discharge of duties, performance of functions and exercise of powers. The fundamental principle that should govern the employees' conduct is efficient and prompt service delivery with impartiality and judging things in the light of prevailing laws.

Measures to Improve Urban Service Delivery

The tradition of provision of local services has been the explicit mandate for local self-governments since 1861, when it was proposed that local services should be based on local resources. Due to massive urban growth during the last two decades, the quality of urban life has deteriorated. In view of the vital role urban India has to play in the country's economy, municipal service delivery cannot be seen in isolation. Municipal services should come together to serve the urban economy and enhance the
productivity of urban centres. Urgent reforms are needed since the levels of delivery of urban services are likely to decline further. The need for coordinated reforms in the urban sector is evident from (1) the enhanced economic and social roles of cities; (2) the major service backlogs in most cities; and (3) the current piecemeal reforms which will not have the desired transformational effect. A new approach to urban governance and service delivery that address critical institutional roadblocks is necessary.

Most of urban development and urban service delivery programmes operate in a policy environment which has traditionally been characterised to a substantial degree by 'top down' planning and programming for urban service delivery. Measures to strengthen the 'bottom up' approach to urban service delivery within the framework of rules or guidelines prepared by the central government or state governments have not yielded the expected or hoped for results. It, therefore, implies changing roles and responsibilities between different levels of government and devolution of adequate funds to the ULGs to meet the increasing expenditure of efficient and effective service delivery. The ULGs should be strengthened to play their role in the delivery strategy adequately. This requires a creative redesigning of the roles of different levels of administration in the government (central, state and local), and setting guidelines and standards for programme preparation and implementation combined with the sanction of adequate staff at service delivery point in the ULGs. "This can be achieved only if adequate incentives are provided which make local government service more attractive."4. The inadequate financial resources of ULGs are largely responsible for their failure to provide quality urban services efficiently. The ULGs have to strengthen their local tax base and should consider various local surcharges on national taxes. Unless the revenues of the ULGs are
substantially increased and strengthened, they cannot borrow substantially for infrastructure/services. Besides achieving financial viability to take up the needed urban development and service delivery programmes for a burgeoning urban population, decentralised and integrated programmes of urban service delivery combined with actions to strengthen local government capabilities are a more effective way of achieving improvements in coverage and quality of urban services. The ULGs should also bring about the institutional changes required to see the programmes through to the point where their real benefits become tangible. Emiel A. Wagelin suggests the following support actions to enhance the required institutional development and increase the understanding of the critical factors for success:

- Design and implementation of programme monitoring and evaluation studies and a frequent review of their findings.
- Regional exchange of information on features of the programmes and aspects considered relatively successful or unsuccessful, including regional review of the findings of evaluation studies. Beyond regional seminars and workshops, programmes of staff secondment also have a particular role to play.
- Institution building technical assistance supporting the programmes, rather than attempting to radically change the course of action before a programme has had time to work itself through.
- A measured dose of capital injection by external donors carefully generated towards strengthening the incentive functions of the programmes.
- Research and pilot projects in support of attempts to overcome the programme limitations, appropriate
distribution of responsibilities for urban service delivery between the various layers of government, the private sector and local communities.5

All Urban Local Bodies have to deal with two important issues viz., Efficient Public Management and Improved Service Delivery keeping in line with the changing needs and demands of the times. Andhra Pradesh has taken up a Public Management and Service Delivery Improvement Programme (A.P. PMSDIP) with the principal objective of “Effective and Sustainable Poverty Reduction” in the state. This is possible through the implementation of institutional reforms, which enable improved access and quality of services for the poor. This programme is implemented through two phases.

The first phase focuses on setting up the institutional framework and building capacity within the Government of Andhra Pradesh to undertake wide-ranging reforms. The Centre for Good Governance (CGG) is established in Hyderabad towards achieving this goal.

The second phase supports institutional reforms that provide basic services that are central to the lives and livelihood of the poor. These reforms are to be taken up in five departments directly connected with public welfare. They are Health, School Education, Welfare, Urban and Rural Development. Besides these five departments, the General Administration Department and Finance Department provide complementary support for advancing transparency, human resource management, eradication of corruption, procurement and financial accountability and expenditure management.6
The ULGs can improve their performance in service delivery by breaking up bureaucratic monopolies and by allowing service providing agencies to provide services in the urban areas. The ULGs should determine their budgets in large part on the scope, coverage and quality of service they provide. The concept of encouraging the actual marketing of government services makes the preferences of actual or potential consumers of institutional service more influential in service provision. This will enable the public agencies to target different combinations of services at different levels of capital-intensity to different groups of people and communities within the urban area instead of merely extending standardized services in conventional ways throughout the urban areas. The use of performance agreement for public service delivery would enable the governments (Central and Local) to contact private or public enterprises to provide certain services under the careful supervision of the local government technical experts duly ensuring that they meet the quantity and quality specifications prescribed by the government. The specialized private organizations can provide certain urban services like garbage collection, basic health care, fire protection and even non-formal education, duly maintaining the minimal standards.
References


5. Ibid, p.257.