

---

**Handbook on**  
**2<sup>nd</sup> ARC Recommendations and Related Concepts**  
**ATI Mysore, February 2014**

---

**Compiled By:**



**FICCI Quality Forum**

**Be the Best**

# TABLE OF CONTENTS

<b>AUTHOR'S NOTE .....</b>	<b>4</b>
<b>ADMINISTRATIVE REFORM .....</b>	<b>6</b>
WHAT IS ADMINISTRATIVE REFORM? .....	6
DISTINCTION BETWEEN ADMINISTRATIVE REFORM AND ORGANIZATIONAL DEVELOPMENT .....	6
WHY IS ADMINISTRATIVE REFORM NEEDED? .....	7
ADMINISTRATIVE REFORM ACROSS THE WORLD .....	7
HISTORY OF ADMINISTRATIVE REFORM IN INDIA .....	10
QUIZ ON ADMINISTRATIVE REFORM .....	11
CASE STUDY .....	15
<b>SECOND ADMINISTRATIVE REFORMS COMMISSION .....</b>	<b>25</b>
STRENGTHS AND WEAKNESSES OF INDIAN ADMINISTRATION .....	25
PRIORITY ACTION AREAS .....	26
GOOD GOVERNANCE .....	27
POLITICAL AND EXECUTIVE CAPABILITY .....	28
FUNCTIONAL REVIEW AND RATIONALIZATION .....	29
BUDGETING AND AUDIT .....	29
2 <sup>ND</sup> ARC RECOMMENDATIONS IN DETAIL .....	29
RIGHT TO INFORMATION .....	31
UNLOCKING HUMAN CAPITAL .....	45
CRISIS MANAGEMENT .....	63
ETHICS IN GOVERNANCE .....	82
PUBLIC ORDER (GOVERNMENT DECISIONS NOT AVAILABLE) .....	92
LOCAL GOVERNANCE .....	106
CAPACITY BUILDING FOR CONFLICT RESOLUTION .....	137
COMBATING TERRORISM (GOVERNMENT DECISIONS NOT AVAILABLE) .....	153
SOCIAL CAPITAL - A SHARED DESTINY .....	157
REFURBISHING OF PERSONNEL ADMINISTRATION (GOVERNMENT DECISIONS NOT AVAILABLE) .....	166
PROMOTING E-GOVERNANCE - THE SMART WAY FORWARD .....	179
CITIZEN CENTRIC ADMINISTRATION - THE HEART OF GOVERNANCE .....	186
ORGANISATIONAL STRUCTURE OF GOVERNMENT OF INDIA .....	193
STRENGTHENING FINANCIAL MANAGEMENT SYSTEMS .....	203
STATE AND DISTRICT ADMINISTRATION .....	208
QUIZ ON SECOND ADMINISTRATIVE REFORMS COMMISSION .....	232
CASE STUDY .....	235
<b>GOOD GOVERNANCE .....</b>	<b>240</b>
WORLD BANK'S DEFINITION OF GOOD GOVERNANCE .....	240
UNESCO'S DEFINITION OF GOOD GOVERNANCE .....	241
XTH FIVE YEAR PLAN DOCUMENT REFERENCE ON GOOD GOVERNANCE .....	242
2ND ARC VIEW OF GOOD GOVERNANCE .....	242
INDIA'S RANKING ON GOOD GOVERNANCE .....	242
SERVICE DELIVERY ASPECTS .....	243
QUIZ ON GOOD GOVERNANCE .....	244
CASE STUDY .....	246
<b>ETHICS IN GOVERNANCE .....</b>	<b>248</b>
2ND ARC TERMS OF REFERENCE .....	248
2ND ARC DEFINITION OF ETHICS & CORRUPTION .....	248
FACTORS AGGRAVATING CORRUPTION IN INDIA .....	249
ARC QUESTIONNAIRE ON ETHICS IN GOVERNANCE .....	254
QUIZ ON ETHICS IN GOVERNANCE .....	257
CASE STUDY .....	259

<b>EFFICIENCY IN GOVERNMENT .....</b>	<b>263</b>
EFFICIENCY AND EFFECTIVENESS .....	263
EFFICIENCY-EFFECTIVENESS –NOT A ZERO SUM GAME .....	264
EFFICIENCY IN GOVERNMENT .....	264
QUIZ ON EFFICIENCY IN GOVERNMENT.....	277
CASE STUDY .....	279
<b>CITIZEN’S CHARTER .....</b>	<b>281</b>
IMPLEMENTATION ASSESSMENT .....	281
2ND ARC VIEW ON CITIZEN’S CHARTERS .....	282
GUIDELINES ON CITIZEN’S CHARTERS IN INDIA .....	283
QUIZ ON CITIZEN’S CHARTER .....	287
CASE STUDY .....	289
<b>PUBLIC SERVICE DELIVERY.....</b>	<b>293</b>
2 <sup>ND</sup> ARC’S 7-STEP MODEL FOR CITIZEN CENTRICITY .....	293
DEFINE SERVICES .....	294
SET STANDARDS.....	294
DEVELOP CAPACITY .....	294
PERFORM AS PER STANDARDS.....	294
MONITOR PERFORMANCE.....	295
EVALUATE PERFORMANCE AND STANDARDS .....	295
CONTINUOUS IMPROVEMENT .....	295
QUIZ ON PUBLIC SERVICE DELIVERY.....	296
CASE STUDY .....	298

## Author's Note

This Handbook is designed for government employees to understand the landscape of Administrative Reform/related concepts in general, and to study recommendations of the 2<sup>nd</sup> Administrative Reforms Commission (ARC) in particular. The 2<sup>nd</sup> ARC has come out with 15 reports covering topics ranging from Ethics to E-governance and Citizen-centric service delivery. This handbook contains a concise and systematically arranged compilation of relevant materials including good/best practices which exemplify administrative reform initiatives from across the country.

The Handbook has been compiled by FICCI Quality Forum (FQF), which is a specialized Division of the Federation of Indian Chambers of Commerce and Industry (FICCI). FICCI Quality Forum has been set up to enhance quality and competitiveness of Indian organizations. FQF is very thankful to Director General ATI Mysore for her kind guidance and the opportunity to develop this document.

Material included in this manual has been compiled mainly from the website of Department of Administrative Reforms and Public Grievances, Government of India. It has been supplemented with FQF's own research and learning from experience of conducting various trainings and workshops for government employees in India. FQF trusts that readers will find the Handbook useful to understand the context and substance of Administrative Reform in India. Readers are invited to send their suggestions and feedback on the Handbook to [dgatimysore@gmail.com](mailto:dgatimysore@gmail.com) and [ceo.fqf@ficci.com](mailto:ceo.fqf@ficci.com)

# **Chapter 1**

## **Administrative Reform**

## Administrative Reform

At the end of this chapter, readers should understand what administrative reform is, why it is needed, and how it has evolved over the years across the world and in India.

Administrative Reform is different from the usual organizational development through which all kinds of organizations go through, irrespective of whether they are private business organizations, government ministries/departments, or civil society. Administrative Reform encompasses the changes in fundamental structures and world view of the institutions through which governance and public administration activities are carried out. With notions of governance changing from the traditional regulatory and service-provider role of the State to responsive and citizen-centric administration, administrative reform has come about in various forms.

In developed countries like US and UK, it has largely been seen as an overall reduction in the State's role and exposure of government institutions to competitive pressures, very often from the private sector.

In developing countries, the focus of Administrative Reform is more on phasing out the feudalistic and colonial approach to governance, and making government more accountable to citizens.

### What is Administrative Reform?

Traditionally, the relationship between the government and the citizens was looked upon as a command and control system. Government was seen as performing the role of collecting taxes and maintaining law and order. Both functions implied government agencies telling citizens what to do and what not to do. However, current trends are changing this relationship of one-way traffic, where the government tells citizens what to do or not to do. In democratic societies, there is citizen pressure on the government to be more effective and efficient. Today citizens are not only demanding excellence in service delivery by government, but also shaping the policy-making function. Recent developments related to the citizen movement in the country against corruption have brought this issue to the forefront. Clearly, the feudalist mindset where government is 'raja' (king) and citizens are 'praja' (subjects) is on the way out.

With such a paradigm shift, there are far-reaching changes needed in the way government functions. Systems and processes built for an era of command and control must give way to consultative policy-making and better value for the tax money citizens are paying. The changes needed to be made for implementing the new paradigm can be seen as coming together under the umbrella of Administrative Reform.

### Distinction between Administrative Reform and Organizational Development

Administrative Reform is different from the ongoing organizational development that is anyway taking place as government institutions mature. Administrative Reform is focused and planned inducement of administrative transformation as against incremental changes in the working of government institutions to cope up with everyday incremental change.

By definition Administrative Reform refers to changes that are ‘transformational’ or ‘paradigm-shifting’, such Reform is bound to meet with resistance. The definition itself prepares us to think of resistance as an inevitable reaction to any reform effort. Therefore any effort at Administrative Reform must include not only the changes that are needed to government functioning, but also give due consideration to anticipated resistance and how to overcome it from a change management perspective.

## **Why is Administrative Reform needed?**

Till the 1970s, in the developed countries, emphasis was on institution building, bureaucratization, nationalization and a wide variety of organizational and administrative capacity building for national and economic development. The last quarter of the 20<sup>th</sup> century, has seen an opposite trend – reversal of the traditional role of Governments – popularized as a ‘roll-back’ of the UK and US. With increasing capability of the private sector to take on more activities, focus of AR has gradually shifted to reducing the role of government. In developed countries therefore, this reduction is often seen as an end in itself. The purpose of AR can thus be seen as reducing the role or presence of government in citizens’ daily life, allowing private enterprise to deliver.

In developing countries, however, AR is meant to improve administrative capability and capacity, for the purpose of achieving national goals effectively. With high poverty levels and undeveloped institutions, infrastructure, industry and other manifestations of modern economic development, AR is more concerned with having an effective administration capable of bringing about economic, political and social development. The focus is therefore not on reducing the role of government itself, but on changing it so that government can divert more and more resources to developmental activities in line with emerging aspirations of citizens.

## **Administrative Reform across the world**

There are six popular phrases summarize the various directions in which AR thinking has emerged in the developed countries.

### **1. Re-inventing Government**

The re-inventing government movement has spawned an incredible amount of research and has changed practices at all levels of government both in the United States and outside. The Osborne-Gaebler book of 1992 popularized the reinventing theme based on the principles of citizen empowerment, leadership to give direction, competition, total quality management, decentralization, performance budgeting, civil service reform, and privatization. It is based on the thinking that government finds itself with a lot of very dedicated people trapped in bad systems – budget systems that provide incentives to waste money, personnel management systems that are cumbersome and yet offer little incentive to achieve results. In the new scheme of things, government needs to be more productive, and therefore fundamental changes are required instead of quick fixes.

Despite its popularity, the reinventing theme has invited criticism as it assumes that government should be market-like, that citizens should be regarded as customers, that government employees (including bureaucrats) are the problem, and that downsizing, cost reduction, and deregulation are the way to increase government efficiency and effectiveness.

## **2. National Performance Review (NPR)**

Having promised a comprehensive reorganization and change in government in his election campaign, President Clinton initiated the National Performance Review in March 1993. The first phase of NPR announced on September 7, 1993 is a redistribution of control over administration between the president and Congress, and among government agencies. This phase focuses on how government works rather than on what government does. The second phase announced after the November 1994 elections addresses what government does. NPR II advocates consolidating, developing, privatizing, and terminating programs. It addresses perceived public concerns not only with how government works but also with the size, scope, and intrusiveness of federal operations.

Criticism of NPR: The focus on technical compliance has led to agencies interpreting compliance as implementing NPR tools rather than finding solutions to policy problems. The accountability system measures output rather than outcome. Under such a system questions about implementation become questions about compliance and therefore what counts becomes what matters, rather than what matters being what counts. To a large extent, this problem continues with the present day Office of Management and Budget (OMB) Program Assessment Rating Tool (PART) assessment in the US.

## **3. New Public Management (NPM)**

New Public Management (NPM) emphasizes market efficiency in the public sector. It has also highlighted critical managerial issues such as pay-for-performance, performance measurement, participatory decision-making processes and flexible organizational culture. NPM vision is that of public managers as entrepreneurs of a newer, leaner and increasingly privatized government, emulating not only the practices but also the values of business. We have already seen private players competing successfully with the public sector; and in the process industry structures have changed to customers' advantage. Banking, telecom and courier services are obvious examples of today. In fact, even without direct competition, agencies like Railways have improved to a great extent, thanks to technology and adoption of basic management principles like inventory management and turnaround time.

Criticism: Behind the business practices and values found so attractive by the proponents of NPM lies the simple principle - maximize value for money. However, it is not simple to figure out how costs will be minimum for a certain value or vice versa. NPM can provide government agencies a good reference point to enhance service delivery only in well-defined areas. But when it comes to issues like serving vulnerable constituencies, handling multiple and conflicting citizen needs, and managing different interest groups, NPM doesn't really have very many answers.



#### **4. Compulsory Competitive Tendering (CCT)**

Introduced in the 1980s, Compulsory Competitive Tendering (CCT) requires procurement of services through competitive bidding. Initially applied to a relatively narrow set of functions, CCT was extended to most manual services and then to a number of white collar functions in Britain.

By the mid 90s, however, there was widespread dissatisfaction with CCT. Theory suggested that competitive supply would prove more efficient than monopoly provision, except where transaction costs neutralized the effect. But in practice, CCT often failed to deliver genuine competition. Costs associated with monitoring contract compliance turned out to be higher because the relationships between contracting parties started turning into short-term, low trust relationships. Cases were also seen where authorities were determined to avoid outsourcing and therefore ended up manipulating the process.

By 1997 it became clear that while CCT had made the costs of services more transparent, the detailed prescription of the form and timing of competition led to unimaginative tendering and often frustrated rather than enhanced real competition. CCT was therefore withdrawn in the UK and replaced with the Best Value regime.

#### **5. Best Value**

Best Value thinking about government functioning emphasizes the need to ensure that services meet the needs of the citizens, not the convenience of service providers. Best Value programs in the UK were designed to promote user involvement in a range of local services including social care, housing management and, more recently, education. This has put pressure on government agencies to engage with the public, and more so with communities who are less vocal.

Almost all of the Best Value pilots have conducted residents' surveys to identify current deficiencies in services and test out public reaction to proposals. A number of authorities have consulted local people about the sorts of information they want access to, the issues about which they wish to be consulted and their preferred mechanisms for consultation. Britain's Local Government Act 1999 in fact requires authorities to consult not only the service users but also the tax payers.

Critics claim that in practice most of these consultations have been a charade. Authorities had already made up their minds about what was needed, but tried to give the appearance of consultative decision-making. Another issue with Best Value is that of consultation fatigue among local people. As one of the Best Value pilots puts it, "We usually ask a question ten times and use the information once. We must learn to ask once and use the answer ten times in different settings."

## **6. Alternative Service Delivery (ASD)**

Alternative Service Delivery (ASD) is a Canadian phenomenon that has spread and made a wider impact. ASD refers to the many and varied organizational forms and delivery mechanisms governments use to achieve their objectives. Lessons learnt from ASD experiences across Canada and in countries like Tanzania, Latvia and New Zealand improve the prospects of getting service delivery right. Unbundling bureaucracy through ASD is seen by many as an innovative response to the pressures of scarce resources and public's insistence on improved service. ASD is a platform for developing relationships among the public, private and voluntary sectors.

ASD reflects the reality that governing is an untidy business, and will remain so. The challenge is to take ASD to the next level and serve greater interests. Today's public service must be flexible, consultative, outcome focused and proactive in supporting innovation from the bottom up. As a new generation of public managers take over, there is renewed emphasis on innovative means to deliver government services.

### **History of Administrative Reform in India**

1<sup>st</sup> Administrative Reforms Commission (ARC) as a Commission of Inquiry was set up in January, 1966, to examine the public administration of the country and make recommendation for reform and reorganization when necessary.

The 1<sup>st</sup> ARC was initially chaired by Shri Morarji R Desai, MP, and later by Shri Hanumanthaiya, when Shri Desai became Deputy PM. 1<sup>st</sup> ARC set up 20 Study Teams, 13 Working Groups and one Task Force. Working Groups made detailed studies of specific agencies and organizations such as Customs & Central Excise, Post & Telegraphs, Life Insurance, Income Tax, Police and Developmental Control and regulatory organizations. It submitted 20 reports containing 537 major recommendations.

2<sup>nd</sup> ARC constituted as a Commission of Inquiry on 31.08,2005 was chaired by Shri Veerappa Moily. It was required to prepare a blueprint for revamping the public administrative system and suggest measures to achieve a proactive, responsive, accountable, sustainable and efficient administration for the country at all levels of the Government. It has presented 15 Reports to the Government for consideration.

ARC recommendations are first considered by the concerned administrative ministries/departments. Their views are then considered by the Core Group on Administrative Reforms (CGAR) headed by the Cabinet Secretary. Subsequently, they are placed before the Group of Ministers (GoM) for its consideration. The views and recommendations of the GoM are then submitted for the information/directions of the Prime Minister.

## **Quiz on Administrative Reform**

### **1) Administrative Reform includes the changes required for**

- a) Creating new government posts due to increasing work load
- b) Increasing the salary of public servants to keep pace with inflation
- c) Introducing e-governance to reduce the need for direct citizen-government interface
- d) None of the above
- e) All of the above

### **2) The need for Administrative Reform arises from**

- a) Changes in skill level of government employees
- b) Citizen demands for greater transparency in administrative decisions
- c) Transfer of power from one political party to another
- d) None of the above
- f) All of the above

### **3) Which of the following is an initiative in the nature of Administrative Reform?**

- a) Change in the Bank Rate
- b) Setting up a Commission of Enquiry
- c) Introducing Green Procurement Policies
- d) of the above
- e) All of the above

**4) Which of the following is an initiative in the nature of Administrative Reform?**

- a) Implementing a 'Code of Ethics' for public servants
- b) Devolution of power to local bodies
- c) Passing of SAKALA Act
- d) None of the above
- e) All of the above

**5) What does 'Re-inventing Government' include?**

- a) Setting up of a new computer training centre
- b) Implementing austerity measures
- c) Taking steps to increase productivity of government agencies
- d) None of the above
- e) All of the above

**6) What does 'National Performance Review' include?**

- a) Annual performance report of individual officers
- b) Evaluating the performance of government agencies
- c) Recruitment ban for a specific period of time
- d) None of the above
- e) All of the above

**7) What does 'Best Value' include?**

- a) Procurement based only on least price
- b) Procurement based only on highest technical score
- c) Procurement based on a combination of price and technical score
- d) None of the above
- e) All of the above

**8) Number of Administrative Reforms Commissions set up in independent India**

- a) One
- b) Two
- c) Three
- d) Four

**9) ARC recommendations are examined in the first instance by**

- a) Prime Minister
- b) Group of Ministers
- c) Core Group on Administrative Reforms
- d) Concerned Administrative Department

**10) Number of recommendations made by First ARC**

- a) Less than 200
- b) Between 200 and 500
- c) Between 500 and 600
- d) More than 600

**11) Number of reports submitted by Second ARC**

- a) 5
- b) 10
- c) 15
- d) 20

## Answers to Quiz on Administrative Reforms

1) c

2) b

3) d

4) e

5) c

6) b

7) c

8) b

9) d

10) c

11) c

## Case Study

### Enhancing Value from Tax Payer Dollars: Promoting Government Performance Excellence in the United States

This case study describes the operations of six organizations, viz. National Institute of Standards and Technology (NIST), Office of Management and Budgeting (OMB), Government Accountability Organization (GAO), Senate Committee on Government Affairs, Robert Wood Johnson University Hospital (RWJUH), and Council for Excellence in Government. These organizations span a range of government, non-profit and private sectors playing a significant role in enhancing value from tax payers' dollars, and promoting performance excellence in public services. The following figure shows the dominant functions performed by these organizations and the linkages across them in the context of the overall institutional arrangements.

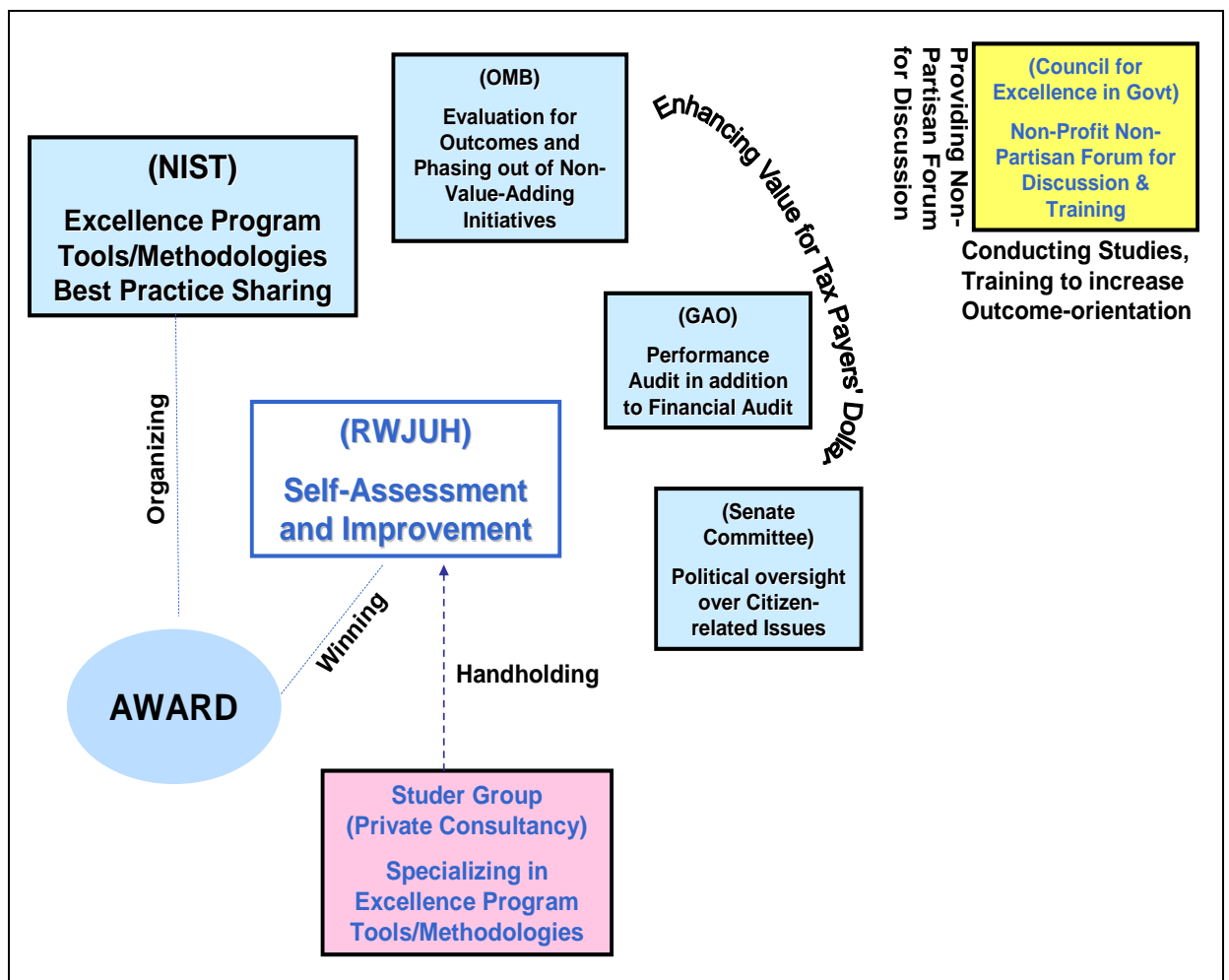


Figure 1: Institutional Linkages across Six US Organizations

### National Institute of Standards & Technology (NIST)

Founded in 1901, NIST is a non-regulatory federal agency within the U.S. Commerce Department's Technology Administration. NIST's mission is to develop and promote measurement, standards, and technology to enhance productivity, facilitate trade, and improve the quality of life. NIST carries out its mission in four cooperative programs:

- NIST Laboratories, conducting research that advances the nation's technology infrastructure and is needed by U.S. industry to continually improve products and services
- Baldrige National Quality Program, which promotes performance excellence among U.S. manufacturers, service companies, educational institutions, and health care providers; conducts outreach programs and manages the annual Malcolm Baldrige National Quality Award which recognizes performance excellence and quality achievement
- Manufacturing Extension Partnership, a nationwide network of local centers offering technical and business assistance to smaller manufacturers
- Advanced Technology Program, which accelerates the development of innovative technologies for broad national benefit by co-funding R&D partnerships with the private sector

Under the second program, NIST runs the world's most prestigious Excellence Awards Program that takes independently run organizations as the unit of analysis. The following write-up summarizes how NIST currently views the Baldrige program in a manner relevant for Indian government organization's context:

#### The Baldrige National Quality Program

For 16 years, the Baldrige Criteria have been used by thousands of U.S. organizations to stay abreast of the dynamically changing environment and to improve performance. The Baldrige criteria help organizations respond to current challenges: openness and transparency in governance and ethics; the need to create value for customers and the organization; and the challenges of rapid innovation and capitalizing on organizational learning and development. Whether the organization is small or large, is involved in service or manufacturing, or has one office or multiple sites across the globe, the criteria provide a valuable framework that can help manage and plan in an uncertain environment. The criteria can be used to assess performance on a wide range of key performance indicators: customer, product and service, financial, human resource, and operational. The criteria help align resources and approaches, such as ISO 9000, Lean Enterprise, Balanced Scorecard, and Six Sigma; improve communication, productivity, and effectiveness; and achieve strategic goals in all aspects of performance, including service delivery.

How to begin that first Baldrige assessment? The first step is to scan the questions in the Organizational Profile of the Baldrige criteria booklet. A discussion of the answers to these questions is practically the first Baldrige assessment. For additional guidance, organizations can refer to the booklet *Getting Started with the Baldrige National Quality Program Criteria for Performance Excellence: A Guide to Self-Assessment and Action*. If the organization is ready to take the full Baldrige challenge, it needs to perform a self-assessment as an internal improvement effort, and can use this self-assessment as the basis for an Award application. Assessment against all seven Categories of the criteria allows identification of strengths and helps to address opportunities for improving both processes and results.



All organizations need to know what their employees and their managers think. Even though they have been making progress they will want to accelerate or better focus their efforts. For such issues, the simple questions contained in the booklet *Are We Making Progress* are very useful. The employee questionnaire addresses topics from the employees' perspective, organized by the seven Baldrige Criteria Categories. Comparing the results with the perceptions of managers using the *Are We Making Progress as Leaders?* Questionnaire will help check progress toward meeting organizational goals and will improve communication among employees and the leadership team. Even if the organization does not expect to win the Baldrige Award, submitting an Award application has valuable benefits. Every applicant receives a detailed feedback report based on an independent, external assessment conducted by a panel of specially trained and recognized experts. The criteria are available to everyone, and MBNQA program views this as an opportunity available to organizations desirous of improving performance and encourages them to take the challenge. Regardless of the organization's past success, when it decides to embark on the journey, it turns the corner toward performance excellence.

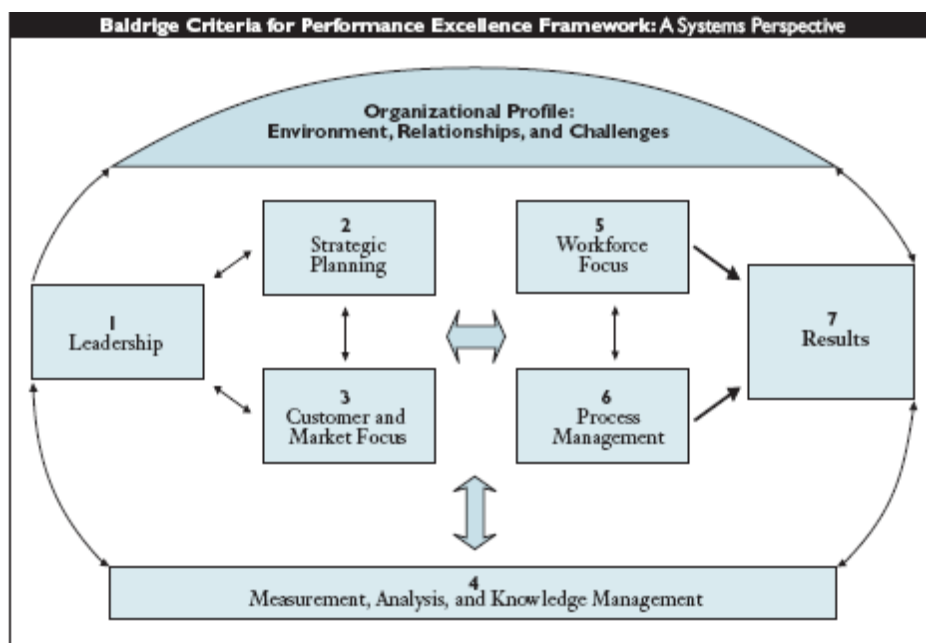


Figure 2: Malcolm Baldrige Award Criteria

### Office of Management and Budget (OMB)

The President's vision for improving financial performance is that Federal managers have accurate and timely financial information to manage costs. The President's Management Agenda (PMA), announced in the summer of 2001, is an aggressive strategy for improving the management of the Federal government. It focuses on five areas of management weakness across the government where improvements and the most progress can be made. OMB is one of the five divisions set up to take the outcome-oriented perspective forward.

One measure of how agencies are progressing toward achieving the vision is the Improving Financial Performance initiative under the PMA. As the initiative owner for Improving Financial Performance, one of OMB's responsibilities is assisting agencies in

meeting the Improving Financial Performance standards of success, particularly in areas where the Federal government as a whole has room for improvement. There are multiple layers to the effort that will collectively make possible these improved results. At the first level, the effort is to standardize financial processes across the Federal Government. Standardizing is expected to reduce the costs and risks of implementing financial systems by only having to design systems according to a single set of business processes rather than multiple unique processes. At the second level, opportunities are created for agencies to move financial systems to shared-service providers where a single provider supports multiple customers. The arrangement allows the Federal Government to leverage economies of skills and scale where financial system experts run these systems and Federal agencies focus on their programmatic missions. At the third level, there is emphasis on increasing the transparency of the available solutions by establishing performance measures to evaluate the results of these efforts.

The OMB spearheads an ongoing assessment of government programs and periodically reviews the list of projects with Federal spending to weed out those that are not delivering value for money. A list of the projects from which funding will be withdrawn is prepared periodically. Although at times constituencies interested in those projects may resent this, the office has nevertheless made it an accepted fact that projects need to be closed midway if they are not meeting the objectives. The criteria for closure or continuation may be debatable, but are fully transparent. The office makes proactive efforts to publicize its website through events marked by distribution of items like post-its, small magnets with the Expectmore.gov logo to increase public recall of its efforts in making government spending more transparent and outcome-oriented. The most elaborate assessments managed by OMB is the Program Assessment Rating Tool (PART) which is administered as web-based self-assessment tool. To put it simply, PART requires government agencies to submit a detailed report on program performance from an outcome-oriented perspective which is used by OMB to come up with assessment ratings and as an input to Congress decisions on continuation or otherwise of the program. There is a provision for appeal against the results of OMB's assessment.

Extensive information on the PMA available at [www.results.gov](http://www.results.gov) includes updates on the Executive Branch Management Scorecard, reports from initiative leads, and information about best practices being used by agencies to get better results for improving the Cost, Quality, and Performance of Financial Systems. Various other aspects of OMB's work are covered in the following publications available on its website:

- *Expanding E-Government: Improved Service Delivery for the American People Using Information Technology* (December 2005)
- *Expanding E-Government: Partnering for a Results-Oriented Government* (December 2004)
- *The Federal Government is Results-Oriented, A Report to Federal Employees* (August 2004)

## **Senate Committee on Homeland Security and Government Affairs**

This Committee's area of work includes a wide range of issues impacting government's functioning and service delivery to citizens. The Committee receives and examines reports of the Comptroller General of the United States of America and submits such recommendations to the Senate as it deems necessary and desirable in connection with the subject matter of such reports. The Committee also studies the efficiency, economy, and effectiveness of all agencies and departments of the Government. As such, the operational work of this Committee offered a very good perspective on service delivery issues as viewed by the legislature.

While elements of the Committee on Governmental Affairs can be traced back into the 19th century, the Committee's immediate origins lie in the creation of the Committee on Expenditures in the Executive Departments which was created and organized on April 18, 1921. The Committee on Expenditures in the Executive Department was renamed the Committee on Government Operations in 1952. In 1978, the Committee on Government Operations was reorganized as the Committee on Governmental Affairs.

Of the three current subcommittees, the Permanent Subcommittee on Investigations is the oldest being created at the same time as the Committee on Government Operations in 1952. The Subcommittee on the Oversight of Government Management, the Federal Workforce, and the District of Columbia came into being after the creation of the Committee on Governmental Affairs in 1978. The Subcommittee on Financial Management, the Budget, and International Security was created at the beginning of the 108th Congress.

The Committee on Governmental Affairs is the chief oversight committee for the United States Senate. Over the years, the Committee on Governmental Affairs and its predecessors have dealt with a number of important issues. A significant issue investigated by this committee was the government's failure to handle the Katrina disaster, and much of the work done by the committee has been well-publicized, appreciated and accepted for implementation.

### **Government Accountability Office (GAO)**

The role of GAO is primarily to help the Congress in reviewing and reconsidering the base of federal spending and tax programs. GAO reports are intended to be one input among many that Congress will receive as it decides what its agenda will be for oversight and program review. In some of its reports, GAO frames the issues presented as illustrative questions for policymakers to consider as a supplement to their own efforts. The questions are drawn from GAO's issued work, their strategic plan prepared in consultation with the Congress, input from several inspectors and the institutional knowledge of their staff. They cover discretionary spending, mandatory spending including entitlements, as well as tax policies and programs. The GAO takes a stance that while answers to these questions may draw on the work of GAO and others, only elected officials can and should decide which questions to address as well as how and when to address them.

Over the years, the breadth and quality of GAO's work and the impact of its products and activities have on the economy, efficiency, effectiveness, and equity of federal programs supporting Americans everywhere has steadily increased. Each year, GAO

strives to provide Congress with the information it needs to improve the accountability of the federal government in an objective, fact-based, and reliable manner.

GAO claims to have helped the federal government achieve a total of \$51 billion in financial benefits which equals a \$105 return on every dollar the Congress invested in them. They also documented 1,342 non-financial benefits that helped to improve services to the public, change laws, and transform government operations. Senior GAO executives delivered testimonies at 240 hearings covering a range of topics, including the tax gap and tax reform, US border security, Iraq and Hurricane Katrina activities, and issues affecting the health and pay of military service members.

GAO's work has focused on issues like the federal government's efforts to recover from the devastation of hurricanes Katrina and Rita and improve disaster preparedness and coordination for the future. GAO has also examined issues like how federal government managed the cost of prescription drugs for Medicare enrollees; safeguarded sensitive information systems to protect US citizens from unauthorized use of their social security numbers, passports, and other personal information. In several of these areas, average Americans would have benefited from the recommendations that were subsequently implemented by various federal agencies and the Congress.

GAO helps members of the Congress and the public better understand the trends and challenges facing the US and its position in the world, and to grasp the long-term and collateral implications of current policy paths. Through a number of reports, testimonies, presentations, and partnerships, they have further developed the ideas presented in an earlier report titled *21st Century Challenges: Reexamining the Base of the Federal Government*. This effort highlights several demographic, economic, and other trends such as longer life spans, slowing workforce growth, and a large national deficit, that will have a significant adverse impact on America's fiscal future. The report also asks a series of questions about, among other things, mandatory and discretionary spending and tax policy, along with representatives from a broad range of concerned groups, discussed the serious fiscal imbalances facing the United States at town hall meetings in 10 different cities across the country. This "Fiscal Wake-up Tour," sponsored by the Concord Coalition, has helped to increase awareness on America's worsening financial situation and encourage discussion about possible solutions. GAO also continued to examine federal areas and programs at risk of fraud, waste, abuse, and mismanagement and those in need of broad-based transformations, and added another troubled program to its high-risk list, viz. the National Flood Insurance Program.

Internally, GAO has implemented a number of changes to help itself move towards the goal of becoming a world-class professional services organization. It restructured its midlevel, policy analyst staff into two separate pay ranges and also established market-based pay ranges for its professional and administrative support staff. In addition, a comprehensive review focusing on five broad areas: college recruitment, candidate assessment, annual hiring, negotiating and processing job offers, and recruiting issues affecting administrative and support staff was initiated. An outreach program to recruit candidates for a new executive exchange program that will give private sector employees at various companies, including accounting firms and think tanks, a direct hands-on experience in the public sector has also been taken up.

GAO is also involved in examining and addressing the nation's long-term fiscal outlook, health care reform, and the need to transform the Department of Defence. They work towards enhancing collaboration with other agencies in the legislative branch and build

partnerships with various accountability and other good government organizations. When it comes to improving government performance, strengthening accountability, and enhancing public trust, GAO is committed to help improve government delivery for the benefit of the people. It has a well-articulated vision and strategic plan to operationalize the vision, supported by a measurement framework to gauge its own usefulness. The data cited by GAO shows that for every dollar of tax payers' money spent on its own operations, there is a corresponding saving of over \$ 80 as a result of policies, recommendations emerging out of its work. Although the methodology used for making these calculations is not fully transparent, nevertheless it represents the pressure on government agencies to justify their existence in value-for-money terms and an awakening that this needs to be measured.

### **Council for Excellence in Government**

The Council for Excellence in Government is a public/private partnership organization designed to improve the effectiveness of federal, state, and local government in the United States. Originally, the Council was a brainchild of several ex-government officials who had moved on to success in the private sector. They felt that government services and responsiveness to public needs would improve if there were an organization that could bring the private and the public together to meet and exchange ideas. The Council commissions public polls, attempts to engage citizens and generate interest in public service, and provides generous awards for innovation in government. Council supporters, called principals, provide advice, assistance, and monetary sponsorship for the Council's activities. The Council is non-partisan in nature, and has had ex-Presidents Ford, Carter, Bush, and Clinton as honorary chairs of its board. Virginia philanthropist

Alan Voorhees, whose architectural firm designed the Metro system in Washington, D.C. and many other capital cities around the world in the 1960s and 1970s, provided seed money and office space in the early 1980s. Voorhees was always interested in applications of technology to public problems, and was the inventor of the "gravity theory" of traffic flow which was used in designing interstate highways in the 1950s.

The Council for Excellence in Government works to improve the performance of government at all levels; and government's place in the lives and esteem of American citizens. With its experienced staff, network of experts and members, and diverse partners, the Council helps to create stronger public sector leadership and management, driven by innovation and focused on results; and increased citizen confidence and participation in government, through better understanding of government and its role.

The Council's primary work focuses on four important goals:

- To attract and develop talented people for public service;
- To encourage innovation and results-oriented performance in government;
- To promote e-government as a revolutionary tool for improving performance and better connecting people to government; and
- To improve the connection between citizens and government and encourage their participation in governance.

The Council is supported by members (called Principals) comprising private sector and nonprofit leaders who have served in government and are united by a strong, sustaining commitment to Council objectives. Financial support comes from project grants and

other funding from government agencies, corporations and foundations. Former Presidents Carter, Ford, and Clinton are honorary chairs of the Council.

### **Robert Wood Johnson University Hospital (RWJUH)**

One of the nation's leading academic medical centers, Robert Wood Johnson University Hospital provides state-of-the-art care across the full range of health care services. Specialties include cardiac care from screening to heart surgery and transplantation, cancer care, emergency medicine, pediatrics and maternal-fetal medicine. The hospital has earned significant national recognition for clinical quality and patient safety. Most recently, RWJUH ranked among the Leapfrog Group's Top Hospitals in the nation for quality and safety. Consumers Digest magazine ranked the hospital fifth in the nation in patient safety initiatives. Harvard University researchers, in a study commissioned by The Commonwealth Fund, identified RWJUH as one of the top 10 hospitals in the nation for clinical quality. RWJUH has also been a two-time winner of the MBNQA, and is looking forward to receiving it a third time.

RWJUH has been supported by Studer Group in undertaking the Malcolm Baldrige journey to Excellence. The hospital received the award on its third application. The first time it did not even earn a site visit, the second time it reached up to the stage of site visit but did not receive the Award. Finally, on the third attempt, it won the Award and has been a two-time winner since then. RWJUH's journey to winning the Award illustrates the rigor of the assessment process as well as the sustained determination required by an aspiring organization to actually win the Award. RWJUH started from a point where the only attribute rated positively by its customers was "Close to Home" and today it is the fastest growing, most-preferred hospital in the region for its areas of specialty.

In the case of RWJUH, the criteria requirements were met over three successive attempts to win. The improvement in ratings given by its customers was clearly visible, as also the improvement in parameters on which rating has improved. Among the major achievements cited by the hospital was the fact that it reported no anthrax deaths despite all odds like the first patient coming in on a weekend, and lack of clarity on anthrax-treatment related policy.

RWJUH personnel were extremely enthusiastic and passionate about their work. The CEO came across as a very dynamic and involved person, and she knew every inch of the hospital, including the current construction as well as the planned expansion. She seemed to command a lot of respect and admiration from her staff. One of the practices that the hospital has institutionalized is giving positive 'strokes' to their people through the **Wall of Fame concept**. One of the walls in the hospital was kept for pictures of staff members who had put in some exceptional performance, and small ceremonies were organized to share such honors.

----- End of Case Study -----

## POINTS TO PONDER

The specific objective of this case study is to understand how a set of organizations are working towards achieving excellence in government and resolve the complexities in implementing service excellence. Therefore, the main discussion issues can be focused around the following issues:

- Institutional Arrangements supporting these organizations that have enabled them to achieve the position visible today
- Strategic interventions undertaken to support service delivery organizations deliver better services and value for money to citizens
- Budgeting and financial sustainability of efforts towards service delivery excellence with focus on public services
- Strategies for ensuring that the initiatives conceptualized by these organizations are taken up by service delivery organizations and actually put into practice for service delivery improvements
- Vision for the future and how the anticipated challenges are expected to be overcome
- Experience of organizations that have undertaken the journey and how they have succeeded in motivating their frontline staff to strive for and achieve excellence

Some key messages coming across from this discussion will be in the nature of universal truths like senior leadership being critical to organizational performance, and importance of maintaining motivation levels of frontline staff through positive strokes. Although these issues remain as critical as ever, there will be more practical aspects of how excellence is understood and applied in the current American context with specific reference to government organizations. This can be a significant learning, not only because it has influenced the way excellence is understood in the United States, but has also shaped similar initiatives across the developed and developing world.

## **Chapter 2**

### **Second Administrative Reforms Commission**



## Second Administrative Reforms Commission

At the end of this chapter, readers should understand how the 2<sup>nd</sup> ARC has approached the vast gamut of administrative reforms needed in India. Over the last two to three decades India has made significant progress in reducing poverty levels, but income disparities have also grown and regional imbalances continue to be severe. The 2<sup>nd</sup> ARC has also noted Indian administration's ability to manage the huge exercise of periodic elections, as also the remarkable efficiency in managing some recent natural calamities. However, the quality of governance as indicated by responsiveness to citizen needs, effective and accountable administration leaves much to be desired.

### Strengths and Weaknesses of Indian Administration

The reasonably swift and efficient response of our administration to a series of major natural calamities – the Tsunami of December 2004, the Mumbai floods of July, 2005, and the recent earthquake in Jammu & Kashmir - demonstrates that in times of crisis we are able to marshal our resources effectively. All these and competent election management show that we have an impressive administrative infrastructure and it responds well when objectives are clearly defined, resources are made available and accountability is surely enforced.

However, a lot more remains to be done. The state apparatus is generally perceived to be largely inefficient, with most functionaries serving no useful purpose. The bureaucracy is generally seen to be tardy, inefficient, and unresponsive. Corruption is undermining economic growth, distorting competition, and disproportionately hurting the poor and marginalized citizens. Criminalization of politics allows money and muscle power to play a large role in elections. In general there is high degree of dissatisfaction in society on account of unfulfilled expectations and poor delivery. One reason why we are not able to overcome our weaknesses is the incapacity to institutionalize the best practices from our own country and elsewhere. For this, a conscious effort not only to identify and document best practices but also build policy and create new structures and institutions to allow mass replication needs to be made.

In general, the positive power to promote public good seems to be severely restricted, making it difficult for even the most conscientious and competent functionaries to deliver optimal results. The systemic rigidities, needless complexity and over centralization have made most elected politicians and appointed public servants ineffective and helpless. But the negative power of abuse of authority in pursuit of self, privilege and patronage, or harassment of public through flagrant violation of law, petty tyranny and nuisance value is virtually unchecked. This imbalance in the exercise of power is at the heart of the crisis of governance. As a result most agencies of government are functioning sub-optimally, and government programmes have not yielded the desired results. At most levels authority is divorced from accountability, leading to a system of realistic and plausible alibis for non-performance. Most functionaries are thus caught in a vicious cycle.

## Priority Action Areas

There are two fundamental, interrelated objectives, which need to be achieved in the coming decades. The first is the fulfillment of human and national potential. This entails prevention of avoidable suffering and ensuring human dignity, access to justice and opportunity to all Indians so that every citizen is a fulfilled and productive human being. Only then can we realize our potential fully and play our rightful role in the global arena, protecting the vital interests of present and future generations, and promoting global peace, stability and prosperity.

Human development takes place through access to good quality education and healthcare to make every citizen productive and fulfilled. Despite our long-standing commitment to these goals, the results are uneven and far from satisfactory. Allocation of resources is undoubtedly inadequate leading to huge unmet demand. Even what is spent is not very productive in outcomes. Most of the nation's gene pool is wasted because of inadequate and poor quality of school education. Higher education too is not very successful in promoting excellence of producing service providers, leaders, managers and wealth creators, for the future. The public health system has also been unsatisfactory and inadequate, private health expenditure, which already accounts for about 80% of total expenditure, is growing (14% per annum) much faster than GDP. The resultant high cost and poor access seriously undermines human development.

The third broad area is infrastructure and sustainable natural resource development. While the economic aspects of these are well-recognized, the governance challenges are not adequately addressed. For instance, effective land administration is crucial to capital formation in agriculture and soil conservation. Energy plantation and biofuel production would require great administrative innovation and grassroots coordination. Urban management involves much more than resource allocation for infrastructure and poses formidable challenges of governance. Power distribution management through local people's involvement and ownership in a consumer-friendly way is more a governance issue than an economic or tariff problem. We need to create innovative modes of governance in dealing with such challenges.

Another area which needs special attention is the changing nature of federalism. The last decade has witnessed significant maturing of our federalism. The states are increasingly empowered to determine their own policies and programmes, and the union is ever more sensitive to local needs. However, the role of the Union is expanding in a substantial measure in recent years in new ways. Education, healthcare, rural and urban development and social security are either state subjects, or largely under state jurisdiction. And yet, the services are increasingly driven by union policies and funds. Paucity of resources at state level, need for standardization of services, compulsions of reducing regional disparities, and the imperatives of meeting the challenges of a growing economy in the modern world have necessarily enlarged the Union's role in these sectors. However, we need to carefully design mechanisms to monitor these programmes and enforce accountability at the local level, even as the desired outcomes are achieved, and the constitutional scheme of division of powers is fully respected.

Propensity to centralize has been the dominant feature of our administration. We need to truly redesign government on the basis of the principle of subsidiarity. A task which can be performed by a small unit should never be entrusted to a large unit. Only when economies of scale and technical complexity demand entrustment to the larger tier should it be done so. All the financial devolution and personnel transfer should match functional domain determined on this basis. Only then will the citizen see the link between his vote and public good, and monies can be traced to services delivered. The structure of local governments envisaged in the 73<sup>rd</sup> and 74<sup>th</sup> Constitutional amendments is now in place, but the soul of self-governance and empowerment is largely missing. As a result of the economic reform process, the states have come into their own, and yet the Union has in recent years discovered a more meaningful and strategic role for itself. Similarly, local government empowerment need not mean weakening of states. States must be enabled to discover their vital role in providing strategic inputs and leadership even as local governments deliver most of the basic services.

Pervasive corruption is the most disturbing element of our governance. Happily, recent years witnessed encouraging trends in certain sectors. Wherever competition, choice, transparency and technology have been introduced, corruption has dramatically declined. However, in other core sectors where the state's role is critical, corruption continues unchecked. There are signs of growing corruption in some of these state-controlled sectors, indicating a shift from the traditional forms of corruption. Police, criminal justice system, healthcare delivery, public procurement and contracting, transfers and postings of officials, tax collection and land administration are areas, which are by nature fully or substantially state-controlled. Corruption is either continuing or growing in these sectors, as the inexhaustible demand for illegitimate funds in our governance system continues unabated. Clearly far-reaching political and electoral reforms to transform our political culture and alter the nature of incentives in public life are the need of the hour.

## **Good Governance**

Governance is admittedly a weak link in our quest for prosperity and equity. We have an impressive governance infrastructure and significant successes to our credit. But we need to refashion the instruments to suit the emerging challenges. The quest for good governance - governance which is efficient, citizen centric and is rooted in a sound value system, is based on three inter-related fundamental ideas.

The first is rule of law. Rule of law requires that laws and their implementation should be transparent, predictable and credible, and that those who make and implement laws should be accountable for their decisions. While the government of the day is accountable to the legislature, at the operating levels of administrations this accountability is often lacking. A steady pulse in the recommendations of the Commission is thus the emphasis on accountability at each level of administration and minimization of unfettered discretion in decision making. From accountability of decision making flows credibility, predictability and transparency.

The second fundamental idea is to put the citizen first. All too often the relationship between the State and the citizen is a master client relationship, with the citizen reduced to the status of a supplicant. This has to go. Systemic changes along with

information technology makes it possible to reduce, if not eliminate altogether, the time and trouble involved in the citizen's contact with the State. It also makes it possible to introduce automaticity in decision making. The State has no look upon itself as a service provider, and, as in many cases the State is a natural monopoly, the Commission has made a number of recommendation to curtail monopolistic behaviour by State agencies.

The third most important idea is the citizen's participation in decision making. In our scheme of things the Union Government being the furthest removed from the day-to-day life of the citizen represents the principle of rationality. The State Governments, because of the sheer size of constituencies also tends to be removed from the daily concerns of the citizen. It is the third tier of governance, the panchayats and the municipal bodies, which is the closest to the citizen and can represent the principle of concern. Hence, it is necessary that there is greater devolution of powers, from the Union to the State Governments and from the State Governments to local bodies, and that the local bodies function in appropriate units that allow participation of every citizen in decision making. This devolution will not weaken either the Union or the States: in fact it will strengthen them by enabling them to focus on matters they are uniquely equipped to address.

The 2<sup>nd</sup> ARC has noted the need for real decentralization of power with effective institutional checks for greater control by citizens on how they are governed. Judicial and police reforms need to ensure speedy, efficient and accessible justice and swift, sure and severe punishment for abuse of office. Self-regulatory mechanisms to uphold standards in professional groups are another area that requires urgent attention in the changing context. Finally, measures of accountability including the recently enacted Right to Information, well-designed citizen's charters with penalties for non-performance, independent and effective anti-corruption agencies, citizen involvement in the fight against graft and leakages will surely expose corruption much more easily and enforce compliance with acceptable norms of public conduct.

### **Political and Executive Capability**

Political direction of the administration is the essence of democracy and the 73<sup>rd</sup> and 74<sup>th</sup> amendments to the Constitution have expanded the scope of political decision making. This casts a great responsibility on the political parties, to educate and train their functionaries in administrative decision making.

Every State has its 'establishment', which is usually its civil service. From 1858 onwards the civil services have provided the 'establishment' of the Indian State, often through difficult and trying times. The structured merit-based recruitment and placement of civil servants in different cadres was seen as one of the methods of unifying the country after Independence. Today there is considerable managerial talent available outside the civil services. Ministers can draw upon a very large base of intellectual expertise not available in the Government. The Commission has made several suggestions on nurturing talent for the 'establishment' of the Indian State from an early age, sustaining their morale and skills, upgrading the Services throughout their career and the induction of fresh talent at appropriate stages.

## Functional Review and Rationalization

Efficient discharge of government business is hampered by horizontal and vertical dispersal of decision making. Single or strongly related subjects are often administered in different ministries. The resultant narrow focus of Ministries entail that coherent points of view, or policy, emerges only after extensive and prolonged consultations. Such delay could be avoided by having Ministries that can take a holistic view of the subject. This would also result in governments which are more compact and in which coordination is quicker and easier. In the existing government structure issues are examined at too many levels, and the contribution of some of them is minimal. These levels need to be reduced to a rational number. The commission has made suggestions on internal working of ministries and departments. The Commission has also recommended creation of effective Executive Agencies with well defined role and functions. This would facilitate the Ministries to focus more on policy making and analysis while the projects/programmes are implemented by the Executive Agencies.

## Budgeting and Audit

Budgeting and Audit are critically important tools of governance. The mis-match between plan and budget classification needs to be ironed out to permit rigorous monitoring of expenditure. An expert group needs to look at accrual based budgeting. Ministries need to be realistic in making their estimates of expenditure so that large unspent balances do not remain at the end of the year. A multi-year perspective would be helpful in dealing with this. Audit is often seen as an adversarial exercise, which it need not be. While Auditors have to be sensitive to administrative compulsions, Ministries and Department need to understand that audit is an instrument for enhancing administrative efficiency. There is a need for better understanding and synergy between auditor and auditee for improved accountability and audit impact.

## 2<sup>nd</sup> ARC Recommendations in Detail

Through its 15 reports, 2<sup>nd</sup> ARC has presented over 1500 recommendations as shown in the following table.

#	Report Name	Number of Recommendations		Topics
		Accepted	Total	
1	Right to Information - Master Key to Good Governance (09.06.2006)		62	21
2	Unlocking Human Capital - Entitlements and Governance-a Case Study (31.07.2006)		114	36
3	Crisis Management - From Despair to Hope (31.10.2006)		142	40
4	Ethics in Governance (12.02.2007)		134	48
5	Public Order - Justice for each..... peace for all. (25.06.2007)	NA		47
6	Local Governance (27.11.2007)		256	67

#	Report Name	Number of Recommendations		Topics
		Accepted	Total	
7	Capacity Building for Conflict Resolution - Friction to Fusion (17.3.2008)		126	27
8	Combating Terrorism (17.9.2008)	NA		18
9	Social Capital - A Shared Destiny (8.10.2008)		66	20
10	Refurbishing of Personnel Administration - Scaling New Heights (27.11.2008)	NA		13
11	Promoting e-Governance - The Smart Way Forward (20.01.2009)		47	17
12	Citizen Centric Administration - The Heart of Governance (30.3.2009)		50	15
13	Organisational Structure of Government of India (19.5.2009)		37	10
14	Strengthening Financial Management Systems (26.5.2009)		36	17
15	State & District Administration (29.5.2009)		158	57
	<b>TOTAL</b>		<b>1,228</b>	<b>453</b>

Most of the recommendations of the Commission impinge upon State Governments. The principles underlying reforms in the Union Government are also applicable to State Governments. One area of change in governance is the administration of districts. The Commission has suggested a dual role for the District Administration (headed by the District Magistrate) – the first as the secretariat and executive in District Councils and secondly as an agency of the State Government.

The recommendations of the Commission fall into two groups. The first is the set of changes which need to be made in administrative structures, processes and techniques. The second is a work programme in which a number of issues need to be examined by the Government. Implementing the suggested changes and carrying out the work programmes will require strong political will and sustained political guidance at the highest level. The Commission is confident that both will be forthcoming.

The following pages show the recommendations of 2<sup>nd</sup> ARC and wherever government decisions on the recommendations wherever available.

## Recommendations of the 2<sup>nd</sup> ARC in Detail

### Right to Information

Topic/Issue	Recommendations on Right to Information (1 <sup>st</sup> Report)	Government's Decision
<p><b>1. The Official Secrets Act (Para 2.2.12):</b></p>	<p>(a) The Official Secrets Act, 1923 should be repealed, and substituted by a chapter in the National Security Act, containing provisions relating to official secrets.(1)</p>	<p>(a) The recommendation has not been accepted. OSA is the only law to deal with the cases of espionage, wrongful possession and communication of sensitive information detrimental to the security of the State. This law has stood the test of time and has a very high conviction rate. The National Security Act (NSA) provides for preventive powers to deal with likely threats to maintenance of public order and security of the country, maintenance of essential services etc. It provides for preventive detention but does not define any substantive offence. On the other hand, the OSA is a substantive law.</p>

Topic/Issue	Recommendations on Right to Information (1 <sup>st</sup> Report)	Government's Decision
<p><b>1. The Official Secrets Act (Para 2.2.12):</b></p>	<p>(b) The equivalent of the existing Section 5, in the new law may be on the lines recommended by the Shourie Committee as quoted below: “ 5(1) If any person, having in his possession or control any official secret which has come into his possession or control by virtue of: (b1)his holding or having held an office with or under government, or (b2) a contract with the government, or (b3) it being entrusted to him in confidence by another person holding or having held an office under or with the government, or in any other manner, i. communicates, without due authority such official secret to another person or uses it for a purpose other than a purpose for which he is permitted to use it under any law for the time being in force; or ii. fails to take reasonable care of, or so conducts himself as to endanger the safety of the official secret; or iii. wilfully fails to return the official secret when it is his duty to return it, shall be guilty of an offence under this section. 5(2) Any person voluntarily receiving any official secret knowing or having reasonable ground to believe, at the time he receives it, that the official secret is communicated in contravention of this Act, he shall be guilty of an offence under this section. 5(3) A person guilty of an offence under this section shall be punishable with imprisonment for a term which may extend to three years or with fine or with both. Explanation: For the purpose of this section, ‘Official Secret’ means any information the disclosure of which is likely to prejudicially affect the sovereignty and integrity of India, the security of State, friendly relations with foreign states, economic, commercial, scientific and technological matters relating to national security and includes: any secret code, password, sketch plan, model, article, note or document in relation to a prohibited place.”(2)</p>	<p>(b) The recommendation has been accepted. MHA will come up with a legislation after due consultations.</p>



Topic/Issue	Recommendations on Right to Information (1 <sup>st</sup> Report)	Government's Decision
<p><b>2. Governmental Privilege in Evidence (Para 2.3.8)</b></p>	<p>(a) Section 123 of the Indian Evidence Act, 1872 should be amended to read as follows:  (1) "123.(1)Subject to the provisions of this section, no one shall be permitted to give any evidence derived from official records which are exempt from public disclosure under the RTI Act, 2005. (2) Where he withholds such permission, he shall make an affidavit containing a statement to that effect and setting forth his reasons therefor (3) Where such officer has withheld permission for the giving of such evidence, the Court, after considering the affidavit or further affidavit, and if it so thinks fit, after examining such officer or, in appropriate cases, the Minister, orally: a) shall issue a summons for the production of the unpublished official records concerned, if such summons has not already been issued b) shall inspect the records in chambers; and c) shall determine the question whether the giving of such evidence would or would not be injurious to public interest, recording its reasons therefor. (4) Where, under sub-section (3), the Court decides that the giving of such evidence would not be injurious to public interest, the provisions of subsection (1) shall not apply to such evidence. Provided that in respect of information classified as Top Secret for reasons of national security, only the High Court shall have the power to order production of the records." Section 124 of the Indian Evidence Act will become redundant on account of the above and will have to be repealed. Accordingly, the following will have to be inserted at the appropriate place in the Code of Civil Procedure, 1908 and the Code of Criminal Procedure, 1973: "Any person aggrieved by the decision of any Court subordinate to the High Court rejecting a claim for privilege made under section 123 of the Indian Evidence Act, 1872 shall have a right to appeal to the High Court against such decision, and such appeal may be filed notwithstanding the fact that the proceeding in which the decision was pronounced by the Court is still pending."(3)</p>	<p>(a) The recommendation has not been accepted. Amendments are not necessary as there is a specific provision under Section 22 of the RTI Act to this effect.</p>
<p><b>3. The Oath of Secrecy (Para 2.4.4)</b></p>	<p>(a) As an affirmation of the importance of transparency in public affairs, Ministers on assumption of office may take an oath of transparency alongwith the oath of office and the requirement of administering the oath of secrecy should be dispensed with. Articles 75(4) and 164 (3), and the Third Schedule should be suitably amended.(4)</p>	<p>(a) &amp; (b): The recommendations were not accepted because in spite of the RTI Act, a Union Minister will be required to maintain official secrets.</p>
<p><b>3. The Oath of Secrecy (Para 2.4.4)</b></p>	<p>(b) Safeguard against disclosure of information against the national interest may be provided through written undertaking by incorporation of a clause in the national security law dealing with official secrets.(5)</p>	

Topic/Issue	Recommendations on Right to Information (1 <sup>st</sup> Report)	Government's Decision
<b>4. Exempted organizations (Para 2.5.6)</b>	(a) The Armed Forces should be included in the Second Schedule of the Act.(6)	a) The recommendation has not been accepted. However, Defence Ministry may like to bring a comprehensive proposal for consideration.
	(b) The Second Schedule of the Act may be reviewed periodically.(7)	(b) The recommendation has been accepted.
	(c) All organizations listed in the Second Schedule have to appoint PIOs. Appeals against orders of PIOs should lie with CIC/SICs. (This provision can be made by way of removal of difficulties under section 30)(8)	c) The recommendation has been accepted.
<b>5. The Central Civil Services (Conduct) Rules (Para 3.1.4)</b>	(a) Civil Services Rules of all States may be reworded on the following lines: "Communication of Official Information: Every Government servant shall, in performance of his duties in good faith, communicate to a member of public or any organisation full and accurate information, which can be disclosed under the Right to Information Act, 2005. Explanation – Nothing in this rule shall be construed as permitting communication of classified information in an unauthorised manner or for improper gains to a Government servant or others.(9)	(a) The recommendation has been accepted.
<b>6. The Manual of Office Procedure (Para 3.2.3)</b>	(a) Para 116 of the Manual of Office Procedure, needs to be reworded as follows: "Communication of Official Information: Every Government Servant shall, in performance of his duties in good faith, communicate to a member of public or any organization full and accurate information, which can be disclosed under the Right to Information Act. (Nothing stated above shall be construed as permitting communication of classified information in an unauthorized manner or for improper gains to a Government Servant or others)."(10)	(a) The recommendation has been accepted.
<b>6. The Manual of Office Procedure (Para 3.2.3)</b>	(b) Para 118 (1) should be deleted.(11)	(b) The recommendation has not been accepted. (This para in the Manual of Office Procedure is about treating the notes portion of a file as confidential).
	(c) The State Governments may be advised to carry out similar amendments in their Manuals, if such provisions exist therein (12)	(c) The recommendation has been accepted.
<b>7. Classification of</b>	(a) The GOI should amend the Manual of Departmental Security Instructions in the	(a) The recommendation has

Topic/Issue	Recommendations on Right to Information (1 <sup>st</sup> Report)	Government's Decision
<p><b>Information (Para 4.1.8)</b></p>	<p>following manner: (i) Information Deserving Classification (Para 3) It would be advisable for each Ministry/Department to identify the information, which deserves to be given a security classification. Ordinarily, only such information should be given a security classification which would qualify for exemption from disclosure under the Right to Information Act, 2005. The Classification of documents should be done as per the following guidelines. Section of the RTI Act to which Classification information pertains 8(1)(a) Top Secret 8(1)(b) Confidential 8(1)(c) Confidential 8(1)(d) Secret 8(1)(e) Confidential 8(1)(f) Secret 8(1)(g) Top Secret/Secret 8(1)(h) Secret/Confidential 8(1)(i) Confidential 8(1)(j) Confidential/restricted 9 Confidential/restricted Explanation: The above-mentioned classification should be generally followed. It is quite possible that information may be covered by more than one exemption; in that case the information should be given the classification of the higher category. Also if it is felt by the competent authority that circumstances of a case demand a higher classification than what is indicated above, then the same may be done by an authority, which is empowered to give such a classification Provision should be made to include annual confidential reports of officers and examination question papers and related matters in the exemptions under the RTI Act. This may be done by way of removal of difficulties under Section 30. (ii) Upgrading and Downgrading (Para 2.3) Documents once classified as "Top Secret" or "Secret", should remain so classified as long as required but not exceeding 30 years. Documents classified as confidential and restricted should remain so for a period not exceeding 10 years. However, the competent classifying officer may, for reasons to be recorded in writing, authorise continued classification beyond the period prescribed above if information, the disclosure of which would cause damage to national security or national interest. A recipient officer of appropriate rank in a Ministry or Department may upgrade the security classification of a document received from outside, but this raised classification will be limited only to the Ministry or Department. (S)He will, however, have no authority to downgrade the security classification of a document received, without the concurrence of the originator. Within the same Department, an officer superior to the originator would have the authority to downgrade or upgrade the classification. (iii) Officer Authorised to Accord the Grading: Top Secret Not below Joint Secretary Secret Not below Deputy Secretary Confidential Not below Under Secretary The State Governments may authorise officers of equivalent rank to accord the grading.(13)</p>	<p>been accepted with modifications and it was noted that it was not possible to classify documents on the basis of various Sections of the RTI Act. However, the first para of the existing para 3 of the Manual of Department Security Instructions might be amended by incorporating the following in the existing provisions: "It would be for each Ministry/Department to identify information which deserves to be given a security classification. Ordinarily, only such information should be given a security classification, which would qualify for exemption from disclosure under the RTI Act, 2005." MHA would take action to give necessary guidelines to Ministries. MHA would further take necessary action to incorporate necessary changes in the Manual of Departmental Security Instructions with regard to sub-para (ii) (upgrading and down grading) and sub- para (iii) (officer authorised to accord grading).</p>

Topic/Issue	Recommendations on Right to Information (1 <sup>st</sup> Report)	Government's Decision
<b>8. Building Institutions (Para 5.2.5)</b>	(a) Section 12 of the Act may be amended to constitute the Selection Committee of CIC with the Prime Minister, Leader of the Opposition and the Chief Justice of India. Section 15 may be similarly amended to constitute the Selection Committee at the State level with the Chief Minister, Leader of the Opposition and the Chief Justice of the High Court.(14)	(a) The recommendation has not been accepted as the existing provision in the Act has no infirmity and that it should continue.
	(b) The GOI should ensure the constitution of SICs in all States within 3 months.(15)	(b) The recommendation has been accepted.
	(c) The CIC should establish 4 regional offices of CIC with a Commissioner heading each. Similarly regional offices of SICs should be established in larger States.(16)	(c) The recommendation has not been accepted as it involves huge financial implications and does not appear to serve any purpose.
	(d) At least half of the members of the Information Commissions should be drawn from non civil services background. Such a provision may be made in the Rules under the Act, by the Union Government, applicable to both CIC and SICs.(17)	(d) The recommendation has not been accepted as the Act provides that persons of eminence in public life with wide knowledge and experience in different fields might be appointed to the post of Chief Information Commissioner / Information Commissioners.

Topic/Issue	Recommendations on Right to Information (1 <sup>st</sup> Report)	Government's Decision
<b>9. Designating Information Officers and Appellate Authorities (Para 5.3.4)</b>	(i) All Ministries/ Departments / Agencies / Offices with more than one PIO have to designate a nodal Assistant Public Information Officer with the authority to receive requests for information on behalf of all PIOs. Such a provision should be incorporated in the Rules by appropriate governments.(18)	(i) The recommendation has not been accepted as the provisions regarding receiving applications under the Act are adequate and that there is no need to make any rules as recommended by the Commission. However, it has been decided that executive instructions could be issued requesting the public authorities to specify a central point where all the RTI applications could be deposited/received.
	(ii) PIOs in Central Secretariats should be of the level of atleast Deputy Secretary /Director. In State Secretariats officers of similar rank should be notified as PIOs. In all subordinate agencies and departments officers sufficiently senior in rank and yet accessible to public may be designated as PIOs.(19)	(ii) The recommendation has not been accepted as the Act does not prescribe the level of PIOs. The information is generally available at lower level and it is easier to provide the information to the information seeker at that level.
	(iii) All public authorities may be advised by the Government of India that alongwith the Public Information Officers they should also designate the appellate authority and publish both, together.(20)	(iii) The recommendation has been accepted.
	(iv) The designation and notification of Appellate Authorities for each public authority may be made either under Rules or by invoking Section 30 of the Act.(21)	(iv) The recommendation has not been accepted as it is not necessary to do so by framing rules or issue of orders under Section 30. However, necessary executive instructions would be issued by the Department of Personnel and Training.

Topic/Issue	Recommendations on Right to Information (1 <sup>st</sup> Report)	Government's Decision
<b>10. Organizing Information and Record keeping (Para 5.4.11)</b>	<p>(a) Suo motu disclosures should also be available in the form of printed, priced publication in the official language, revised periodically (at least once a year). Such a publication should be available for reference, free of charge. In respect of electronic disclosures, NIC should provide a single portal through which disclosures of all public authorities under appropriate governments could be accessed, to facilitate easy availability of information.(22)</p>	<p>(a) The recommendation has not been accepted as it is difficult to print information periodically and practically not possible. A small change in situation would require another edition of the publication. It is also not cost effective. However, there is already an RTI portal where all the Ministries/Departments may post their information.</p>
	<p>(b) Public Records Offices should be established as an independent authority in GOI and all States within 6 months by integrating and restructuring the multiple agencies currently involved in record keeping. This Office will be a repository of technical and professional expertise in management of public records. It will be responsible for supervision, monitoring, control and inspection of record keeping in all public offices.(23)</p>	<p>(b) &amp; (c) The recommendations were not accepted as there was no need for setting up of a new independent authority/office as the Public Records Office in Government of India and States. Existing bodies involved in record management, such as, National Archives and Department of Administrative Reforms &amp; Public Grievances should be strengthened by providing more funds and technical expertise. Public Records Act, 1993 should be strengthened for enforcing discipline in record management.</p>
	<p>(c)Public Records Office would function under the overall supervision and guidance of CIC/SIC. (24)</p>	

Topic/Issue	Recommendations on Right to Information (1 <sup>st</sup> Report)	Government's Decision
<b>10. Organizing Information and Record keeping (Para 5.4.11)</b>	<p>(d) As a one time measure, GOI should earmark 1% of the funds of all Flagship Programmes for a period of five years for updating records, improving infrastructure, creating manuals and establishing the Public Records Offices. (An amount not exceeding 25% of this should be utilized for awareness generation.)(25)</p>	<p>(d) The recommendation has not been accepted as updating of records, improving of infrastructure and creating manuals is a continuing process for which no separate funds are needed to be earmarked. However, all public authorities should update their records, improve their infrastructure etc. from within their resources by making provisions in their budget.</p>
	<p>(e) As a onetime measure, GOI may create a Land Records Modernisation Fund for survey and updation of all land records. The quantum of assistance for each State would be based on an assessment of the field situation.(26)</p>	<p>(e) The recommendation has not been accepted as the States are already modernizing their land records, which is also one of the components of the national E-Governance Programme. There is, therefore, no need to create such a Fund.</p>
	<p>(f) All organizations, which have jurisdiction over an area equal to or exceeding a district, should be funded and required to complete the process of digitization by the end of 2009. All sub-district level organizations should complete this task by the end of 2011. The controlling Ministries/ Departments at Union and State level should lay down a detailed road map for this purpose with well-defined milestones within 6 months, so that this could be implemented as a priority item in the Eleventh Five Year Plan.(27)</p>	<p>(f) The recommendation has been accepted in principle. However, this is an ongoing process. Digitization will be done by Ministries/Departments in identified priority areas.</p>
<b>11. Capacity Building and Awareness Generation (Para 5.5.5.)</b>	<p>(a) Training programmes should not be confined to merely PIOs and APIOs. All government functionaries should be imparted atleast one day training on Right to Information within a year. These training programmes have to be organized in a decentralized manner in every block. A cascading model could be adopted with a batch of master trainers in each district.(28)</p>	<p>(a) The recommendation has been accepted.</p>

Topic/Issue	Recommendations on Right to Information (1 <sup>st</sup> Report)	Government's Decision
<b>11. Capacity Building and Awareness Generation (Para 5.5.5.)</b>	b) In all general or specialized training programmes, of more than 3 days duration, a half-day module on Right to Information should be compulsory.(29)	(b) The recommendation has been accepted with a modification that in all training programmes of one week or more wherever possible a one hour module on Right to Information should be included. Training Division has issued instructions to this effect to all Central Ministries/Departments, State Govts., Central Training Institutes and State Training Institutes.
	(c) Awareness campaigns should be entrusted to credible non profit organizations at the State level. They should design a multi media campaign best suited to the needs, in the local language. The funds earmarked (as mentioned in para 5.4.11.d) could be utilized for this purpose.(30)	(c) The recommendation has been accepted as far as it relates to expenditure from the normal budget.
	(d) Appropriate governments should bring out guides and comprehensible information material within the prescribed time.(31)	(d) The recommendation has been accepted.
	(e) The CIC and the SICs may issue guidelines for the benefit of public authorities and public officials in particular and public in general about key concepts in the Act and approach to be taken in response to information requests on the lines of the Awareness Guidance Series referred to above (para 5.5.1).(32)	(e) The recommendation has been accepted with a modification that such guidelines may be issued by the appropriate Government in consultation with the CIC/SICs.
<b>12. Monitoring Mechanism (Para 5.6.4)</b>	(a) The CIC and the SICs may be entrusted with the task of monitoring effective implementation of Right to Information Act in all public authorities. (An appropriate provision could be made under Section 30 by way of removal of difficulties).(33)	(a) The recommendation has been accepted.
<b>12. Monitoring Mechanism (Para 5.6.4)</b>	(b) As a large number of Public Authorities exist at regional, state, district and sub district level, a nodal officer should be identified wherever necessary by the appropriate monitoring authority (CIC/SIC) to monitor implementation of the Act.(34)	(b) The recommendation has not been accepted as it is likely to generate inter-departmental conflict.



Topic/Issue	Recommendations on Right to Information (1 <sup>st</sup> Report)	Government's Decision
	<p>(c) Each public authority should be responsible for compliance of provisions of the Act in its own office as well as that of the subordinate public authorities.(35)</p> <p>(d) A National Coordination Committee (NCC) may be set up under the chairpersonship of the Chief Information Commissioner with the nodal Union Ministry, the SICs and representatives of States as members. A provision to this effect may be made under Section 30 of the Act by way of removing difficulties. The National Coordination Committee would: (i) serve as a national platform for effective implementation of the Act, (ii) document and disseminate best practices in India and elsewhere, (iii) monitor the creation and functioning of the national portal for Right to Information, (iv) review the Rules and Executive orders issued by the appropriate governments under the Act, (v) carry out impact evaluation of the implementation of the Act; and (vi) perform such other relevant functions as may be deemed necessary(36)</p>	<p>(c) The recommendation has been accepted</p> <p>(d) The recommendation has been accepted.</p>
<b>13. Facilitating Access (Para 6.2.7)</b>	<p>(a) In addition to the existing modes of payment, appropriate governments should amend the Rules to include payment through postal orders.(37)</p> <p>(b) States may be required to frame Rules regarding application fee which are in harmony with the Central Rules. It needs to be ensured that the fee itself does not become a disincentive.(38)</p> <p>(c) Appropriate governments may restructure the fees (including additional fees) in multiples of Rs 5. {e.g. instead of prescribing a fee of Rs. 2 per additional page it may be desirable to have a fee of Rs. 5 for every 3 pages or part thereof}.(39)</p>	<p>(a) The recommendation has been accepted. An amendment has been made to the Fee Rules notifying Indian Postal Order as one of the modes for payment of fee for seeking information.</p> <p>(b) The recommendation has been accepted.</p> <p>(c)The recommendation has been accepted</p>
<b>13. Facilitating Access (Para 6.2.7)</b>	<p>(d) State Governments may issue appropriate stamps in suitable denominations as a mode of payment of fees. Such stamps would be used for making applications before public authorities coming within the purview of State Governments.(40)</p>	<p>(d) The recommendation has not been accepted as the Indian Postal Order has already been made one of the modes of payment of fee, and as such there is no need to have stamps.</p>

Topic/Issue	Recommendations on Right to Information (1 <sup>st</sup> Report)	Government's Decision
	(e) As all the post offices in the country have already been authorized to function as APIOs on behalf of Union Ministries/ Departments, they may also be authorized to collect the fees in cash and forward a receipt along with the application.(41)	(e) The recommendation has been accepted.
<b>14. Inventory of Public Authorities (Para 6.3.2)</b>	(a) At the Government of India level the Department of Personnel and Training has been identified as the nodal department for implementation of the RTI Act. This nodal department should have a complete list of all Union Ministries/Departments which function as public authorities.(42)	(a) The recommendation has been accepted.
	(b) Each Union Ministry/Department should also have an exhaustive list of all public authorities, which come within its purview. The public authorities coming under each ministry/ department should be classified into (i) constitutional bodies, (ii) line agencies, (iii) statutory bodies, (iv) public sector undertakings, (v) bodies created under executive orders, (vi) bodies owned, controlled or substantially financed, and (vii) NGOs substantially financed by government. Within each category an up-to date list of all public authorities has to be maintained.(43)	(b) The recommendation has been accepted
	(c) Each public authority should have the details of all public authorities subordinate to it at the immediately next level. This should continue till the last level is reached. All these details should be made available on the websites of the respective public authorities, in a hierarchical form.(44)	(c) The recommendation has been accepted.
	(d) A similar system should also be adopted by the States.(45)	(d) The recommendation has been accepted.
<b>15. Single Window Agency at District Level (Para 6.4.2)</b>	A Single Window Agency should be set up in each District. This could be achieved by creating a cell in a district-level office, and designating an officer as the Assistant Public Information Officer for all public authorities served by the Single Window Agency. The office of the District Collector/Deputy Commissioner or the Zilla Parishad is well suited for location of the cell. This should be completed by all States within 6 months.(46)	The recommendation has not been accepted as it is not possible to setup a single window agency in each district by the Central Government since complaints pertain to different areas and time would be lost in distributing them to relevant offices.

Topic/Issue	Recommendations on Right to Information (1 <sup>st</sup> Report)	Government's Decision
<b>16. Subordinate Field Offices and Public Authorities (Para 6.5.4)</b>	<p>The lowest office in any organization which has decision making power or is a custodian of records should be recognized as a public authority.(47)</p>	<p>The recommendation has not been accepted as any office which has decision- making power or is a custodian of a record is legally bound to give information under the RTI Act. There is no advantage in recognizing it as a distinct public authority.</p>
<b>17.Application to Non Governmental Bodies (Para 6.6.6)</b>	<p>(a) Organisations which perform functions of a public nature that are ordinarily performed by government or its agencies, and those which enjoy natural monopoly may be brought within the purview of the Act.(48)</p> <p>(b) Norms should be laid down that any institution or body that has received 50% of its annual operating costs, or a sum equal to or greater than Rs.1 crore during any of the preceding 3 years should be understood to have obtained 'substantial funding' from the government for the period and purpose of such funding.(49)</p> <p>(c)Any information which, if it were held by the government, would be subject to disclosure under the law, must remain subject to such disclosure even when it is transferred to a non-government body or institution.(50)</p> <p>(d) This could be achieved by way of removal of difficulties under section 30 of the Act.(51)</p>	<p>(a) (b) (c) &amp; (d): The recommendations have been accepted in principle. However, as it is a new Act, the norms would evolve as the jurisprudence develops. Government would look into the specific norms accordingly. The Act does cover NGOs substantially financed through Government funds.</p>
<b>18. Time Limit for Information Beyond 20 Years (Para 6.7.6)</b>	<p>(a) The stipulation of making available 20-year old records on request should be applicable only to those public records which need to be preserved for such a period. In respect of all other records, the period of availability will be limited to the period for which they should be preserved under the record keeping procedures (52)</p> <p>(b) If any public authority intends to reduce the period upto which any category of record is to be kept, it shall do so after taking concurrence of the Public Records Office as suggested in para 5.4.11.(53)</p> <p>(c) These recommendations could be implemented by way of removal of difficulties under Section 30 of the Act.(54)</p>	<p>(a) The recommendation has been accepted.</p> <p>(b) &amp; (c) The recommendations have not been accepted.</p>

Topic/Issue	Recommendations on Right to Information (1 <sup>st</sup> Report)	Government's Decision
<b>19. Mechanism for Redressal of Public Grievances (Para 6.8.3)</b>	States may be advised to set up independent public grievances redressal authorities to deal with complaints of delay, harassment or corruption. These authorities should work in close coordination with the SICs/District Single Window Agencies, and help citizens use information as a tool to fight against corruption and misgovernance, or for better services.(55)	The recommendation has been accepted.
<b>20. Frivolous and Vexatious Requests (Para 6.9.5)</b>	(a) Section 7 may be amended to insert sub section (10) as follows: "The PIO may refuse a request for information if the request is manifestly frivolous or vexatious. Provided that such a refusal shall be communicated within 15 days of receipt of application, with the prior approval of the appellate authority. Provided further that all such refusals shall stand transferred to CIC/SIC, as the case may be and the CIC/SIC shall dispose the case as if it is an appeal under section 19(3) of the RTI Act".(56)	(a) The recommendation has been accepted partially subject to the deletion of the second proviso from the proposed provision.
	(b) It may be provided that information can be denied if the work involved in processing the request would substantially and unreasonably divert the resources of the public body Provided that such a refusal shall be communicated within 15 days of receipt of application, with the prior approval of the appellate authority. Provided further that all such refusals shall stand transferred to CIC/SIC, as the case may be and the CIC/SIC shall dispose the case as if it is an appeal under section 19(3) of the RTI Act. This may be accomplished by way of removal of difficulties or framing of appropriate Rules.(57)	(b) The recommendation has been accepted subject to the deletion of the second proviso from the proposed provision. However, necessary changes may be made in the language of the provision.
<b>21. Application of the Act to the Legislature and the Judiciary (Para 7.11)</b>	(a) A system of indexing and cataloguing of records of the legislatures, which facilitates easy access should be put in place. This could be best achieved by digitising all the records and providing access to citizens with facilities for retrieving records based on intelligible searches.(58)	(a) The recommendation has been accepted.
	(b) A tracking mechanism needs to be developed so that the action taken by the executive branch on various reports like CAG, Commissions of Enquiry and House Committees is available to legislators and public, online.(59)	(b) The recommendation has been accepted in principle.
	(c) The working of the legislative committees should be thrown open to the public. The presiding officer of the committee, if required in the interest of State or privacy, may hold proceedings in camera.(60)	(c) The recommendation has been accepted.
	(d) The records at the district court and the subordinate courts should be stored in a scientific way, by adopting uniform norms for indexing and cataloguing.(61)	(d) The recommendation has been accepted.

Topic/Issue	Recommendations on Right to Information (1 <sup>st</sup> Report)	Government's Decision
	(e) The administrative processes in the district and the subordinate courts should be computerized in a time bound manner. These processes should be totally in the public domain.(62)	(e) The recommendation has been accepted.

### Unlocking Human Capital

Topic/Issue	Recommendations on Unlocking Human Capital (2 <sup>nd</sup> Report)	Government's Decision
1. Guaranteeing Reach (Para 5.2.1.6)	(a). Awareness generation programmes should be taken up by all States Govts. The publicity and guidance material should be available in local languages. The effectiveness of these programmes should be measured through independent sample surveys. (1)	(a)& (b) The recommendations are accepted.
	(b). Intensive use of All India Radio and Doordarshan should be made to local languages as is done in the case of Sarva Siksha Abhiyan and National Rural Health Mission. (2)	
1. Guaranteeing Reach (Para 5.2.1.6)	(c) In order to ensure proper coverage, voters' lists may be used for ascertaining the number of eligible households. This however, should not be the sole basis for registering households under NREGA. The number of households registered should be monitored and compared against other data like census, BPL survey etc, so that affirmative action could be taken wherever the participation is not satisfactory. (3)	(c) The recommendation is accepted. However, as NREGA is a demand based programme, registration of households would be done only when there is an application.
	d) Independent monitors, wherever necessary, should be deployed in areas where participation of vulnerable sections is not adequate, to ensure that the weaker sections are participating and getting their entitlements. It also needs to be ensured that all habitations/hamlets get fully covered. (4)	(d) The recommendation is accepted.
	(e) Special norms should be worked out for various parameters of the Scheme for difficult areas. (5)	(e) The recommendation is accepted.
	(f) 'Household' should be defined to mean a nuclear family i.e. husband, wife and minor children, and may include any person wholly or substantially dependent on the head of the family. (6)	(f) The recommendation is accepted.

Topic/Issue	Recommendations on Unlocking Human Capital (2 <sup>nd</sup> Report)	Government's Decision
	(g) Job-cards should be issued separately to each adult physically challenged person. (7)	(g) The recommendation is not accepted because of the fact that the basic unit under NREGA is the "household" and not an "individual". The Act also does not specifically address the problem of physically challenged who required special assistance of different nature.
<b>2. Guaranteeing Outcomes (Para 5.2.2.6)</b>	<p>(a) An evaluation should be carried out to assess the socio-economic impact of NREGA. This evaluation should encompass the following activities; (8)</p> <p>a1. Identifying the parameters to be evaluated: These parameters should capture the livelihood security. The following parameters are suggested</p> <p>(i) Average annual income of households</p> <p>(ii) Prevalent market wages for agricultural labour</p> <p>(iii) Average number of days a family migrates in search of labour</p> <p>(iv) Productivity of small and marginal land holdings</p> <p>(v) Quality and contribution of assets</p> <p>Before finalizing the list of parameters, each of them should be validated after a field study.</p> <p>a2. Conducting a baseline survey: This should be concluded within three months.</p> <p>a3. Fixing threshold levels for parameters to signal successful implementation of NREGA.</p> <p>a4. Impact evaluation: The first evaluation should be carried out on completion of three years of implementation of the NREGA.</p> <p>(b). This outcome evaluation could be done as part of the expanded task of the National Sample Survey Organization (NSSO) to develop district and sub-district level data. (9)</p>	(a)&(b) The recommendations are accepted. The Ministry of Rural Development has undertaken such an evaluation, and the set of indicators suggested include most of those indicated by the ARC.
<b>3. Ensuring Convergence (Para 5.2.3.6)</b>	<p>(a) Baseline performance indicators should be worked out for important services such as health and education and efforts should be made to improve them continuously. (10)</p> <p>(b) Rural development programmes, which could be best managed at the local level, should be transferred to the Panchayati Raj Institutions. (11)</p> <p>(c) There should be only one Plan for an area so that an integrated view of development of the area could be taken. All sectoral/schemewise plans should be culled out from this plan. (12)</p>	<p>(a) The recommendation is accepted.</p> <p>(b) The recommendation is accepted.</p> <p>(c) The recommendation is accepted.</p>

Topic/Issue	Recommendations on Unlocking Human Capital (2 <sup>nd</sup> Report)	Government's Decision
	(d) To the extent possible, the earthwork components of other asset creation programmes should be taken up under NREGA. Specifically, the projects under Bharat Nirman may be dovetailed with NREGA. (13)	(d) It is agreed that there should be proper coordination in implementation wherever feasible. The States have been advised accordingly.
<b>4. Expanding the Scheme(Para 5.2.4.2)</b>	(a) The extension of NREGA to remaining areas should be taken up in a phased manner. While expanding the coverage of the NREGA, the block should be taken as the unit instead of the district, with the most backward blocks to be included first. In order to bring objectivity, the expansion plan should be finalized within six months and announced well in advance. (14)	(a) The recommendation is accepted.
<b>5. Fixing Wage Rates(Para 5.3.2.7)</b>	(a) The provisions regarding prescription of wages under NREGA and the Minimum Wages Act would require detailed examination. A task force comprising representatives of the Ministry of Rural Development, Ministry of Labour, Ministry of Law and Justice and a few State Governments may be constituted to examine and make recommendations on this issue. (15)	(a) The recommendation is not accepted. States are already revising wage rates keeping in view NREGA works. The Ministry of Rural Development has been advised to regularly monitor the wages. The Ministry of Rural Development has incorporated detailed instructions on taking up work, time and motion studies in the NREGA Guidelines so that productivity norms are made labour intensive and enable earning of minimum wages.
<b>6. Financial Management System (Para 5.3.3.15)</b>	(a) Funds from Government of India should be transferred directly to the districts. (16)	(a) The recommendation is accepted.
	(b) The State Government's contribution may be fixed at 10 per cent of the total cost of REGS in a year, and may be made annually. If the State does not make this contribution, it may be deducted from its 'Central Assistance for State Plans'. (17)	(b) The recommendation is accepted.

Topic/Issue	Recommendations on Unlocking Human Capital (2 <sup>nd</sup> Report)	Government's Decision
<b>6. Financial Management System (Para 5.3.3.15)</b>	<p>(c) Target (maximum) levels of funds should be fixed for Panchayats (village, block and district levels). Government of India should release funds to districts every month, so that the target levels are restored. The district in turn should release funds to blocks to bring their funds up to the prescribed target levels. Finally the blocks should replenish the funds at the Gram Panchayats. (18)</p>	<p>(c) The recommendation is not accepted. The Ministry of Rural Development mentioned that NREGA funds released is not based on budget allocation but on employment demand in a district. The Ministry of Rural Development was advised to regularly monitor funds flowing from districts to blocks and suitable instruction be issued to the State Governments.</p>
	<p>(d) The system of releasing funds based on utilization certificates should be replaced with a system of concurrent monitoring and audit through an independent agency. (19)</p>	<p>(d)&amp; (e) The recommendations are not accepted. The implementation coverage is extensive with huge number of works. Therefore, it would not be feasible to replace Utilisation Certificate (UC) and go for concurrent audit. Further, Section 24(1) of the Act provides for audit of accounts of NREGA, Section 25 provides for penalties for non-compliance and Section 27(2) provided for suspending Central assistance in case of misutilisation of funds.</p>
	<p>(e) The audit should be taken up every quarter, and if major irregularities are found, the concerned Panchayat should immediately make good the misutilised amounts from its own funds (not NREGA funds). It should initiate action for recovery against those concerned. If there is a prima facie case of corruption, criminal cases should be launched against the concerned persons. (20)</p>	
<b>6. Financial Management System (Para 5.3.3.15)</b>	<p>(f) The target (maximum) level of funds required for Gram Panchayats may be fixed at two months requirements, and so also for the blocks and districts. (21)</p>	<p>(f) The recommendation is accepted.</p>
	<p>(g) A uniform financial information flow system should be prescribed for the entire country. (22)</p>	<p>(g) The recommendation is accepted.</p>



Topic/Issue	Recommendations on Unlocking Human Capital (2 <sup>nd</sup> Report)	Government's Decision
<b>7. Mode of Payment to Workers (Para 5.3.3.16.3)</b>	(a) The ultimate choice of the mode of payment should be left to the workers; payment in cash may be the preferred option. The person/agency preparing the muster roll must be different from the person/agency making payment to the workers. (23)	(a) The recommendation is not accepted as it would dilute accountability. The Ministry of Rural Development was advised to ensure transparency in payment and the use of Banks and Post Offices should be explored.
	(b) In drought prone and remote areas (tribal and hilly areas), a part of the wages may be disbursed in terms of foodgrains. In all cases, quality and timely availability of foodgrains should be ensured. (24)	(b) The recommendation is not accepted. It is not practicable in view of foodgrains supply being inadequate.
<b>8. Role of Banks and Post Offices in Fund flow (Para 5.3.3.18.5)</b>	(a) The post office network should be used along with the bank network for flow of funds and the procedural bottlenecks addressed. (25)	(a) (b) (c) & (d) The recommendations are accepted. The Ministry of Rural Development was advised to encourage payments to NREGA beneficiaries through Banks and Post offices.
	(b) Banks and post offices would have to play a more proactive role in handling these accounts. Procedures, especially in post offices need to be simplified. (26)	
	(c) Opening of zero balance accounts in post offices by both individuals and institutions may be permitted by the competent authority. If the enhanced costs of opening zero balance accounts cannot be borne by the post offices, the amount required may be quantified and examined if remuneration can be given to selected post offices in difficult areas where the bank network is not easily accessible. (27)	
	(d) To avoid leakages, payment through banks and post offices is a better option, Banks and the post offices need to be reoriented to handle this task. (28)	
<b>9. Time Rate Versus Piece Rate (Para 5.3.4.1.5)</b>	(a) Payments should be made based on the piece rate system, and not the time rate system. (29)	(a) The recommendation is accepted.
<b>10. Schedule of Rates(Para5.3.4.2.11)</b>	(a) State Governments should evolve a more realistic rural Schedule of Rates for NREGA in each district. These rates should be evolved that, workers both men and women, get the prescribed minimum wage. The prescribed minimum wage should be taken as the base and the Schedule of Rates should then be worked out. Adequate allowance should be provided as there would be a substantial proportion of women workers. This could be achieved by conducting a gender specific Time & Motion study at the district level. (30)	(a)(b)&(c) The recommendations are accepted.

Topic/Issue	Recommendations on Unlocking Human Capital (2 <sup>nd</sup> Report)	Government's Decision
	(b) The district Schedule of Rates for NREGA should be prepared under the supervision of the District Technical Resources Support Group. (31)	
	(c) State Government should ensure that inter- district variations are within a permissible band. (32)	
	(d) A mechanism whereby the Schedule of Rates is harmonized across States needs to be put in place. There is also need to rationalize the quantity of labour required for a given job. The Ministry of Rural Development should coordinate this process. (33)	(d) The recommendation is not accepted. States have their own systems for fixing the SORs. They are based on the geo- morphic conditions of the region and the prevalent notified minimum wages for a particular task in a State. Fixing SORs is within the jurisdiction of the State. It was, therefore, not possible for the Central Government to coordinate or harmonise SOR across States
<b>10. Schedule of Rates(Para5.3.4.2.11)</b>	(e) As regards elderly and physically challenged people, it is suggested that while prescribing norms for a realistic Schedule of Rates the productivity of such person should be kept in mind. They should be assigned works such as provision, assistance in taking measurements and overseeing the amenities at the worksite. (34)	(e) The recommendation is accepted.
	(f) The Schedule of Rates needs to be made transparent. It should clearly spell out the amounts required for the material as well as labour components in each item of work. (35)	(f) The recommendation is accepted.
	(g) The Ministry of Urban Development should coordinate the large issue of rationalization of the PWD Schedule of Rates in various States. (36)	(g) The recommendation is not accepted. States have their own systems for fixing the SORs. They are based on the geo- morphic conditions of the region and the prevalent notified minimum wages for a particular task in a State. Fixing SORs is within the jurisdiction of the State

Topic/Issue	Recommendations on Unlocking Human Capital (2 <sup>nd</sup> Report)	Government's Decision
<b>11. Maintaining Labour Material Ratio (Para 5.3.5.2)</b>	(a) The stipulation that the material component should not exceed 40 percent of the total cost should be strictly adhered to for each work. In exceptional cases, if it is not possible to maintain this for each work it should be maintained at the Gram/Block Panchayat level. (37)	(a) The recommendation is accepted.
<b>12. Mechanism for Procurement (Para 5.3.6.2)</b>	(a) State Governments should evolve transparent procurement procedures under the scheme, and ensure that they are followed by the Panchayats in a transparent manner. (38)	(a) The recommendation is accepted.
<b>13. Strengthening Local Governments – Building Institutions (Para 5.4.1.1.3)</b>	(a) Panchayats should be empowered by transferring all development schemes which are better managed locally, to them. This transfer should also include the commensurate transfer of administrative and financial power and the implementation machinery. (39) (b) District Rural Development Agencies (DRDA) should be subsumed in the District Panchayat. (40)	(a)(b)&(c) The recommendations are accepted.
<b>13. Strengthening Local Governments – Building Institutions (Para 5.4.1.1.3)</b>	(c) Officers of adequate seniority should be posted as CEOs of District Panchayat and the intermediate level Panchayat. (41)	(a)(b)&(c) The recommendations are accepted
<b>14. Strengthening Local Governments – Capacity Building Para 5.4.1.2.8)</b>	(a) NREGA should be implemented by a judicious mix of permanent and contractual staff. Staff required for implementation of NREGA at sub- district levels should, be engaged locally. This appointment may not be to a service but to a particular post. This could be achieved through contractual engagement. The process should be totally objective and transparent.(42)	(a) The recommendation is accepted.
	(b) There should be a provision to relax qualifications in the case of local candidates to be backed by capability building programmes for them. (43)	(b) The recommendation is not accepted as consideration of norms and qualifications by a State would not be confined to NREGA staff but be part of their overall personnel policy.

Topic/Issue	Recommendations on Unlocking Human Capital (2 <sup>nd</sup> Report)	Government's Decision
	(c) Services of Non- Governmental Organisations with proven track records could also be used to supplement staff deficits. (44)	(c) The recommendation is not accepted as the NREGA Guidelines provided for establishing a technical resource network and empanelment of engineers at the State level. With the increase in the administrative limit to 4%, States are expected to strengthen their technical and administrative resources.
	(d) The norms for engaging staff, both technical and administrative, should be linked to the average population per Panchayat (village/block and district). In hilly terrain, the area per Panchayat should also be a criterion. (45)	(d) The recommendation is not accepted as consideration of norms and qualifications by a State would not be confined to NREGA staff but be part of their overall personnel policy.
<b>14. Strengthening Local Governments – Capacity Building Para 5.4.1.2.8)</b>	(e) In case of smaller Gram Panchayats where each Panchayat cannot financially support a full complement of staff, the State Government may group them into compact administrative units for staffing purposes. (46)	(e) The recommendation is accepted.
	f) The following incentives may be provided to officials working in difficult areas: (47)	(f) The recommendation is not accepted as this is a general policy issue and could not be linked with NREGA.
	(g) Liberal life insurance cover. Hardship allowance. Retention of government accommodation for family if required outside the place of posting. However, all these incentives should be linked to performance which should be reviewed each year. In case of acute shortage of engineers in the field, a panel of non-government engineers may be engaged at the block level. Educated youth could be identified and trained to prepare estimates for works. These draft estimates would then be scrutinized and approved by the panel of engineers at the block level. (48)	(g) The recommendation is accepted.

Topic/Issue	Recommendations on Unlocking Human Capital (2 <sup>nd</sup> Report)	Government's Decision
	(h) The limit of administrative expenses should be raised from the existing 2 per cent to 6 per cent of the total expenditure under the Scheme. Out of this, 1 per cent of the total funds should be earmarked for concurrent monitoring and audit, and 2 per cent for training. Additional funds for meeting enhanced administrative expenses should be provided in difficult areas. (This could be 2 per cent of the total expenditure under the Scheme, in addition to what is provided for normal districts). (49)	(h) The recommendation is not accepted. The proposal of the Ministry of Rural Development to raise the permissible administrative cap of 2% to 6% was considered by the Government and approved only 4%.
	(i) Training should not be envisaged as a one time intervention but should be a continuing process. (2 per cent of the total funds should be earmarked for training activities). (50)	(i) The recommendation is not accepted. The overall ceiling was fixed at 4% and, as such, 2% for training could not be earmarked.
<b>14. Strengthening Local Governments – Capacity Building Para 5.4.1.2.8)</b>	(j) The following subjects should inter alia be covered in the training programmes : i. The concept of poverty, its dimensions, causes and possible solutions. ii. The problems of gender inequality. iii. An overview of Panchayati Raj. iv. NREGA and the processes involved in it. v. Associated laws such as Right to Information, Minimum Wages Act etc. (51)	(j) The recommendation is accepted.
	(k) A cascading approach should be adopted for training. Pools of resource persons should be created at the State, district and block levels.(52)	(k) The recommendation is accepted.
	(l) Distance learning technology should be used for imparting training in remote and inaccessible areas.(53)	(l) The recommendation is accepted.
	(m) There should be evaluation of training activities through independent agencies. (54)	(m) The recommendation is accepted.
	(n) The services of NGOs and SHGs should be used to impart trainings. (55)	(n) The recommendation is accepted.
	(o) In violence affected areas, a District Task Force headed by the District Collector having the Superintendent of Police, Chief Executive of District Panchayat and other concerned officers, as members should be constituted to ensure that the provisions of NREGA are implemented properly, and to help the Panchayats. (56)	(o) The recommendation is accepted.

Topic/Issue	Recommendations on Unlocking Human Capital (2 <sup>nd</sup> Report)	Government's Decision
	(p) In areas where the Panchayats are non- functional, the District Collector should be made responsible for implementation of REGS. In areas which are not covered by Part IX of the Constitution, local bodies under the State law which may or may not be traditional institutions, can be used. State specific solutions will have to be evolved since the situation varies from State to State. (57)	(p) The recommendation is accepted.
<b>15. Selection and Maintenance of Works (Para 5.4.2.5)</b>	(a) Selection of shelf of works at the Gram Panchayat and Block/ Intermediate Panchayat level should be in harmony with the district development plan. The shelf of works should be such that watershed development is ensured and water resources are enhanced. Stand-alone works should be discouraged.(58)	(a) & (b) The recommendations are accepted.
<b>15. Selection and Maintenance of Works (Para 5.4.2.5)</b>	(b) The Block/Intermediate Panchayat should ensure that the works of one Gram Panchayat do not adversely affect the adjoining Gram Panchayat. The same principle should be followed by the District Panchayat to ensure coordination between works having inter-block ramifications. Inter-Gram Panchayat works should be taken up after the approval of the concerned Gram Panchayats involved. Similarly, works of inter block nature should be taken up after the approval of the concerned Intermediate/ Block Panchyats. (59)	(a) & (b) The recommendations are accepted.
	(c) It should be ensured that most of the works are executed through Gram Panchayats and need for works to be taken up by the Block/Intermediate Panchayats should arise only in case of inter-Gram Panchayat works or where the Gram Panchayats have not been able to meet the demand for employment. (60)	(c) The recommendation is accepted.
<b>16. Block Resource Centre(Para 5.4.3.2)</b>	(a) To augment the technical resources of Panchayats at the village and intermediate levels, a Block Resource Centre may be set up which would include a panel of experts and professionals available at the block level. This Centre would perform functions at the block level, similar to those of the District Technical Group at the district level. (61)	(a) The recommendation is accepted. State level and district level technical resource group could be formed. However, setting up such groups at the block level may not be feasible at this stage.

Topic/Issue	Recommendations on Unlocking Human Capital (2 <sup>nd</sup> Report)	Government's Decision
<b>17. Entrepreneurship Institutes for the Rural Poor (Para 5.4.4.4)</b>	(a) Entrepreneurship training institutes should be set up in every block to train and impart skills to the rural poor so that they get the opportunity to be self employed. This should be financed out of the funds earmarked for administrative expenses under NREGA.(62)	(a) The recommendation is not accepted. However, it was suggested that the recommendations be implemented through other schemes of Ministry of Rural Development.
<b>18. Monitoring Systems (Para 5.4.5.5)</b>	(a) The monitoring mechanism as prescribed under the guidelines should be enriched by incorporating those features which capture information about the crucial parameters of the Scheme. (63)	(a) The recommendation is accepted. .
<b>18. Monitoring Systems (Para 5.4.5.5)</b>	(b) For the purposes of record keeping, 'employment generation' shall be deemed to have taken place only when the workers have received their wages. This would ensure that (a) the functionaries make prompt payment to the beneficiaries, and (b) the financial and physical progress complement each other. (64)	(b) The recommendation is accepted.
	(c) Independent monitoring and auditing agencies should be engaged to carry out concurrent monitoring and audit. These agencies should visit Panchayats at least once a month, check the records, verify the periodicals reports and set right any inconsistencies. The reports should be submitted only after validation by these agencies. These agencies should also guide the Panchayat staff in maintenance of records and preparation of reports. (65)	(c) The recommendation is not accepted as engaging independent monitoring and auditing agencies on a monthly basis for visiting each gram panchayat would imply engaging a massive network of agencies. Thus concurrent audit is not practical.
	(d) Within the permissible administrative expenditure of 6 per cent (recommended) of total expenditure, 1 per cent should be earmarked for monitoring and evaluation. (Refer Para 5.4.1.2.8.h) (66)	. (d) The recommendation is not accepted. Within the 4% ceiling as currently approved, it would not be possible to earmark too many sub ceilings for different activities. However, funds available under the administrative budget for monitoring could be used.
<b>19. Curbing Corruption and Leakages (Para</b>	(a) Templates of estimates of general works should be prepared showing the inputs of labour and material required. This should act as an aid for preparation of estimates. (67)	(a) The recommendation is accepted.

Topic/Issue	Recommendations on Unlocking Human Capital (2 <sup>nd</sup> Report)	Government's Decision
<b>5.4.6.7)</b>	(b) The muster roll should incorporate the physical dimensions of work that has been carried out in the work cycle. To the extent possible it should be backed with a photograph of the work executed, at different stages. (68)	(b) The recommendation is accepted.
	(c) The Grievances Redressal Mechanism as provided in the NREGA should proactively reach out to the people to redress their grievances. (69)	(c) The recommendation is accepted.
<b>20. Transparency and Right to Information Act (Para 5.4.7.5)</b>	(a) A continuing process of training and awareness generation about the NREGA and RTI is essential. The impact of such programmes should be assessed through an independent evaluation, and officials should be required to qualify in a test after their training. (70)	(a) The recommendation of conducting tests is not accepted. RTI is applicable to all programmes. However, transparency in guidelines and works would be ensured and disseminated in local language.
	(b) NGOs with credibility and spatial reach should be identified and entrusted with the task of creating awareness and capability building. (71)	(b) (c) & (d) The recommendations are accepted.
	(c) All documents should be prepared in local language. The estimates and measurement books are generally written in English. These need to be written and recorded in the official language of the State. In case of difficulty, at least, a summary of such documents should be prepared in local language. (72)	
	d) State Governments should evolve norms about the mode of publication of suo moto disclosures by the Panchayats. (73)	
<b>21. Use of IT – Blocks as Nodal, Fully- Electronic</b>	(a) Blocks must be the nodal levels of government at which all information is electronic. This should be achieved within a year. (74)	(a) & (b) The recommendations are accepted
	(b) Any information collected in non-electronic form at this or a lower level of government must be digitized at block level. (75)	
<b>22. Use of IT – A Minimum and Common Set of National Standards for Data (Para 5.4.8.2.6)</b>	(a) A common minimum set of NREGA reporting standards should be established for Gram Panchayts, blocks, districts, States and Government of India. Specifically, the particular fields of data to be reported at every level must be identical. Where data is collected in manual form, the process for data conversion to electronic form should be based on standard forms, so as to ensure their uniformity. (76)	(a) & (b) The recommendations are accepted
	(b) So long as the above condition is fulfilled, States need not be constrained to use the same software for implementation everywhere. If, over time, some software is found to be more advantageous, a transition towards that can be considered. (77)	



Topic/Issue	Recommendations on Unlocking Human Capital (2 <sup>nd</sup> Report)	Government's Decision
<b>23. Use of IT – Architecture for Development (Para 5.4.8.3.3)</b>	(a) Data from the blocks should be aggregated in central repositories in each of the States. A single data centre may be adequate for each State, and transmission to this Centre from each of the blocks should be enabled. District-wise aggregation of the data reported from the blocks should be taken up to facilitate monitoring at this level too, although no data centres are necessary at this intermediate level. (78)	(a) The recommendation is accepted.
	(b) A pre-determined format for bulk transmission of data should also be established, as should the frequency for such transfers. (79)	(b) The recommendation is accepted.
	(c) Dedicated transmission networks for government data are not necessary. Wide area networks established by private entities will suffice. Nonetheless data encryption and network security levels should be set high enough to ensure the integrity of the data from creation to analysis and archival. (80)	(c) The recommendation is accepted.
	(d) The Union Government should maintain its own data centre, aggregating data from each of the State repositories. (81)	(d) The recommendation is accepted.
<b>24. Use of IT – Assessment of Initial Deployment by Ministry of Rural Development (Para 5.4.8.4.3)</b>	(a) A unique identification should be issued not to each household, but to each individual. The members of each household should be tracked together to ensure that each household receives the appropriate benefit under the Scheme, but the identities of each individual should be kept separate. (82)	(a) The recommendation is not accepted. It was, however, noted when Unique Identification No. would be ready it would be inserted as an entry in the job card.
	(b) Computerisation of records at the Block/Mandal level is being achieved. It is commendable, further, that Gram Panchayat level computerization is possible in some States; this should be the eventual goal for all States. (83)	(b) The recommendation is accepted.
	(c) Periodic reviews should be conducted, nonetheless, to determine whether the uniformity and standardization are adequate, and any necessary revisions should be made. (84)	(c) (d) (e) & (f) The recommendations are accepted.
	(d) The central storage of data in electronic form is at Delhi. Access to the data in the IT system, however, should be possible for officials at all levels of government with due access authority. (85)	
<b>24. Use of IT – Assessment of Initial Deployment by Ministry of Rural Development</b>	(e) While social audits are a required measure for transparency under the Scheme, these should not be the only ones, or even the primary ones. Voluntary disclosure should be the norm for informing citizens about the functioning of the NREGA; this will considerably reduce the onus on social audits. (86)	(c) (d) (e) & (f) The recommendations are accepted.

Topic/Issue	Recommendations on Unlocking Human Capital (2 <sup>nd</sup> Report)	Government's Decision
<b>(Para 5.4.8.4.3)</b>	(f) Alerts are being generated using trigger points that ensure compliance with the rules and guidelines of the REGS. By periodic review, it should be determined what additional alerts are needed so that these too could be incorporated. (87)	
	(g) A Geographic Information System for visualization of data on map spaces must be developed. Given the scale and complexity of the records being maintained, their analysis solely from databases will limit the efficiency of scrutiny; visualization to identify strengths and weaknesses in geographic terms is therefore needed. (88)	(g) The recommendation is accepted. It was suggested that pilot projects might be launched for developing GIS for visualization of data on map spaces. A wasteland atlas had been made by Department of Land Resources. Information on soil type, land use pattern at the district, block boundaries has been loaded on NIC GIS server and would be utilized for NREGA works.
	(h) Rankings of districts based on outcome- based monitoring should be included along with other voluntary disclosures, and made available to the public, including on the website of the REGS. (89)	(h) The recommendation is accepted.
<b>25. Use of IT – Unique Identification System – (Para 5.4.8.5.3)</b>	(a) The identification of participants in the REGS should be developed nationally, in preparation for wider use of a national citizen identification number. The potential for such identity to be developed congruently with other systems of nationwide participation – e.g. elections – should be explored along with appropriate representatives from such other arenas as well. (90)	(a) The recommendation is accepted. It was decided that as and when Unique Identification No. was ready, it would be entered in the job card.
<b>26. Use of IT – IT System for Financial Management (Para 5.4.8.6.5)</b>	(a) The IT system should maintain numbered records of all transactions, and the specific fields to be contained in each transaction type should be pre-determined as part of the NREGA standards. (91)	(a) & (b) The recommendations are accepted.
	(b) Specific triggers for replenishment of funds for implementers should be set in the IT system. (92)	

Topic/Issue	Recommendations on Unlocking Human Capital (2 <sup>nd</sup> Report)	Government's Decision
	(c) Direct transfer of money from the origin of funds to the implementer's account should be possible. Intermediate levels of government should have access to this information, but for informational purposes only.(93)	(c) The recommendation is not accepted as under the Act, the DPCs and programme officers have legal responsibility and as such they could not be by- passed in fund transfer.
	(d) Requests for replenishment should also be enabled without triggers, so that exigencies can be managed. A login-based system to facilitate this is needed, to ensure its security. Digital signatures could also be created for officers identified as vested with such authority. (94)	(d) The recommendation is accepted.
<b>27. Use of IT – IT System for Monitoring and Evaluation (Para 5.4.8.7.5)</b>	(a) A comprehensive list of quantitative measures for the detection of inconsistencies between operations and rules should be established within the IT system. These should be directly derived from the rules themselves – each of the rules/guidelines should be considered alongside the question “can this be monitored in real-time?” and the appropriate measure of detection should be developed. (95)	(a) & (b) The recommendations are accepted.
	(b) Violations of the rules using any of the quantified measures should trigger alerts in the IT system, which should be routed to the appropriate supervisory official.(96)	
	(c) Performance variables for the REGS as a whole should be identified, and these should be applied to data at all implementing levels. In addition to the implementing levels, the data should also be aggregated by jurisdiction and ranks established for all blocks, districts and States according to the measures of performance. Such output should be public as part of the Governments disclosures under the RTI law.(97)	(c) & (d ) The recommendations are accepted.
	(d) A Geographic Information System for the REGS should be developed and information that is developed through aggregation should be presented through this system as well. A zoom- able and pan-able interface should allow performance to be understood at different levels of administration from the same base data. Wherever possible, suo moto disclosures should be in GIS format also, in addition to their other means of dissemination. (98)	
<b>28. Use of IT – Right to Information in NREGA and use of IT (Para 5.4.8.8.4)</b>	(a) Information that is required to be disclosed suo moto by various implementing arms of government should be clearly identified for each level of government, and wherever possible the IT system should be able to integrate the data necessary for such reporting, and generate suo motu reports automatically. (99)	(a) The recommendation is accepted.

Topic/Issue	Recommendations on Unlocking Human Capital (2 <sup>nd</sup> Report)	Government's Decision
	(b) A list of questions that the IT system should be able to answer, to assure compliance with the RTI Act, must be created. This list must be periodically revised to include additional questions and make higher standards of disclosure possible. (100)	(b) & (c) The recommendations are accepted.
	(c) The same data should be used for administrative purposes as well as RTI- related disclosure. The government, citizens and other stakeholders should all have information based on the same set of data, and the information available with each should be created from a common database. (101)	
<b>29. Use of IT – Smart Cards (Para 5.4.8.9.5)</b>	) (a) A few pilot projects in different regions may be taken up in a cluster of villages using SMART Cards. Such SMART cards should store information about the person's identity (including biometrics) and should have the capacity of recording transactions under NREGA and even authorize payments. In the long run, a viable business model needs to be developed so that the private sector can participate. (102)	(a) The recommendation is not accepted as there is already a job card. It is noted that providing smart card readers in 6 lakh villages was not feasible. It was suggested to wait till Unique Identification No. system became operational.
<b>30. Implementation of NREGA in the Fifth and Sixth Schedule Areas (Para 5.4.9.4)</b>	(a) The recommendations of the expert group on "Planning at the Grassroots Level" (March, 2006) should be implemented in a time bound manner. {The recommendations are at Annexure V(2)} (103)	(a) The recommendation is accepted
<b>30. Implementation of NREGA in the Fifth and Sixth Schedule Areas (Para 5.4.9.4)</b>	(b) The recommendations of the NCRWC contained in para 9.23(i) to (iii) of their Report, should be acted upon immediately. (104)	(b) The recommendation is accepted and the Ministry of Rural Development was requested to pursue.

Topic/Issue	Recommendations on Unlocking Human Capital (2 <sup>nd</sup> Report)	Government's Decision
<b>31. Implementation of NREGA in Areas affected by Natural Calamities (Para 5.4.10.5)</b>	(a) Demand for employment in any area should be first met through works under NREGA. Relief works (in cases of natural calamities) should be taken up only if demand for work exists and the households have exhausted their entitlements under NREGA. (105)	(a) The recommendation is not accepted. The NREGA is demand based. Employment under NREGA is only for those households who apply for and obtain job cards and then submit written application for employment. On the other hand, relief work is not demand based. NREGA and relief work should not be seen as exchangeable.
<b>32. Relaxation of Certain Restrictive Provisions (Para 5.4.11.1.3)</b>	(a) The list of works in Schedule I needs to be enlarged. For the purpose, suggestions should be obtained from the State Governments and the list should be made comprehensive to meet the demands of topography and climate. (106)	(a) & (b) The recommendations are accepted.
	(b) Land development activities may be permitted in the lands of small and marginal farmers. (107)	
<b>33. Number of Workers to Commence a Work (Para 5.4.11.2.2)</b>	(a) The minimum number of workers required for commencing a work may be reduced from the present number of 50 to 20.( 108)	(a) The recommendation is accepted.
<b>34. Records (Para 5.4.12.6)</b>	(a) Each Gram Panchayat should have a Job Card Ledger in the Panchayat, which should be a shadow of the job cards. This would have the dual advantage of preventing any tampering in the job cards and also having the entire information available in the Panchayat. In Gram Panchayats, which have computers, this would not be an extra effort. In Panchayats, which do not have computers, this could be a simple register, which would have the same entries as in the job card. This register should be updated every week whenever payment of wages is made. (109)	(a) The recommendation is accepted.
<b>34. Records (Para 5.4.12.6)</b>	(b) Records should be kept in a manner that enables accounting of each work voucher-wise, so that it is possible to track every voucher to a work and also get voucher-wise utilization of funds for each work. (110)	(b) & (c) The recommendations are accepted. It was noted that the States would be advised suitably and the formats would be reviewed.
	(c) Formats of some registers need to be amended as suggested in para 5.4.12.(111)	

Topic/Issue	Recommendations on Unlocking Human Capital (2 <sup>nd</sup> Report)	Government's Decision
<b>35. Coordination Mechanism (Para 5.4.13.5)</b>	<p>(a) A common inter-ministerial, empowered steering committee for NREGA, other flagship programmes and the Bharat Nirman Programme may be set up with the Cabinet Secretary as the Chairman and Secretaries of concerned Ministries/Departments as members. The Committee may be given adequate powers to: (112) (i) oversee the work of sectoral ministerial committees in order to remove differences, bottlenecks and lack of synergy and issue directions to bring about an integrated approach. (ii) take timely and appropriate decisions for effective and accountable implementation of the concerned programmes. (iii) bring about better coordination in implementation. (iv) ensure the centrality of local governments in the implementation at the local levels and also as part of the local planning process mandated by the Commission.</p> <p>(b) Similar empowered committees may be set up at the state and district levels. (113)</p>	<p>(a)&amp; (b) The recommendations are not accepted. The National Rural Employment Guarantee Council, which is a statutory body, meets periodically as required.</p>
<b>36. Building a National Identity (Para 5.4.14.2)</b>	<p>(a) This initiative taken up through NREGA may be called 'Rashtriya Sukshema Abhiyan'. (114)</p>	<p>(a) The recommendation is not accepted. The NREGA is an Act of the Parliament and conferred a legal right on the eligible persons.</p>

## Crisis Management

Topic/Issue	Recommendations on Crisis Management (3 <sup>rd</sup> Report)	Government's Decision
<b>1. Constitutional provision - Is there need for a separate entry (Para 4.1.5)</b>	(a) A new entry, "Management of Disasters and Emergencies, natural or manmade", may be included in List III (Concurrent List) of the Seventh Schedule of the Constitution. (1)	(a) The recommendation is not accepted as the existing dispensation in the Constitution of India adequately meets the objectives contained in the recommendation
<b>2. Analysis of the Disaster Management Act, 2005: (Para 4.2.3.5): The Disaster Management Act, 2005 (Central Act) needs to be amended to bring in the following features</b>	(a) Disaster/ Crisis Management should continue to be the primary responsibility of the State Governments and the Union Government should play a supportive role. (2)	(a) The recommendation is accepted.
	(b) The Act should provide categorization of disasters (say, local, district, state or national level). This categorization along with intensity of each type of disaster will help in determining the level of authority primarily responsible for dealing with the disaster as well as the scale of response - detailed guidelines may be stipulated by the NDMA on this subject.(3)	(b) The recommendation is not accepted. For flexibility, it could be in the guidelines and not in the Act, and that categorization is possible only after the event.

Topic/Issue	Recommendations on Crisis Management (3 <sup>rd</sup> Report)	Government's Decision
<p><b>2. Analysis of the Disaster Management Act, 2005: (Para 4.2.3.5): The Disaster Management Act, 2005 (Central Act) needs to be amended to bring in the following features</b></p>	<p>(c) The functions of the National Disaster Management Authority should be: to recommend policies, to lay down guidelines for preparation of different disaster management plans and standard operating procedures promote and organize vulnerability studies, research and evaluation; to advise on parameters of categorization and on declaration of national and state disasters; to develop expertise and knowledge in the field of crisis/disaster management and disseminate to the field, to develop and organize training and capacity building programmes, to coordinate the early warning system and deploy specialized manpower and machinery in support of local/state governments, where required; to advise on the constitution and use of the Disaster Management Funds; and to give recommendations on all matters relating to crisis/disaster management to the government.(4)</p>	<p>(c) The recommendation is partially accepted. As per Section 6 of Disaster Management Act, 2005, NDMA has already been vested inter-alia with the responsibilities of laying down policies on disaster management and guidelines to be followed by the State Authorities in drawing up the State Plan which included various subcomponents as mentioned in recommendations of ARC. However, the deployment of specialized manpower, machinery and advising on the use and constitution of disaster management funds should be with Central and State Governments, as at present. Responsibility for general superintendence of the National Disaster Response Force should rest with the Central Government, which is responsible for the paramilitary forces from which NDRF battalions were drawn</p>
<p><b>2. Analysis of the Disaster Management Act, 2005: (Para</b></p>	<p>(d) The task of implementation of mitigation/prevention and response measures may be left to the State Governments and the district and local authorities with the line ministries departments of Government of India, playing a supportive role.(5)</p>	<p>(d) The recommendation is accepted.</p>



Topic/Issue	Recommendations on Crisis Management (3 <sup>rd</sup> Report)	Government's Decision
<p><b>4.2.3.5): The Disaster Management Act, 2005 (Central Act) needs to be amended to bring in the following features</b></p>	<p>(e) The law should cast a duty on every public functionary, to promptly inform the concerned authority about any crisis, if he/she feels that such authority does not have such information.(6)</p>	<p>(e) The recommendation is not accepted. There is no need to amend the DM Act since the existing provisions adequately meet the objectives sought to be fulfilled by the recommendation</p>
	<p>(f) The law should create a uniform structure at the apex level to handle all crises. Such a structure may be headed by the Prime Minister at the national level and the Chief Minister at the state level. At the administrative level, the structure is appropriately headed by the Cabinet Secretary and the Chief Secretary respectively.(7)</p>	<p>(f) The recommendation is partially accepted. NDMA provides for Prime Minister and Chief Ministers to head Central and State structures respectively. Natural disasters could be operationally handled by the NEC under Gol's supervision. Other serious crises could be handled by existing arrangement of NCMC and CMGs. No amendment is required to the Act.</p>
	<p>(g) The law should make provisions for stringent punishment for misutilization of funds meant for crisis/disaster management.(8)</p>	<p>(g) The recommendation is accepted.</p>
	<p>(h) The role of the local governments should be brought to the forefront for crisis/disaster management.(9)</p>	<p>(h) The recommendation is accepted.</p>
<p><b>2. Analysis of the Disaster Management Act, 2005: (Para 4.2.3.5): The Disaster Management Act, 2005 (Central Act) needs to be amended to bring in the following features</b></p>	<p>(i) The NEC as stipulated under the Disaster Management Act need not be constituted, and the NCMC should continue to be the apex coordination body. At the state level, the existing coordination mechanism under the Chief Secretary should continue (refer para 4.3.3).(10)</p>	<p>(i) The recommendation is not accepted since the NEC has already been constituted on 27.9.06. In addition to coordinating response measures, NEC also implements NDMA guidelines. Serious crises other than natural calamities would continue to be managed by the NCMC.</p>

Topic/Issue	Recommendations on Crisis Management (3 <sup>rd</sup> Report)	Government's Decision
	(j) Since all sections of the Act have not been notified, it is suggested that the above amendments be carried out without further delay. Meanwhile, except for those sections for which amendments are suggested, the others can be notified straightway so that the law can be brought into effect. <b>(11)</b>	(j) The recommendation is accepted.
<b>3. Coordination at the Apex Operational Level: (Para 4.3.3.3)</b>	(a) There is no need for a separate ministry/ department of disaster management at the national or the state level. <b>(12)</b>	(a) The recommendation is accepted.
	(b) The NEC as stipulated under the Disaster Management Act, 2005 need not be constituted, and the NCMC can continue to be the apex coordination body. At the state level, the existing coordination mechanism under the Chief Secretary may continue. <b>(13)</b>	(b) The recommendation is not accepted since the NEC has already been constituted on 27.9.06.
	(c) Notwithstanding the establishment of NDRF, the role of the Armed Forces, particularly the Army, in coming to the aid of victims of disasters should be retained and the special capabilities acquired by the Armed Forces in search and rescue and on-the-spot medical attention need to be maintained. <b>(14)</b>	(c) The recommendation is accepted. NDRF is a specialized force and army would give support during disasters.
<b>4. Role of Local Self-Governments: (Para 4.3.4.2)</b>	(a) State Governments may examine the need to incorporate provisions in the state disaster management law and also the state laws governing local bodies to provide for a well defined role to the municipal bodies and panchayat raj institutions. <b>(15)</b>	(a) The recommendation is accepted. The Central Act specifies it already.
<b>5. Crisis Management Set Up for Metropolitan Cities: (Para 4.3.5.2)</b>	(a) In larger cities (say, with population exceeding 2.5 million), the Mayor, assisted by the Commissioner of the Municipal Corporation and the Police Commissioner should be directly responsible for Crisis Management. <b>(16)</b>	(a) The recommendation is accepted.
<b>6. Creation of Legal and Institutional Framework for Managing Floods in Inter- State Rivers: (Para 4.3.8.2)</b>	(a) Using powers under Entry 56 in the Union List, a Law may be enacted to set up mechanisms for collection of data, managing flow in rivers and release of water from reservoirs, so as to prevent disasters, with interstate ramifications. <b>(17)</b>	(a) The recommendation is not accepted. There is a law proposed on dam safety and protocols for release of water from reservoirs. The proposed National Flood Management Commission being set up in the Ministry of Water Resources would also look into these aspects. Hence no law is needed.

Topic/Issue	Recommendations on Crisis Management (3 <sup>rd</sup> Report)	Government's Decision
<p><b>7. Empowering the Relief Commissioners/Disaster Management Departments to Effectively Discharge Disaster Related Responsibilities: (Para 4.3.9.2)</b></p>	<p>(a) The State Disaster Management organisations need to be strengthened for dealing with crises. This could be achieved in the following manner: (i) A framework should be in readiness to be put in place immediately during crisis or on fulfillment of some pre-arranged scenarios – the ‘trigger mechanism’ needs to be well defined to ensure that the ‘framework’ is put in active operation instantaneously. (ii) The ‘framework’ may consist of officers (designated by name) drawn from Revenue, Police, Agriculture, Animal Husbandry, Public Health Engineering, Water Resources, Women &amp; Child Development, Welfare, Public Works, Highways, Irrigation, Health, and Treasury &amp; Accounts Departments. The designated officers must undergo a week’s orientation every year, though they may continue to discharge their normal departmental responsibilities except when seconded to the nodal point in the manner suggested above. (iii) The designated officers will work as a cohesive integrated team under one roof on whole-time basis during crisis situations, under the leadership of the nodal officer and be responsible entirely for the functioning of their department insofar as it relates to drought/disaster management. (iv) The role and responsibility of each department needs to be specifically identified and defined on the lines the Ministry of Agriculture has specified the responsibilities of various Union Government agencies during severe droughts. (v) The designated departmental officer should be delegated powers and responsibilities defined in advance and will deal with other departmental functionaries directly.(18)</p>	<p>(a) The recommendation is accepted. A framework broadly conforming to the recommendations has already been incorporated in the DM Act, 2005 and the SOPs drawn up and circulated to all States/UTs/ Central Ministries/ Departments address the requirements contained in the recommendation.</p>
<p><b>8. Institutional Support from Science and Technology Institutions to Disaster Management: (Para 4.3.10.3)</b></p>	<p>(a) The National Disaster Management Authority, assisted by NIDM, may facilitate a common platform between the Science and Technology organizations and the users of the technologies. Such a mechanism may be operationalised both at the Union and State levels.(19)</p>	<p>(a) The recommendation is accepted</p>
<p><b>9. Strengthening of National Institute of Disaster Management (NIDM): (Para 4.3.11.2)</b></p>	<p>(a) NIDM may continue as an autonomous body and function as an apex professional institution in disaster management. In addition to research and studies, the institution needs to engage itself in documenting and disseminating global and national best practices and in developing planning, training and evaluation methodologies.(20)</p>	<p>(a) The recommendation is accepted.</p>
<p><b>10. Professionalization of Disaster Management: (Para</b></p>	<p>(a) ‘Disaster Management’ as a body of knowledge should be introduced as a subject in Management and Public Administration. The University Grants Commission may initiate the process to see how best this can be implemented in selected Universities.(21)</p>	<p>(a) The recommendation is accepted.</p>

Topic/Issue	Recommendations on Crisis Management (3 <sup>rd</sup> Report)	Government's Decision
<b>4.3.12.3)</b>	(b) The possibility of bilateral agreements with foreign governments and international institutions dealing with different aspects of disaster anagement, for exchange of experiences and learning from their documentation and research efforts may be explored.(22)	(b) The recommendation is accepted.
<b>11. Enunciating a Policy Towards Crisis Management Which Emphasizes Risk Reduction: (Para 5.2.3) There is need to have a National Policy on Disaster Management. The policy must address all issues not included in legislations and may, in particular include the following:</b>	<p>(a) Disaster Management to be professionalized.</p> <p>(b) Risk management to be brought to the centre stage in all disaster mitigation plans.</p> <p>(c) All efforts for disaster management to be based on hazard and vulnerability analysis.</p> <p>(d) Communities and local governments to be made aware of the hazards and the vulnerabilities.</p> <p>(e) Communities and local governments to be involved in formulating disaster management plans.</p> <p>(f) The primary responsibility for disaster management to be that of the State Government, with the Union Government playing a supportive role.</p> <p>(g) Effective implementation of land use laws, building byelaws, safety laws and environmental laws.</p> <p>(h) Setting up a framework to coordinate the responses from different sections like donors, voluntary organisations, corporate bodies etc.</p> <p>(i) Special needs of women, children, elderly and physically challenged persons to be addressed.(23)</p>	(a) to (i): The recommendations are accepted
<b>12. Assessment of Risk - Hazard and Vulnerability Analysis: (Para 5.3.8)</b>	<p>(a) Hazard and vulnerability analyses should be made an essential component of all crisis/disaster mitigation plans.(24)</p> <p>b) Priority should be given to seismic micro-zonation of vulnerable major cities, hazard prone areas, and urban agglomerations in a scale of 1:1000 in Zones V and IV, with topmost priority being given to cities with population of more than one million.(25)</p> <p>(c) Geographical Information System tools should be used to integrate spatial data such as topography, hydrology, land use, land cover, settlement pattern and built structure as well as non-spatial data such as demography, socioeconomic conditions and infrastructure in a common platform. This should be integrated with satellite and aerospace data as well as data from Geographical Positioning Systems for real time monitoring of crisis situations and for scientific assesment of damages.(26)</p>	<p>(a) The recommendation is accepted.</p> <p>(b) The recommendation is accepted.</p> <p>(c) The recommendation is accepted.</p>

Topic/Issue	Recommendations on Crisis Management (3 <sup>rd</sup> Report)	Government's Decision
	(d) Scientific, technological and research organizations such as NRSA, ISRO, NIC, GSI and NIDM should be brought on a common platform by NDMA for developing a sound information base for crisis management. This exercise should generate base hazard maps for district and sub-district levels and should be completed by the end of Eleventh Plan. Till such time the GIS based hazard maps are prepared, the conventional maps have to be used. These maps should form the basis for hazard analysis.(27)	(d) The recommendation is accepted.
	(e) A detailed vulnerability analysis should be carried out in all hazard prone areas. Such an analysis would prioritize the areas in order of vulnerability; it should also highlight the vulnerability of different sections of society and infrastructure. (28)	(e) The recommendation is accepted.
<b>13. Generating Awareness about Risk: (Para 5.4.4)</b>	(a) Awareness generation programmes should be undertaken using tools of social marketing.(29)	(a) The recommendation is accepted.
	(b) A responsible media, which is also well informed about all aspects of disaster, is a very powerful tool for sensitizing people. Proactive disclosures about all aspects of disaster management would build a healthy relationship between the media and disaster management agencies.(30)	(b) & (c) The recommendations are accepted.
<b>13. Generating Awareness about Risk: (Para 5.4.4)</b>	(c) Details of past accidents and disasters and the lessons learnt, should be documented and kept in the public domain. The Disaster Management Authorities have to take up this task.(31)	(b) & (c) The recommendations are accepted.
<b>14. Preparation of Disaster Management Plans: (Para 5.5.9)</b>	(a) Crisis/disaster management plans as stipulated under the Disaster Management Act, 2005 should be prepared, based on hazard and vulnerability analysis. The off site emergency plans, in case of industrial hazards, should be integrated into the District Crisis/Disaster Management Plan. The State Disaster Management Authorities should set up a mechanism in place to evaluate these plans periodically, and ensure the effectiveness of the plans.(32)	(a) to (d): The recommendations are accepted.
	(b) The District Disaster Management Plan needs to have two components: i. Long Term Mitigation Plan. ii. Emergency Response Plan. The Long Term Mitigation Plan, in turn, should have the following components: i. Long Term Development Plan. ii. Long Term Enforcement Plan. Annual plans should be culled out of the Long Term Development/ Enforcement Plans. State Governments must evolve a mechanism for speedily scrutinizing district level long term plans to harmonize these with similar plans for other districts, particularly those located contiguously. (33)	

Topic/Issue	Recommendations on Crisis Management (3 <sup>rd</sup> Report)	Government's Decision
	(c) The quality of on-site and off-site emergency plans in hazardous industrial units need to be enhanced in terms of completeness and practicability of implementation considering the ground level situation. The State Disaster Management Authorities should set up a mechanism in place to evaluate these plans periodically.(34)	
	(d) The plan should be prepared in consultation with all role players. Each role player should understand and accept his/her roles. This would require awareness campaigns, especially for the community.(35)	
	(e) For ensuring quality of on-site and off-site emergency plans (for hazardous units), the professional expertise available, both in industry, and in enforcement agencies such as the Factory Inspectorates should be improved.(36)	(e) The recommendation is accepted.
	(f) All crisis/disaster management plans should be tested periodically through mock drills.(37)	(f) & (g) The recommendations are accepted.
<b>14. Preparation of Disaster Management Plans: (Para 5.5.9)</b>	(g) It should be the responsibility of the state level 'nodal department' to ensure that adequate assistance is available at the district level for drawing up and periodically updating the plans. The nodal department must engage agencies and experts on a continuing basis to examine the plans and bring methodological and substantive deficiencies to the notice of agencies formulating the plans.(38)	(f) & (g) The recommendations are accepted.
	(h) The same principles would apply to plan at other levels.(39)	(h) The recommendation is accepted.
<b>15. Making Crisis/Disaster Management Plans a Part of Development Plans: (Para 5.6.3)</b>	(a) The activities in the disaster management plans should be included in the development plans of the line agencies and the authorities like panchayats and municipal bodies.(40)	(a) & (b) The recommendations are accepted.
	(b) The supervisory level of each agency should ensure that the annual plan of that agency incorporates the activities listed out in the disaster management plan on a priority basis. (41)	
	(c) Incorporation of disaster mitigation plans into the development plans should be specially monitored at the five-year and annual plan discussions at State and Union (Planning Commission) levels. The Planning Commission, State Planning Boards and Planning Departments must revise on priority basis the proforma for formulating plan proposals to ensure that the process adequately takes into account the disaster prevention concerns.(42)	(c) The recommendation is accepted.

Topic/Issue	Recommendations on Crisis Management (3 <sup>rd</sup> Report)	Government's Decision
<b>16. Instruments for Mitigation of Hazards: (Para 5.7.1.2)</b>	(a) Environment management should be made an integral part of all development and disaster management plans. <b>(43)</b>	(a) The recommendation is accepted.
<b>17. Construction of Disaster Resistant Structures: (Para 5.7.2.3.13)</b>	(a) Structural prevention measures should be a part of long term disaster management plan for an area. <b>(44)</b>	(a) The recommendation is accepted.
<b>17. Construction of Disaster Resistant Structures: (Para 5.7.2.3.13)</b>	(b) Appropriate Zoning Regulations need to be extended to all areas. Phasing of the areas to be covered should be done based on the intensity of the hazard anticipated. This would require strengthening of the Town and Country Planning Departments of State Governments. Local bodies can be given financial incentives for preparation of Zoning Regulations. The hazard zonation maps prepared should be one of the inputs for preparation of Zoning Regulations. <b>(45)</b>	(b) & (c) The recommendations are accepted.
	(c) Building byelaws should incorporate the disaster resistant features of buildings. Since safety codes are complex and technical, it is necessary to issue simplified guidelines which could be understood by the citizens. Further, these codes should be implemented in the most hazard prone areas, on priority. <b>(46)</b>	
	(d) The importance of disaster resistant constructions and simplified safety guidelines should be widely disseminated so as to promote compliance. In so far as the rural areas are concerned, other methods of dissemination including setting up of Building Technology Demonstration Centres and undertaking demonstrative disaster constructions in severe hazard prone areas should be taken up. Demonstration camps should also be used to make the people aware of the concerns and the solutions. <b>(47)</b>	(d) The recommendation is accepted.
	(e) The existing system of enforcement of building regulations needs to be revised. It should be professionalised by licensing architects and structural engineers for assessment of structures and certification of safe buildings. The units of local bodies dealing with enforcement of building byelaws and zoning regulations also need to be strengthened. <b>(48)</b>	(e) The recommendation is accepted.
(f) The standards prescribed by BIS for disaster resistant buildings should be available in the public domain, free of cost. This should be posted on websites of the concerned government agencies to promote compliance. <b>(49)</b>	(f) The recommendation is accepted.	

Topic/Issue	Recommendations on Crisis Management (3 <sup>rd</sup> Report)	Government's Decision
<b>17. Construction of Disaster Resistant Structures: (Para 5.7.2.3.13)</b>	(g) Among the existing buildings, government buildings used by the public should be evaluated and retrofitted first, giving preference to buildings housing essential services. It would be advisable to fix a schedule for all such buildings in hazard prone areas. Private buildings used by the public should also be tackled on priority. A mix of regulatory and financial incentives could be used for this purpose by the local bodies.(50)	(g) The recommendation is accepted.
	(h) All these measures should become an integral part of long term disaster/crisis management plans. (51)	(h) The recommendation is accepted.
<b>18. Effective Implementation of Laws and Regulations: (Para 5.7.3.2)</b>	(a) Effective enforcement of laws on encroachments, public health and safety, industrial safety, fire hazards, safety at public places should be ensured. The same applies to Zoning Regulations and Building Byelaws.(52)	(a) to (f) The recommendations are accepted.
	(b) Third party audit of all major alleged violations needs to be introduced in the respective regulation governing the activity.(53)	
	(c) All records pertaining to permissions/licenses should be brought in the public domain suo motu.(54)	
	(d) There should be periodic inspections of all such places/facilities by a team of stakeholders assisted by experts.(55)	
	(e) A scheme for enforcement of laws should be part of the long term mitigation plan.(56)	
	(f) Public education on consequences of violations is important.(57)	
<b>19. Early Warning Systems: (Para 5.8.3)</b>	(a) Though it is the responsibility of the government machinery and the local bodies to disseminate the warning, peoples' participation has to be enlisted. For this purpose, the role of community leaders, NGOs and others should be clearly defined in the emergency response plan and they should be fully trained and prepared for their respective roles.(58)	(a) The recommendation is accepted.
<b>19. Early Warning Systems: (Para 5.8.3)</b>	(b) Communications networks, with sufficient redundancies should be established between the data collection point to the points where hazard is likely to occur. The communication channels from the point of alert generation to the point of disaster should have enough redundancies so as to maintain line of communication in the event of a disaster striking. Care has to be taken to put in place systems to disseminate warnings to all sections of the people.(59)	(b) The recommendation is accepted.
	(c) The early warning system should be evaluated after each disaster to carry out further improvements. (60)	(c) The recommendation is accepted.



Topic/Issue	Recommendations on Crisis Management (3 <sup>rd</sup> Report)	Government's Decision
<b>20. Building Community Resilience: (Para 5.9.2) 0</b>	(a) Location specific training programmes for the community should be executed through the panchayats. <b>(61)</b>	(a) The recommendation is accepted.
	(b) Crisis management awareness needs to be mainstreamed in education. For the purpose, an appropriate component of disaster awareness should be introduced in school, college, university, professional and vocational education. <b>(62)</b>	(b) The recommendation is accepted.
	(c) Disaster awareness should be included in training programmes for elected leaders, civil servants, police personnel, and personnel in critical sectors such as revenue, agriculture, irrigation, health and public works. <b>(63)</b>	(c) The recommendation is accepted.
	(d) Orientation and sensitization programmes highlighting issues and concerns in disaster management should be taken up for legislators, policy makers, and elected leaders of urban local bodies and panchayati raj institutions. <b>(64)</b>	(d) The recommendation is accepted.
	(e) NIDM and NDMA would have to play a vital role in working out the details of these suggestions for implementation by different authorities. <b>(65)</b>	(e) The recommendation is accepted.
<b>21. Financial Tools for Risk-Reduction: (Para 5.10.4)</b>	(a) Government and the insurance companies should play a more pro-active role in motivating citizens in vulnerable areas to take insurance cover. This could be done through suitably designed insurance policies, if required, with part funding from government. NDMA could play a major facilitating role in this area. <b>(66)</b>	(a) The recommendation is accepted.
<b>22. Research and Use of Knowledge: (Para 5.11.4)</b>	(a) NIDM should develop methodologies for effective dissemination of knowledge on disaster management. <b>(67)</b>	(a) The recommendation is accepted.
<b>22. Research and Use of Knowledge: (Para 5.11.4)</b>	(b) Disaster management plans should attempt to integrate traditional knowledge available with the communities. <b>(68)</b>	(b) to (d) The recommendations are accepted.
	(c) NIDM should coordinate with research institutions and universities on the one hand and field functionaries on the other and identify areas where research is required. <b>(69)</b>	
	(d) It may be ensured that the IDRN network is updated regularly. <b>(70)</b>	
<b>23. Emergency Plan: (Para 6.1.6)</b>	(a) Since the initial response in any crisis/disaster should be timely and speedy, the Emergency Response Plans should be up-to- date and should lay down the 'trigger points' in unambiguous terms. <b>(71)</b>	(a) The recommendation is accepted.
	(b) The district emergency response plan should be prepared in consultation with all concerned. The plan should be known and accepted by all the role players. (This should be apart of the District Disaster management Plan). <b>(72)</b>	(b) The recommendation is accepted.

Topic/Issue	Recommendations on Crisis Management (3 <sup>rd</sup> Report)	Government's Decision
	(c) Standard operating procedures should be developed for each disaster at the district and community level, keeping in mind the disaster vulnerability of the area. Disaster management plans at all levels should have handbooks, checklists, manuals with precise instructions for disaster management personnel, search and rescue teams, and Emergency Operations Centres.(73)	(c) The recommendation is accepted.
	(d) Unity of command should be the underlying principle for effective rescue operations. For example, in a district, all agencies of Union and State Government have to work under the leadership of the Collector. Such unity of command principle should pervade at all field levels.(74)	(d) The recommendation is accepted.
	(e) The plan should be validated annually through mock drills and should be backed up by capability building efforts.(75)	(e) The recommendation is accepted.
	(f) Any plan would have its limitations as each crisis situation would vary from another. Plans are, therefore, no substitute for sound judgement at the time of crisis.(76)	(f) The recommendation is accepted.
	(g) Handling of crisis should be made a parameter for evaluating the performance of officers.(77)	(g) The recommendation is accepted.
	(h) These principles apply to plans at other levels and also in case of metropolitan cities.(78)	(h) The recommendation is accepted.
<b>24. Coordinating Relief: (Para 6.2.6)</b>	(a) Effective coordination is essential at the district and sub-district levels for rescue/relief operations and to ensure proper receipt and provision of relief. During rescue and relief operations, unity of command should be ensured with the Collector in total command.(79)	(a) to (g) The recommendations are accepted.
(b) In order to avoid mismatch between demand and supply, the demand should be assessed immediately and communicated to all concerned including through the media, so that the relief provisions are provided as per requirements.(80)		
(c) Ensuring safe drinking water and sanitized living conditions should receive as much a priority as other basic means of livelihood.(81)		
(d) All procurement and distribution of relief materials should be done in a transparent manner.(82)		
(e) Monitoring and vigilance committees should be set up involving the stakeholders. These committees could also look into grievances.(83)		
(f) Trauma care and counselling should be made an integral part of the relief operations.(84)		

Topic/Issue	Recommendations on Crisis Management (3 <sup>rd</sup> Report)	Government's Decision
	(g) There is urgent need to evolve objective methods of assessing the damage so that there are no allegations of bias, distortions, exaggeration or arbitrary scaling down. Satellite imagery could be used as a tool to validate the reported damages. NDMA should be requested to draw up the necessary detailed guidelines for assessment, to be followed by all authorities.(85)	
<b>25. Civil Defence: (Para 6.3.1.13)</b>	(a) The Civil Defence Act should be amended as proposed so as to cover all types of disasters.(86)	(a) The recommendation is accepted.
	(b) Civil Defence should be constituted in all districts which are vulnerable not only to hostile attacks but also to natural calamities. The goal of community participation should be pursued primarily through the instrumentality of Civil Defence especially in urban areas.(87)	(b) & (c) The recommendations are accepted.
<b>25. Civil Defence: (Para 6.3.1.13)</b>	(c) The objective should be to include 1% of the population within the fold of Civil Defence within five years. Efforts should be made to enlist paramedics as Civil Defence volunteers.(88)	b) & (c) The recommendations are accepted.
	(d) Budgetary allocations relating to Central Financial Assistance for Civil Defence should be increased substantially.(89)	(d) The recommendation is accepted.
	(e) Civil Defence set-ups at all levels should be permitted to accept donations.(90)	(e) & (f) The recommendations are accepted.
	(f) The Civil Defence set-up at the state level may be brought under the control of the Crisis/Disaster Management set-up.(91)	
<b>26. Police, Home Guards and Fire Services: (Para 6.3.2.11)</b>	(a) Policemen, Firemen and the Home Guards at the field level who are among the first responders should be adequately trained in handling crises/disasters. Such training should be specific to the types of crises envisaged in an area. More importantly, they should be fully involved in the preparation of the local Crisis/Disaster Management Plan and also be fully conversant with them.(92)	(a) The recommendation is accepted.
	(b) The minimum qualification for entry to Home Guards may be revised to at least a pass in the 10th class, given the increased responsibility and complexity of tasks to be entrusted to them.(93)	(b) to (g) The recommendations are accepted.
	(c) A section of Home Guards should also be given para-medical training.(94)	
	(d) Fire Services should more appropriately be renamed as Fire and Rescue Services with an enhanced role to respond to various types of crises.(95)	

Topic/Issue	Recommendations on Crisis Management (3 <sup>rd</sup> Report)	Government's Decision
	<p>(e) While in the long run, it would be desirable to place the Fire Services under the control of all municipal bodies, as a first step, this may be done in bigger cities (population exceeding 2.5 million). In the remaining parts of the state, the Fire Services should be organized as a department but within a district, full operational control should be given to the District Crisis/Disaster Management Authority. Transfer of these services to municipal authorities should be accompanied by transfer of commensurate financial resources.(96)</p> <p>(f) Only persons with expertise in crisis/disaster management should be inducted into the top management of the Fire (and Rescue) Services.(97)</p>	
<b>26. Police, Home Guards and Fire Services: (Para 6.3.2.11)</b>	<p>(g) Fire and Rescue Services should be brought under the control of the State Crisis/Disaster Management set up under the Disaster Management Law.(98)</p>	<p>(b) to (g) The recommendations are accepted.</p>
	<p>(h) The NDMA may be requested to suggest model provisions regarding these services for inclusion in the Disaster Management Act/s.(99)</p>	<p>(h) The recommendation is accepted.</p>
<b>27. Setting-up Integrated Emergency Operations Centre (EOC): (Para 6.4.2)</b>	<p>(a) While it is necessary that each nodal ministry handling crisis has an EOC, it is clearly desirable to have an integrated National Emergency Operation Centre for all types of crises. 'Subject-matter specific' Ministries/ Departments should deploy representatives in this Centre which must be networked with all other EOCs and control rooms.(100)</p>	<p>(a) The recommendation is accepted.</p>
<b>28. Organising Emergency Medical Relief: (Para 6.5.7)</b>	<p>(a) An institutional arrangement to attend to medical emergencies is required to be put in place.(101)</p>	<p>(a) to (c) The recommendations are accepted.</p>
	<p>(b) Access to this system should be facilitated by having an identical telephone number throughout the country.(102)</p>	
	<p>(c) This arrangement envisages involvement of the private hospitals. The enunciation of the role of various role players may be through legislation.(103)</p>	
<b>29. Relief and Rehabilitation: (Para 7.1.12)</b>	<p>(a) Damage assessment should be carried out by multi-disciplinary teams in a transparent and participatory manner in accordance with guidelines laid down by NDMA. (refer para 6.2.6 g).(104)</p>	<p>(a) to (g) The recommendations are accepted.</p>
	<p>(b) The efforts of NGOs and other groups have to be coordinated with government activities at the district and state levels.(105)</p>	
	<p>(c) A recovery strategy should be evolved in consultation with the affected people and concerned agencies and organisations. The recovery strategy should include all aspects of rehabilitation - social, economic and psychological.(106)</p>	

Topic/Issue	Recommendations on Crisis Management (3 <sup>rd</sup> Report)	Government's Decision
	(d) Minimum standards of relief should be developed to address the requirements of food, health, water and sanitation shelter requirements. Focus should be placed on the special needs of the vulnerable population that is, children, women, the elderly and the physically challenged.(107)	
<b>29. Relief and Rehabilitation: (Para 7.1.12)</b>	(e) Implementation of the rehabilitation efforts should be carried out by the village panchayats/local bodies. The first priority should be to get the beneficiary oriented works executed through the beneficiaries themselves. (108)	(a) to (g) The recommendations are accepted.
	(f) Concurrent monitoring and a quick financial audit should be carried out to prevent misuse of funds.(109)	
	(g) Risk reduction aspects should be incorporated into the recovery plans. Land use plans which ensure safety of the inhabitants should be brought into effect during reconstruction.(110)	
	(h) All new civil constructions should mandatorily be made disaster resistant as per prescribed standards.(111)	(h) The recommendation is accepted.
	(i) A mechanism for redressal of grievances should be established at the local and district levels.(112)	(i) The recommendation is accepted.
	(j) For all major disasters, NIDM should conduct a detailed evaluation exercise through independent professional agencies.(113)	(j) The recommendation is accepted.
<b>30. Revisiting the Financial Procedures: (Para 7.2.6)</b>	(a) Both the funds (National Disaster Mitigation Fund and the National Disaster Response Fund) may be operationalised from April 1, 2007 with an initial annual contribution of Rs. 5000 crores each from the Government of India. This would be in addition to CRF and NCCF for the present. The CRF and NCCF would cease to exist at the end of the award period of the Twelfth Finance Commission. (114)	(a) The recommendation is accepted.
	(b) NDMA may recommend to Government of India the quantum and criteria of assistance and conditions of release from the two new funds as well as manner of replenishment of these funds from different sources.(115)	(b) The recommendation is accepted.
	(c) A system of compiling accounts for each calamity separately with reference to each head of relief expenditure should be initiated. The Comptroller and Auditor General of India may consider laying down a standardized format in this regard.(116)	(c) The recommendation is accepted.
	(d) Accounts as above may be available on the website of the state level nodal agency at such intervals as may be laid down.(117)	(d) The recommendation is accepted.

Topic/Issue	Recommendations on Crisis Management (3 <sup>rd</sup> Report)	Government's Decision
<b>30. Revisiting the Financial Procedures: (Para 7.2.6)</b>	(e) The basis for calculation of assistance from the funds should be available on appropriate websites.(118)	(e) The recommendation is accepted.
<b>31. Gender Issues and Vulnerability of Weaker Sections: (Para 8.3)</b>	(a) The vulnerability analysis should bring out the specific vulnerabilities of women and these should be addressed in any mitigation effort. Disaster mitigation plans should be prepared, in consultation with women's groups. Similar steps should be taken for other vulnerable groups.(119)	(a) The recommendation is accepted.
	(b) Rescue and relief operations should focus on the most vulnerable groups-women, children, the elderly and the physically challenged. (120)	(b) & (c) The recommendations are accepted.
	(c) Relief measures should take into account the special requirements of women and other vulnerable groups. Particular attention needs to be given to their physical and mental well being through health care and counselling.(121)	
	(d) In the recovery phase, efforts should focus on making women economically independent by offering them opportunities of earning incomes; providing training in new skills, forming self-help groups and providing microfinance, marketing facilities etc.(122)	(d) & (e) The recommendations are accepted.
	(e) The title of new assets created should be in the names of both husband and wife.(123)	
	(f) Camp managing committees should have adequate number of women representatives.(124)	(f) The recommendation is accepted.
	(g) Trauma counselling and psychological care should be provided to widows and women and other persons in distress. These activities should form part of the disaster management plan.(125)	(g) & (h) The recommendations are accepted.
(h) Arrangements have to be made for orphaned children on a long term basis. NGOs should be encouraged to play a major role in their rehabilitation.(126)		
<b>32. Revisiting Long Term Interventions (Droughts): (Para 9.2.5)</b>	(a) A National Institute of Drought Management may be set up for networking on multi-disciplinary, cross-sectoral research on various aspects of drought, acting as a resource centre on droughts and carrying out impact evaluation studies of the drought management efforts. It needs to be ensured that the mandate and agenda of this proposed institute does not duplicate the efforts of the National Institute of Disaster Management.(127)	(a) The recommendation is accepted.

Topic/Issue	Recommendations on Crisis Management (3 <sup>rd</sup> Report)	Government's Decision
<b>33. Livelihood Management in Extremely Drought Prone Areas: (Para 9.3.2)</b>	(a) A strategy for making people pursue livelihoods compatible with their ecosystems needs to be evolved. Some concrete steps in this direction could be: A multi-disciplinary team needs to be immediately constituted by the Ministry of Environment and Forests to specifically identify villages where soil and climatic conditions make 'conventional agriculture' unsustainable. Alternate means of livelihood have to be evolved in consultation with the communities, in such areas. <b>(128)</b>	(a) The recommendation is accepted.
<b>34. Codifications of Management Methodologies: (Para 9.4.3)</b>	(i) State Governments need to rewrite the Relief 'Manuals' thoroughly in the light of recent developments including inputs from the NDMA and their own experience and update them once in a few years. <b>(129)</b>	(i) The recommendation is accepted.
	(ii) Ministry of Science and Technology may compile from time to time a document incorporating details of available scientific and technical inputs/facilities for detecting the onset and progress of drought; and inter-face between scientific and technical organizations with disaster management agencies of the Union and State Governments.(130)	(ii) The recommendation is accepted.
<b>35. Rationalization of Drought Declarations: (Para 9.5.2) The method</b>	(a) Where a certain percentage (say, twenty per cent) of area normally cultivated remains unsown till the end of July or December for Kharif and Rabi respectively, the affected Tehsil/ Taluka/Mandal could be declared drought affected by the government.	(a) & (b) The recommendations are accepted.

Topic/Issue	Recommendations on Crisis Management (3 <sup>rd</sup> Report)	Government's Decision
<p>and mechanism of declaration of droughts needs to be modified under the guidance of NDMA. While it is for the State Governments to work out the modalities keeping in view the peculiarities of their agro-climatic conditions, the Commission recommends that the modified mechanism may incorporate the following broad guiding principles</p>	<p>(b) To begin with, 'eye estimates' could be used. Such estimates may be verified with reference to remote sensing data as access to such facilities improves progressively. The ultimate objective should be to use remote sensing as the primary tool of early detection of droughts with 'eye estimates' remaining only as 'secondary verifying methods'. <b>(131)</b></p>	
<p><b>36. Deployment of Remote Sensing for Diagnosis and Prognosis of Drought Situations:(Para 9.6.3)</b></p>	<p>(a) Deployment of remote sensing as the primary tool for diagnosing droughts, monitoring their course and forecasting prognosis is a goal that needs to be pursued speedily and systematically. This would require dovetailing remote sensing into the routine framework of drought management. This could be best achieved through establishment of an NRSA cell in identified drought prone districts. The activities of the NRSA cells in the districts must include monitoring of other disasters as well.(132)</p>	<p>(a) The recommendation is accepted. The work on improving these tools would continue, but there is no need for an NRSA cell at the district level.</p>
<p><b>37. Making Rivers Perennial: (Para 9.7.4)</b></p>	<p>(a) Technical agencies under the Ministries of Water Resources, Environment and Forests and Science and Technology must immediately carry out river specific feasibility studies to determine the ecological and hydrological implications of making seasonal rivers perennial.(133)</p>	<p>(a) The recommendation is accepted.</p>
<p><b>38. Rainfed Areas Authority: (Para 9.8.2)</b></p>	<p>(a) A National Rainfed Areas Authority may be constituted immediately. The Authority can deal inter alia, with all the issues of drought management mentioned in this chapter.(134)</p>	<p>(a) The recommendation is accepted.</p>



Topic/Issue	Recommendations on Crisis Management (3 <sup>rd</sup> Report)	Government's Decision
<b>39. Epidemics: (Para 10.1.12)</b>	(i) To more effectively prevent outbreak/spread of epidemics, it is imperative that a comprehensive revised 'model' legislation on public health is finalized at an early date and that the Ministry of Health and Family Welfare systematically pursues its enactment by the states with adaptations necessitated by local requirements.(135)	(i) to (v) The recommendations are accepted.
	(ii) The Union legislation governing Public Health Emergencies be introduced for final consideration in the light of feedback received from the states at an early date.(136)	
	(iii) Ministry of Health and Family Welfare has to ensure that requisite plans envisaged under the Disaster Management Act, 2005, are drawn up in respect of epidemics also and that the role of the district administration finds explicit mention in the Public Health Emergency Bill. The structure created by the Disaster Management Act, 2005, should be utilized for managing epidemics also. (137)	
<b>39. Epidemics: (Para 10.1.12)</b>	(iv) While surveillance and management of epidemics are the responsibilities of public health professionals, it is clear that a particularly severe outbreak could overwhelm the capacities of the 'line organisations'. The Ministry of Health and Family Welfare and the State Governments must ensure that 'standard operating procedures' are devised to assign roles and responsibilities of agencies and personnel outside the line organizations wherever a situation so warrants.(138)	(i) to (v) The recommendations are accepted.
	(v) State level handbooks and manuals concerning disaster management should have a chapter on "epidemics-related emergencies". A model chapter may be circulated by the Ministry of Health and Family Welfare for guidance of states. It may be useful to document the past handling of epidemics like the Plague (Surat) and Japanese encephalitis (Eastern UP) to facilitate standardization of response mechanisms.(139)	
<b>40. Disruption of Essential Services: (Para 10.2.2)</b>	(i) All crisis/disaster management plans should include plans for handling possible disruptions in essential services. (140)	(i) to (iii) The recommendations are accepted.
	(ii) All agencies/ ,organizations engaged in the supply of essential services should have their own internal crisis management plans to deal with emergencies.(141)	
	(iii) The regulatory authorities of the respective sectors may lay down the required framework for drawing up standard operating procedures and crisis management plans.(142)	

## Ethics in Governance

Topic/Issue	Accepted/Partially Accepted Recommendations on Ethics in Governance (4 <sup>th</sup> Report)	Government's Decision
11. (2.7.12) Code of Ethics for Civil Servants	(a) 'Public Service Values' towards which all public servants should aspire, should be defined and made applicable to all tiers of Government and parastatal organizations. Any transgression of these values should be treated as misconduct, inviting punishment.	(a) Accepted
	(b) Conflict of interests should be comprehensively covered in the code of ethics and in the code of conduct for officers. Also, serving officials should not be nominated on the Boards of Public undertakings. This will, however, not apply to non-profit public institutions and advisory bodies.(20)	(b) Partially accepted. As serving officials provide an important linkage between the Government and PSUs, it may not be appropriate to accept the recommendation about not nominating serving officials on the Board of Public Undertakings. However, conflicts of interest can be effectively handled by further strengthening the Conduct Rules. The guidelines on corporate governance of Public Sector Undertakings issued recently also take note of this concern.
12. (2.8.5) Code of Ethics for Regulators	(a) A comprehensive and enforceable code of conduct should be prescribed for all professions with statutory backing.(21)	(a) Accepted.
13. (2.9.23) Ethical Framework for the Judiciary	(a) A National Judicial Council should be constituted, in line with universally accepted principles where the appointment of members of the judiciary should be by a collegiums having representation of the executive, legislature and judiciary. The Council should have the following composition: • The Vice-President as Chairperson of the Council • The Prime Minister • The Speaker of the Lok Sabha • The Chief Justice of India • The Law Minister • The Leader of the Opposition in the Lok Sabha • The Leader of the Opposition in the Rajya Sabha In matters relating to the appointment and oversight of High Court Judges, the Council will also include the following members: • The Chief Minister of the concerned State • The Chief Justice of the concerned High Court (22)	(a) Accepted in principle, other than the composition suggested by ARC.
	(b) The National Judicial Council should be authorized to lay down the code of conduct for judges, including the subordinate judiciary.(23)	(b) Accepted

Topic/Issue	Accepted/Partially Accepted Recommendations on Ethics in Governance (4 <sup>th</sup> Report)	Government's Decision
	(f) A Judge of the Supreme Court should be designated as the Judicial Values Commissioner. He/she should be assigned the task of enforcing the code of conduct. Similar arrangement should also be made in the High Court.(27)	(f) Accepted
16. (3.2.3.2) Sanction for Prosecution	(b) The Prevention of Corruption Act should be amended to ensure that sanctioning authorities are not summoned and instead the documents can be obtained and produced before the courts by the appropriate authority.(33)	(b) Accepted
	(d) The requirement of prior sanction for prosecution now applicable to serving public servants should also apply to retired public servants for acts performed while in service.(35)	(d) Accepted
17. (3.2.4.3) Liability of Corrupt Public Servants to Pay Damages	(a) In addition to the penalty in criminal cases the law should provide that public servants who cause loss to the state or citizens by their corrupt acts should be made liable to make good the loss caused and, in addition, be liable for damages. This could be done by inserting a chapter in the Prevention of Corruption Act.(37)	(a) The recommendation may be referred to GoM on corruption.
18. (3.2.5.6) Speeding up Trials under the Prevention of Corruption Act:	(b) Steps have to be taken to ensure that judges declared as Special Judges under the provisions of the Prevention of Corruption Act give primary attention to disposal of cases under the Act. Only if there is inadequate work under the Act, should the Special Judges be entrusted with other responsibilities.(39)	(b) to (d) Accepted.
	(c) It has to be ensured that the proceedings of courts trying cases under the Prevention of Corruption Act are held on a day-to-day basis, and no deviation is permitted.(40)	
	(d) The Supreme Court and the High Courts may lay down guidelines to preclude unwarranted adjournments and avoidable delays.(41)	
19. (3.3.7) Corruption Involving the Private Sector	(a) The Prevention of Corruption Act should be suitably amended to include in its purview private sector providers of public utility services.(42)	(a) & (b) The recommendation may be referred to GoM on corruption.
	(b) Non-Governmental agencies, which receive substantial funding, should be covered under the Prevention of Corruption Act. Norms should be laid down that any institution or body that has received more than 50% of its annual operating costs, or a sum equal to or greater than Rs 1 crore during any of the preceding 3 years should be deemed to have obtained 'substantial funding' for that period and purpose of such funding.(43)	
20. (3.4.10) Confiscation of Properties Illegally Acquired by Corrupt Means.	(a) The Corrupt Public Servants (Forfeiture of Property) Bill as suggested by the Law Commission should be enacted without further delay.(44)	(a) Accepted

Topic/Issue	Accepted/Partially Accepted Recommendations on Ethics in Governance (4 <sup>th</sup> Report)	Government's Decision
21. (3.5.4) Prohibition of 'Benami' Transactions	(a) Steps should be taken for immediate implementation of the Benami Transactions (Prohibition) Act 1988.(45)	(a) Accepted.
22. (3.6.4) Protection to Whistle-blowers	(a) Legislation should be enacted immediately to provide protection to whistleblowers on the following lines proposed by the Law Commission: • Whistleblowers exposing false claims, fraud or corruption should be protected by ensuring confidentiality and anonymity, protection from victimization in career, and other administrative measures to prevent bodily harm and harassment. • The legislation should cover corporate whistle-blowers unearthing fraud or serious damage to public interest by willful acts of omission or commission. • Acts of harassment or victimization of or retaliation against, a whistleblower should be criminal offences with substantial penalty and sentence.(46)	(a) Accepted
28. (4.4.9) The Loka-yukta :	(a) The Constitution should be amended to incorporate a provision making it obligatory on the part of State Governments to establish the institution of Lokayukta and stipulate the general principles about its structure, power and functions.(66)	(a) to (i): Accepted
	(b) The Lokayukta should be a multi-member body consisting of a judicial Member in the Chair, an eminent jurist or eminent administrator with impeccable credentials as Member and the head of the State Vigilance Commission {as referred in para 4.4.9(e) below} as ex-officio Member. The Chairperson of the Lokayukta should be selected from a panel of retired Supreme Court Judges or retired Chief Justices of High Court, by a Committee consisting of the Chief Minister, Chief Justice of the High Court and the Leader of the Opposition in the Legislative Assembly. The same Committee should select the second member from among eminent jurists/administrators. There is no need to have an Up-Lokayukta.(67)	
	(c) The jurisdiction of the Lokayukta would extend to only cases involving corruption. They should not look into general public grievances.(68)	
	(d)The Lokayukta should deal with cases of corruption against Ministers and MLAs.(69)	
	(e) Each State should constitute a State Vigilance Commission to look into cases of corruption against State Government officials. The Commission should have three Members and have functions similar to that of the Central Vigilance Commission.(70)	
	(f) The Anti Corruption Bureaus should be brought under the control of the State Vigilance Commission.(71)	
	(g) The Chairperson and Members of the Lokayukta should be appointed strictly for one term only and they should not hold any public office under government thereafter.(72)	

Topic/Issue	Accepted/Partially Accepted Recommendations on Ethics in Governance (4 <sup>th</sup> Report)	Government's Decision
	(h) The Lokayukta should have its own machinery for investigation. Initially, it may take officers on deputation from the State Government, but over a period of five years, it should take steps to recruit its own cadre, and train them properly.(73)	
	(i) All cases of corruption should be referred to Rashtriya Lokayukta or Lokayukta and these should not be referred to any Commission of Inquiry.(74)	
29. (4.5.6) Ombudsman at the Local Levels	(a) A local bodies Ombudsman should be constituted for a group of districts to investigate cases against the functionaries of the local bodies. The State Panchayat Raj Acts and the Urban Local Bodies Act should be amended to include this provision. (75)	(a) & (b): Accepted.
	(b) The local bodies Ombudsman should be empowered to investigate cases of corruption or maladministration by the functionaries of the local self governments, and submit reports to the competent authorities for taking action. The competent authorities should normally take action as recommended. In case they do not agree with the recommendations, they should give their reasons in writing and the reasons should be made public. (76)	
30. (4.6.6) Strengthening Investigation and Prosecution	(a) The State Vigilance Commissions/Lokayuktas may be empowered to supervise the prosecution of corruption related cases. (77)	(a) to (h): Accepted.
	(b) The investigative agencies should acquire multi-disciplinary skills and should be thoroughly conversant with the working of various offices/ departments. They should draw officials from different wings of government. (78)	
	(c) Modern techniques of investigation should also be deployed like electronic surveillance, video and audio recording of surprise inspections, traps, searches and seizures. (79)	
	(d) A reasonable time limit for investigation of different types of cases should be fixed for the investigative agencies. (80)	
	(e) There should be sustained step-up in the number of cases detected and investigated. The priorities need to be reoriented by focusing on 'big' cases of corruption. (81)	
	(f) The prosecution of corruption cases should be conducted by a panel of lawyers prepared by the Attorney General or the Advocate General in consultation with Rashtriya Lokayukta or Lokayukta as the case may be.	
	(g) The anti-corruption agencies should conduct systematic surveys of departments with particular reference to highly corruption prone ones in order to gather intelligence and to target officers of questionable integrity.	

Topic/Issue	Accepted/Partially Accepted Recommendations on Ethics in Governance (4 <sup>th</sup> Report)	Government's Decision
	(h) The economic offences unit of states needs to be strengthened to effectively investigate cases and there should be better coordination amongst existing agencies. (84)	
31. (5.1.12) Citizens' Initiatives	(a) Citizens' Charters should be made effective by stipulating the service levels and also the remedy if these service levels are not met.(85)	(a) to (d): Accepted
	(b) Citizens may be involved in the assessment and maintenance of ethics in important government institutions and offices. (86)	
	(c) Reward schemes should be introduced to incentivise citizen's initiatives.(87)	
	(d) School awareness programmes should be introduced, highlighting the importance of ethics and how corruption can be combated.(88)	
32. (5.2.5) False Claims Act	(a) Legislation on the lines of the US False Claims Act should be enacted, providing for citizens and civil society groups to seek legal relief against fraudulent claims against the government. This law should have the following elements: (i) Any citizen should be able to bring a suit against any person or agency for a false claim against the government. (ii) If the false claim is established in a court of law, then the person/agency responsible shall be liable for penalty equal to five times the loss sustained by the exchequer or society. (iii) The loss sustained could be monetary or non-monetary as in the form of pollution or other social costs. In case of non-monetary loss, the court would have the authority to compute the loss in monetary terms. (iv) The person who brought the suit shall be suitably compensated out of the damages recovered. (89)	(a) : Accepted.
33. (5.3.5) Role of Media	(a) It is necessary to evolve norms and practices requiring proper screening of all allegations/ complaints by the media, and taking action to put them in the public domain.(90)	(a) : Accepted
	(b) The electronic media should evolve a Code of Conduct and a self regulating mechanism in order to adhere to a Code of Conduct as a safeguard against malafide action. (91)	(b) Accepted.
	(c) Government agencies can help the media in the fight against corruption by disclosing details about corruption cases regularly.(92)	(c) Accepted.
34. (5.4.2) Social Audit	(a) Operational guidelines of all developmental schemes and citizen centric programmes should provide for a social audit mechanism. (93)	(a) Accepted

Topic/Issue	Accepted/Partially Accepted Recommendations on Ethics in Governance (4 <sup>th</sup> Report)	Government's Decision
35. (6.2.5) Promoting Competition	(a) Every Ministry/Department may undertake an immediate exercise to identify areas where the existing 'monopoly of functions' can be tempered with competition. A similar exercise may be done at the level of State Governments and local bodies. This exercise may be carried out in a time bound manner, say in one year, and a road map laid down to reduce 'monopoly' of functions. The approach should be to introduce competition along with a mechanism for regulation to ensure performance as per prescribed standards so that public interest is not compromised. (94)	(a) to (c) Accepted
	(b) Some Centrally Sponsored schemes could be restructured so as to provide incentives to States that take steps to promote competition in service delivery. (95)	
	(c) All new national policies on subjects having large public interface (and amendments to existing policies on such subjects) should invariably address the issue of engendering competition. (96)	
36. (6.3.5) Simplifying Transactions	(a) There is need to bring simplification of methods to the center-stage of administrative reforms. Leaving aside specific sectoral requirements, the broad principles of such reforms must be: adoption of 'single window' approach, minimizing hierarchical tiers, stipulating time limits for disposal etc. (97)	(a) to (d) Accepted. As regards, recommendation at (d), time limits for processing of identified permissions/ licenses have to be worked out realistically.
	(b) The existing Departmental Manuals and Codes should be thoroughly reviewed and simplified with a responsibility on the Head of the Department to periodically update such documents and make available soft-copies online and hard copies for sale. These manuals must be written in very precise terms, and phrases like 'left to the discretion of', 'as far as possible', 'suitable decision may be taken' etc should be avoided. This should be followed for all rules and regulations governing issue of permissions, licenses etc. (98)	
	(c) A system of rewards and incentives for simplification and streamlining of procedures may be introduced in each government organization. (99)	
	(d) The principle of 'positive silence' should generally be used, though this principle cannot be used in all cases. Wherever permissions/licenses etc are to be issued, there should be a time limit for processing of the same after which permission, if not already given, should be deemed to have been granted. However, the rules should provide that for each such case the official responsible for the delay must be proceeded against.	

Topic/Issue	Accepted/Partially Accepted Recommendations on Ethics in Governance (4 <sup>th</sup> Report)	Government's Decision
37. (6.4.7) Using Information Technology	(a) Each Ministry/Department/ Organization of Government should draw up a plan for use of IT to improve governance. In any government process, use of Information Technology should be made only after the existing procedures have been thoroughly reengineered. (101)	(a): Partially accepted. The process reengineering should be part of the project design of any e governance initiative rather than a condition preceding it.
	(b) The Ministry of Information and Technology needs to identify certain governmental processes and then take up a project of their computerization on a nationwide scale. (102)	(b) & (c) : Accepted
	(c) For computerization to be successful, computer knowledge of departmental officers needs to be upgraded. Similarly, the NIC needs to be trained in department specific activities, so that they could appreciate each other's view point and also ensure that technology providers understand the anatomy of each department. (103)	
38. (6.6.4) Integrity Pacts	(a) The Commission recommends encouragement of the mechanism of 'integrity pacts'. The Ministry of Finance may constitute a Task Force with representatives from Ministries of Law and Personnel to identify the type of transactions requiring such pacts and to provide for a protocol for entering into such a pact. The Task Force may, in particular, recommend whether any amendment in the existing legal framework like the Indian Contract Act, and the Prevention of Corruption Act is required to make such agreements enforceable. (104)	(a): Accepted.
39. (6.7.3) Reducing discretion	(a) All government offices having public interface should undertake a review of their activities and list out those which involve use of discretion. In all such activities, attempt should be made to eliminate discretion. Where it is not possible to do so, well-defined regulations should attempt to 'bound' the discretion. Ministries and Departments should be asked to coordinate this task in their organizations/offices and complete it within one year. (105)	(a): Accepted.
	(c) State Governments should take steps on similar lines, especially in local bodies and authorities, which have maximum 'public contact'. (107)	(c): Accepted
40. (6.8.7) Supervision	(b) Each supervisory officer should carefully analyze the activities in his/ her organization/office, identify the activities which are vulnerable to corruption and then build up suitable preventive and vigilance measures. All major instances of loss caused to the government or to the public, by officials by their acts of omission or commission should be enquired into and responsibility fixed on the erring officer within a time-frame.(109)	(b): Accepted.



Topic/Issue	Accepted/Partially Accepted Recommendations on Ethics in Governance (4 <sup>th</sup> Report)	Government's Decision
	(e) Supervisory officers should ensure that all offices under them pursue a policy of suo motu disclosure of information within the ambit of the Right to Information Act.(112)	(e) Accepted.
41. (6.9.4) Ensuring Accessibility and Responsiveness	(a) Service providers should converge their activities so that all services are delivered at a common point. Such common service points could also be outsourced to an agency, which may then be given the task of pursuing citizens, requests with concerned agencies.	(a) to (c) Accepted
	(b) Tasks, which are prone to corruption, should be split up into different activities that can be entrusted to different persons. (114)	
	(c) Public interaction should be limited to designated officers. A 'single window front office' for provision of information and services to the citizens with a file tracking system should be set up in all government departments. (115)	
42. (6.10.2) Monitoring Complaints	(a) All offices having large public interface should have an online complaint tracking system. If possible, this task of complaint tracking should be outsourced. (116)	(a) to (c) Accepted
	(b) There should be an external, periodic mechanism of 'audit' of complaints in offices having large public interface. (117)	
	(c) Apart from enquiring into each complaint and fixing responsibility for the lapses, if any, the complaint should also be used to analyse the systemic deficiencies so that remedial measures are taken. (118)	
43. (6.12.7) Risk Management for Preventive Vigilance	(a) Risk profiling of jobs needs to be done in a more systematic and institutionlised manner in all government organizations. (119)	(a) & (b) Accepted
	(b) Risk profiling of officers should be done by a committee of 'eminent persons' after the officer has completed ten years of service, and then once in every five years. The committee should use the following inputs in coming to a conclusion: (120) (i) The performance evaluation of the reported officer. (ii) A self-assessment given by the reported officer focusing on the efforts he/she has made to prevent corruption in his/her career. (iii) Reports from the vigilance organization. (iv) A peer evaluation to be conducted confidentially by the committee through an evaluation form.	
44. (6.13.2) Audit	(a) It should be prescribed that as soon as any major irregularity is detected or suspected by the audit team, it should be immediately taken note of by government. A suitable mechanism for this may be put in place. It shall be the responsibility of the head of the office to enquire into any such irregularity and initiate action. (121)	(a) to (c) Accepted
	(b) Audit teams should be imparted training in forensic audit. (122)	
	(c) Each office should make an annual public statement regarding pending audit queries.	

Topic/Issue	Accepted/Partially Accepted Recommendations on Ethics in Governance (4 <sup>th</sup> Report)	Government's Decision
45. (6.14.3) Proactive vigilance on corruption	(a) Taking proactive vigilance measures should primarily be the responsibility of the head of the office. Some possible measures are indicated in para (6.14.2). (124)	(a) Accepted
46. (6.15.2) Intelligence Gathering	(a) Supervisory officers should assess the integrity of his/her subordinates based on his/her handling of cases, complaints and feedback from different sources. This could then become an important input for risk profiling of officers. (125)	(a) Accepted
47. (6.16.2) Vigilance Network	(a) A national database containing the details of all corruption cases at all levels should be created. This database should be in the public domain. Identified authorities should be made responsible for updating the database regularly. (126)	(a) Partially accepted. Database can be created with restricted access only to pending cases. Decided cases can be put on the official website
48. (7.9). Protecting the Honest Civil Servant	(a) Every allegation of corruption received through complaints or from sources cultivated by the investigating agency against a public servant must be examined in depth at the initial stage itself before initiating any enquiry. Every such allegation must be analyzed to assess whether the allegation is specific, whether it is credible and whether it is verifiable. Only when an allegation meets the requirements of these criteria, should it be recommended for verification, and the verification must be taken up after obtaining approval of the competent authority. The levels of competent authorities for authorizing verifications/enquiries must be fixed in the anti-corruption agencies for different levels of suspect officers. (127)	(a) to (h) Accepted
	(b) In matters relating to allegations of corruption, open enquiries should not be taken up straightaway on the basis of complaints/source information. When verification/secret enquiries are approved, it should be ensured that secrecy of such verifications is maintained and the verifications are done in such a manner that neither the suspect officer nor anybody else comes to know about it. Such secrecy is essential not only to protect the reputation of innocent and honest officials but also to ensure the effectiveness of an open criminal investigation. Such secrecy of verification/ enquiry will ensure that in case the allegations are found to be incorrect, the matter can be closed without anyone having come to know of it. The Inquiry / Verification Officers should be in a position to appreciate the sensitivities involved in handling allegations of corruption.(128)	

Topic/Issue	Accepted/Partially Accepted Recommendations on Ethics in Governance (4 <sup>th</sup> Report)	Government's Decision
<p>..contd 48. (7.9). Protecting the Honest Civil Servant</p>	(c) The evaluation of the results of verification/enquiries should be done in a competent and just manner. Much injustice can occur due to faulty evaluation of the facts and the evidence collected in support of such facts. Personnel handling this task should not only be competent and honest but also impartial and imbued with a sense of justice.(129)	
	(d) Whenever an Inquiry Officer requires to consult an expert to understand technical / complex issues, he can do so, but the essential requirement of proper application of mind has to take place at every stage to ensure that no injustice is caused to the honest and the innocent.(130)	
	(e) Capacity building in the anti-corruption agencies should be assured through training and by associating the required experts during enquiries /investigations. Capacity building among public servants who are expected to take commercial / financial decisions should be built through suitable training programmes.	
	(f) The supervisory officers in the investigating agencies should ensure that only those public servants are prosecuted against whom the evidence is strong.(132)	
	(g) There should be profiling of officers. The capabilities, professional competence, integrity and reputation of every government servant must be charted out and brought on record. Before proceeding against any government servant, reference should be made to the profile of the government servant concerned.(133)	
	(h) A special investigation unit should be attached to the proposed Lokpal (Rashtriya Lokayukta)/State Lokayuktas/ Vigilance Commission, to investigate allegations of corruption against investigative agencies. This unit should be multi-disciplinary and should also investigate cases of allegations of harassment against the investigating agency. Similar units should also be set up in States.(134)	

## Public Order (Government Decisions Not Available)

Topic/Issue	Recommendations on Public Order (5 <sup>th</sup> Report)
<b>1. (Para 5.2.1.8) State Government and the Police</b>	<p>a. The following provision should be incorporated in the respective Police Acts: It shall be the responsibility of the State Government to ensure efficient, effective, responsive and accountable functioning of police for the entire state. For this purpose, the power of superintendence of the police service shall vest in and be exercised by the State Government in accordance with the provisions of law.</p> <p>The State Government shall exercise its superintendence over the police in such manner and to such an extent as to promote the professional efficiency of the police and ensure that its performance is at all times in accordance with the law. This shall be achieved through laying down policies and guidelines, setting standards for quality policing, facilitating their implementation and ensuring that the police performs its task in a professional manner with functional autonomy. No government functionary shall issue any instructions to any police functionary which are illegal or malafide.</p> <p>b. 'Obstruction of justice' should also be defined as an offence under the law.</p>
<b>2. (Para 5.2.2.30) Separation of Investigation from other Functions</b>	<p>a. Crime Investigation should be separated from other policing functions. A Crime Investigation Agency should be constituted in each state.</p> <p>b. This agency should be headed by a Chief of Investigation under the administrative control of a Board of Investigation, to be headed by a retired/ sitting judge of the High Court. The Board should have an eminent lawyer an eminent citizen, a retired police officer, a retired civil servant, the Home Secretary (ex-officio), the Director General of Police (ex-Officio), Chief of the Crime Investigation Agency (ex-officio) and the Chief of Prosecution (ex-officio) as Members</p> <p>c. The Chairman and Members of the Board of Investigation should be appointed by a high-powered collegium, headed by the Chief Minister and comprising the Speaker of the Assembly, Chief Justice of the High Court, the Home Minister and the Leader of Opposition in the Legislative Assembly. The Chief of Investigation should be appointed by the State Government on the recommendation of the Board of Investigation.</p> <p>d. The Chief of the Crime Investigation Agency should have full autonomy in matters of investigation. He shall have a minimum tenure of three years. He can be removed within his tenure for reasons of incompetence or misconduct, but only after the approval of the Board of Investigation. The State Government should have power to issue policy directions and guidelines to the Board of Investigation.</p> <p>e. All crimes having a prescribed punishment of more than a defined limit (say three or more years of imprisonment) shall be entrusted to the Crime Investigation Agency. Registration of FIRs and first response should be with the 'Law and Order' Police at the police station level.</p>
<b>2. (Para 5.2.2.30) Separation of Investigation from</b>	<p>f. The existing staff could be given an option of absorption in any of the Agencies – Crime Investigation, Law and Order and local police. But once absorbed, they should continue with the same Agency and develop expertise accordingly. This would also apply to senior officers.</p>

Topic/Issue	Recommendations on Public Order (5 <sup>th</sup> Report)
<b>other Functions</b>	g. Once the Crime Investigation Agency is staffed, all ranks should develop expertise in that field and there should be no transfer to other Agencies.
	h. Appropriate mechanisms should be developed to ensure coordination between the Investigation, Forensic and the Law and Order Agencies, at the Local, District and the State levels.
<b>3. (Para 5.2.3.7) Accountability of Law and Order Machinery</b>	a. A State Police Performance and Accountability Commission should be constituted, with the following as Members: • Home Minister (Chairman), Leader of Opposition in the State Assembly, Chief Secretary, Secretary in charge of the Home Department;, Director General of Police as its Member Secretary, (For matters pertaining to Director General of Police, including his appointment, the Home Secretary shall be the Member Secretary), Five non-partisan eminent citizens,
	b. The State Police Performance and Accountability Commission should perform the following functions:* frame broad policy guidelines for promoting efficient, effective, responsive and accountable policing, in accordance with law;* prepare panels for the office of Director General of Police against prescribed criteria;* identify performance indicators to evaluate the functioning of the police service; and* review and evaluate organizational performance of the police service.
	c. The method of appointment of the Chairman and Members of the State Police Performance and Accountability Commission should be as stipulated in the Draft Model Police Act.
	d. The State Government should appoint the Chief of Law and Order Police from the panel recommended by the State Police Performance and Accountability Commission. The panel will be for the 'office' of Director General of Police and not to other posts of the 'rank' of DGP
	e. The tenure of the Chief of the Law and Order Police as well as the Chief of the Crime Investigation Agency should be at least three years. But this tenure should not become a hindrance for removal in case the Chief is found to be incompetent or corrupt or indulges in obstruction of justice or is guilty of a criminal offence. The State Government should have powers to remove the Police Chief but such order of removal should be passed only after it has been cleared by the State Police Performance and Accountability Commission (or the State Investigation Board, in the case of Chief of Investigation)
<b>4. (Para 5.2.4.9) Police Establishment Committees</b>	a. A State Police Establishment Committee should be constituted. It should be headed by the Chief Secretary . The Director General of Police should be the Member Secretary and the State Home Secretary and a nominee of the State Police and Accountability Commission should be the Members. This Committee should deal with cases relating to officers of the rank of Inspector General of Police and above.

Topic/Issue	Recommendations on Public Order (5 <sup>th</sup> Report)
	<p>b. A separate State Police Establishment Committee should be set up with the Chief of Law and Order Police as its Chairperson and two senior police officers and a member of the State Police Performance and Accountability Commission as Members (All Members of this Committee should be nominated by the State Police Performance and Accountability Commission) to deal with cases relating to all gazetted officers up to the rank of Deputy Inspector General of Police.</p> <p>c. These Committees should deal with all matters of postings and transfers, promotions and also grievances relating to establishment matters. The recommendations of these Committees shall normally be binding on the Competent Authority. However, the Competent Authority may return the recommendations for reconsideration after recording the reasons.</p> <p>d. Similarly, a District Police Establishment Committee (City Police Committee) should be constituted under the Superintendent/Commissioner of Police. This Committee should have full powers in all establishment matters of non-gazetted police officers.</p> <p>e. For inter-district transfers of non-gazetted officers, the State level Establishment Committee may deal with it or delegate it to a Zonal or a Range level Committee.</p> <p>f. All officers and staff should have a minimum tenure of three years. Should the Competent Authority wish to make pre-mature transfer, it should consult the concerned establishment committee for their views. If the views of the establishment are not acceptable to the Competent Authority, the reasons should be recorded before the transfer is affected, and put in the public domain.</p> <p>g. The Board of Investigation should have full and final control on all personnel matters of Crime Investigation Agency. Therefore, the Board should act as the establishment committee for all senior functionaries in investigation and prosecution. An appropriate committee may be constituted at the district level by the Board, for dealing with non-gazetted officials.</p>
<p><b>5. (Para 5.3.13) Competent Prosecution and Guidance to Investigation</b></p>	<p>a. A system of District Attorney should be instituted. An officer of the rank of District Judge should be appointed as the District Attorney. The District Attorney shall be the head of Prosecution in a District (or group of Districts). The District Attorney shall function under the Chief Prosecutor of the State. The District Attorney should also guide investigation of crimes in the district.</p> <p>b. The Chief Prosecutor for the State shall be appointed by the Board of Investigation for a period of three years. The Chief Prosecutor shall be an eminent criminal lawyer. The Chief Prosecutor would supervise and guide the District Attorneys.</p>
<p><b>6. (Para 5.4.7) Local Police and Traffic</b></p>	<p>a. A task force may be constituted in the Ministry of Home Affairs to identify those laws whose implementation, including investigation of violations could be transferred to the implementing departments. A similar task force should look into the state laws in each state.</p>

Topic/Issue	Recommendations on Public Order (5 <sup>th</sup> Report)
<b>Management</b>	b. To start with, departments like the State Excise, Forest, Transport and Food with enforcement divisions may take some officers from the police department of appropriate seniority on deputation and form small investigation outfits by drawing departmental officers from corresponding ranks for the purpose of investigating cases of violations of appropriate laws; after a transition period, the concerned department should endeavour to acquire expertise and build capacity to cope with the investigation work with its own departmental officials.
	c. A Municipal Police Service should be constituted in Metropolitan cities having population of more than one million. The Municipal Police should be empowered to deal with the offences prescribed under the municipal laws.
	d. The function of Traffic control (along with traffic police) may be transferred to the local governments in all cities having a population of more than one million.
<b>7. (Para 5.5.4) The Metropolitan Police Authorities</b>	a. All cities with population above one million should have Metropolitan Police Authorities. This Authority should have powers to plan and oversee community policing, improving police-citizen interface, suggesting ways to improve quality of policing, approve annual police plans and review the working of such plans.
	b. The Authorities should have nominees of the State Government, elected municipal councilors, and non partisan eminent persons to be appointed by the government as Members. An elected Member should be the Chairperson. This Authority should not interfere in the 'operational functioning' of the police or in matters of transfers and postings. In order to ensure this, it should be stipulated that individual members will have no executive functions nor can they inspect or call for records. Once the system stabilizes, this Authority could be vested with more powers in a phased manner.
<b>8. (Para 5.6.2) Reducing Burden of Police - Outsourcing Non Core Functions</b>	a. Each State Government should immediately set up a multi-disciplinary task force to draw up a list of non-core police functions that could be outsourced to other agencies. Such functions should be outsourced in a phased manner.
	b. Necessary capacity building exercise would have to be carried out for such agencies and functionaries in order to develop their skills in these areas.
<b>9. (Para 5.7.10) Empowering the 'Cutting Edge' Functionaries</b>	a. The existing system of the constabulary should be substituted with recruitment of graduates at the level of Assistant Sub- Inspector of Police (ASI).
<b>9. (Para 5.7.10) Empowering the 'Cutting Edge' Functionaries</b>	b. This changeover could be achieved over a period of time by stopping recruitment of constables and instead inducting an appropriate number of ASIs
	c. Recruitment of constables would, however, continue in the Armed Police.
	d. The orderly system should be abolished with immediate effect.
	e. The procedure for recruitment of police functionaries should be totally transparent and objective.

Topic/Issue	Recommendations on Public Order (5 <sup>th</sup> Report)
	f. Affirmative action should be taken to motivate persons from different sections of society to join the police service. Recruitment campaigns should be organised to facilitate this process.
<b>10. (Para 5.8.4) Welfare Measures for the Police</b>	a. Rational working hours should be strictly followed for all police personnel.
	b. Welfare measures for police personnel in the form of improved working conditions, better education facilities for their children, social security measures during service, as well as post retirement should be taken up on priority.
	c. Major housing construction programmes for police personnel should be taken up in a time bound manner in all states.
<b>11. (Para 5.9.15) Independent Complaints Authorities</b>	a. A District Police Complaints Authority should be constituted to enquire into allegations against the police within the district. The District Police Complaints Authority should have an eminent citizen as its Chairperson, with an eminent lawyer and a retired government servant as its Members. The Chairperson and Members of the District Police Complaints Authority should be appointed by the State Government in consultation with the Chairperson of the State Human Rights Commission. A government officer should be appointed as Secretary of the District Police Complaints Authority.
	b. The District Police Complaints Authority should have the powers to enquire into misconduct or abuse of power against police officers up to the rank of Deputy Superintendent of Police. It should exercise all the powers of a civil court. The Authority should be empowered to investigate any case itself or ask any other agency to investigate and submit a report. The Disciplinary Authorities should normally accept the recommendations of the District Authorities.
	c. A State Police Complaints Authority should be constituted to look into cases of serious misconduct by the police. The State level Authority should also look into complaints against officers of the rank of Superintendent of Police and above. The State Police Complaints Authority should have a retired High Court Judge as Chairperson and nominees of the State Government, the State Human Rights Commission, the State Lok Ayukta, and the State Women Commission. An eminent human rights activist should be also be the member of the Complaints Authority. The Chairperson and the Member of the Authority (eminent human rights activist) should be appointed by the State Government based on the recommendations of the State Human Rights Commission. (In case the State Human Rights Commission has not been constituted, then the State Lok Ayukta may be consulted). A government officer should officiate as the secretary of the Authority. The Authority should have the power to ask any agency to conduct an enquiry or enquire itself. The Authority should also be empowered to enquire into or review any case of police misconduct, which is before any District Police Complaints Authority, if it finds it necessary in public interest to do so.
<b>11. (Para 5.9.15) Independent</b>	d. It should be provided that if upon enquiry it is found that the complaint was frivolous or vexatious, then the Authority should have the power to impose a reasonable fine on the complainant.
	e. The State Police Complaints Authority should also monitor the functioning of the District Police Complaints Authority.



Topic/Issue	Recommendations on Public Order (5 <sup>th</sup> Report)
<b>Complaints Authorities</b>	f. The Complaint Authorities should be given the powers of a civil court. It should be mandated that all complaints should be disposed of within a month.
<b>12. (Para 5.10.4) An Independent Inspectorate of Police</b>	<p>a. In addition to ensuring effective departmental inspections, an Independent Inspectorate of Police may be established under the supervision of the Police Performance and Accountability Commission to carry out performance audit of police stations and other police offices through inspections and review of departmental inspections. It should render professional advice for improvement of standards in policing and also present an annual report to the Police Performance and Accountability Commission.</p> <p>b. For all cases of deaths during ‘encounters’ the Independent Inspectorate of Police should commence an enquiry within 24 hours of the incident. The Inspectorate should submit its report to the PPAC and the SPAC</p> <p>c. The working of the Bureau of Police Research and Development needs to be strengthened by adequate financial and professional support, so that it could function effectively as an organization for inter alia analysis of data from all parts of the country and establish standards regarding different aspects of the quality of police service.</p>
<b>13. (Para 5.11.8) Improvement of Forensic Science Infrastructure - Professionalisation of Investigation</b>	a. There is need to set up separate National and State Forensic Science Organisations as state-of-the-art scientific organizations. At the state level these organisations should function under the supervision of the Board of Investigation.
<b>13. (Para 5.11.8) Improvement of Forensic Science Infrastructure - Professionalisation of Investigation</b>	<p>b. There is need to expand the forensic facilities and upgrade them technologically. Every district or a group of districts having 30 to 40 lakhs population should have a forensic laboratory. This should be achieved over a period of five years. Government of India should earmark funds for this purpose for assisting the states under the police modernisation scheme. All the testing laboratories should be accredited to a National Accreditation Body for maintaining quality standards.</p> <p>c. The syllabus of MSc Forensic Science should be continuously upgraded in line with international trends.</p> <p>d. Necessary amendments should be effected in the CrPC and other laws to raise the level and scope of forensic science evidence and recognize its strength for criminal justice delivery.</p>
<b>14. (Para 5.12.6) Strengthening Intelligence Gathering</b>	<p>a. The intelligence gathering machinery in the field needs to be strengthened and at the same time, made more accountable. Human intelligence should be combined with information derived from diverse sources with the focus on increased use of technology. Adequate powers should be delegated to intelligence agencies to procure/use latest technology.</p> <p>b. Intelligence agencies should develop multi-disciplinary capability by utilising services of experts in various disciplines for intelligence gathering and processing. Sufficient powers should be delegated to them to obtain such expertise.</p>

Topic/Issue	Recommendations on Public Order (5 <sup>th</sup> Report)
	<p>c. Intelligence should be such that the administration is able to use it to act in time by resorting to conflict management or by taking preventive measures.</p> <p>d. Instead of monitoring public places by posting a large number of policemen it would be economical as well more effective if devices like video cameras/ CCTVs are installed in such places.</p> <p>e. The beat police system should be revived and strengthened.</p> <p>f. Informants giving information should be protected to keep their identity secret so that they do not fear any threat to life or revenge. However, they could be given a masked identity by which they could claim their reward at an appropriate time and also continue to act as informants as the situation develops.</p> <p>g. In case of major breakdown of public order, the State Police Complaints Authority should take appropriate action to fix responsibility on the police officers for lapses in acting upon intelligence or on the intelligence officers in case there has been a failure on their part.</p>
<b>15. (Para 5.13.5) Training of the Police</b>	<p>a. Deputation to training institutions must be made more attractive in terms of facilities and allowances so that the best talent is drawn as instructors. The Chief of Training in the state should be appointed on the recommendation of the Police Performance and Accountability Commission.</p>
<b>15. (Para 5.13.5) Training of the Police</b>	<p>b. The instructors should be professional trainers and a balanced mix of policemen and persons from other walks of life should be adopted.</p> <p>c. Each state should earmark a fixed percentage of the police budget for training purposes.</p> <p>d. For each level of functionary, a calendar of training for the entire career should be laid down.</p> <p>e. There should be common training programmes for police, public prosecutors and magistrates. There should also be common training programmes for police and executive magistrates.</p> <p>f. Training should focus on bringing in attitudinal change in police so that they become more responsive and sensitive to citizens' needs.</p> <p>g. All training programmes must conclude with an assessment of the trainees, preferably by an independent agency.</p> <p>h. Modern methods of training such as case study method should be used.</p> <p>i. Impact of training on the trainees should be evaluated by independent field studies and based on the findings the training should be redesigned.</p> <p>j. All training programmes should include a module on gender and human rights. Training programmes should sensitise the police towards the weaker sections.</p>
<b>16. (Para 5.16.6) Gender Issues in Policing</b>	<p>a. The representation of women in police at all levels should be increased through affirmative action so that they constitute about 33% of the police.</p> <p>b. Police at all levels as well as other functionaries of the criminal justice system need to be sensitised on gender issues through well structured training programmes.</p>

Topic/Issue	Recommendations on Public Order (5 <sup>th</sup> Report)
	c. Citizens groups and NGOs should be encouraged to increase awareness about gender issues in society and help bring to light violence against women and also assist the police in the investigation of crimes against women.
<b>17. (Para 5.17.9) Crimes against Vulnerable Sections</b>	a. The administration and police should be sensitised towards the special problems of the Scheduled Castes and Scheduled Tribes. Appropriate training programmes could help in the sensitising process.
	b. The administration and police should play a more pro-active role in detection and investigation of crimes against the weaker sections.
	c. Enforcement agencies should be instructed in unambiguous terms that enforcement of the rights of the weaker sections should not be downplayed for fear of further disturbances or retribution and adequate preparation should be made to face any such eventuality.
<b>17. (Para 5.17.9) Crimes against Vulnerable Sections</b>	d. The administration should also focus on rehabilitation of the victims and provide all required support including counselling by experts.
	e. As far as possible the deployment of police personnel in police stations with significant proportion of religious and linguistic minorities should be in proportion to the population of such communities within the local jurisdiction of such police station. The same principle should be followed in cases of localities having substantial proportion of Scheduled Castes and Scheduled Tribes population.
	f. Government must take concrete steps to increase awareness in the administration and among the police in particular, regarding crimes against children and take steps not only to tackle such crimes, but also to deal with the ensuing trauma.
<b>18. (Para 5.18.9) National Security Commission</b>	a. There is no need for a National Security Commission with a limited function of recommending panels for appointment to Chiefs of the Armed Forces of the Union. There should be a separate mechanism for recommending the names for appointment as Chief of each one of these forces, with the final authority vesting in the Union Government.
<b>19. (Para 5.19.6) Union-State and Inter-State Cooperation and Coordination</b>	a. The Ministry of Home Affairs should proactively and in consultation with the states, evolve formal institutions and protocols for effective coordination between the Union and the states and among the states. These protocols should cover issues like information/intelligence sharing, joint investigation, joint operations, inter-state operations by a state police in another state, regional cooperation mechanisms and the safeguards required.
<b>20. (Para 6.1.2.4) Measures to be Taken during Peace Time</b>	a. The administration should be responsive, transparent, vigilant and fair in dealing with all sections of society. Initiatives such as peace committees should be utilised effectively to ease tensions and promote harmony.
	b. The internal security plan/riot control scheme should be updated periodically in consultation with all stakeholders and in the light of previous episodes. The role of all major functionaries should be clearly explained to them.
	c. A micro analysis should be carried out in each district to identify sensitive spots and this should be regularly reviewed and updated.

Topic/Issue	Recommendations on Public Order (5 <sup>th</sup> Report)
	<p>d. The intelligence machinery should not slacken during normal times and credible intelligence should be gathered from multiple sources.</p> <p>e. Regulatory laws such as the Arms Act, 1959, Explosives Act, 1884 and Municipal Laws related to construction of structures should be enforced rigorously.</p> <p>f. Public agencies should follow a zero tolerance strategy in dealing with violations of laws.</p>
<b>21. (Para 6.1.3.1.3) Security Proceedings</b>	<p>a. The use of preventive measures in a planned and effective manner needs to be emphasized. Training and operational manuals for both Executive Magistrates and police need to be revised on these lines.</p>
<b>21. (Para 6.1.3.1.3) Security Proceedings</b>	<p>b. Regular supervision and review of these functionaries by the DM and the SP respectively should be done to focus attention on effective use of these provisions. For this purpose, a joint review on a periodic basis by the DM and SP should be done.</p>
<b>22. (Para 6.1.3.2.7) Addressing Property Disputes to Prevent Disruption of Public Order</b>	<p>a. An Explanation may be inserted below Section 145 of the Code of Criminal Procedure clarifying that when from the evidence available with the Executive Magistrate it is clear that there is an attempt to dispossess a person or where a person has been illegally dispossessed of his property within sixty days of filing the complaint and that such acts cause a reasonable apprehension of a breach of the peace, such magistrate can pass an order contemplated in sub-section (6) of the aforesaid Section notwithstanding pendency of a civil case between the parties involving the same property.</p> <p>b. A time frame of six months may be stipulated for concluding the proceedings.</p> <p>c. Specific but indicative guidelines may be issued by the Ministry of Urban Development to the State Governments to lay down the minimum standards for maintenance of land records in urban areas including municipal ward maps so as to minimize possibility of disputes about possession and boundary of immoveable property.</p> <p>d. Detailed guidelines already exist in almost all states to periodically update land records in rural areas. Strict compliance of such guidelines needs to be ensured as out of date land records contribute to disputes and resultant breaches of peace.</p>
<b>23. (Para 6.1.4.5) Regulating Processions, Demonstrations and Gatherings</b>	<p>a. Based on the experience with major riots and the recommendations of various Commissions of Inquiry and pronouncements of the Supreme Court and the High Courts, fresh and comprehensive guidelines may be drawn up for regulation of processions, protest marches and morchas.</p> <p>b. The guidelines should include preparatory steps (through intelligence sources), serious consultation and attempts to arrive at agreement with the groups/ communities involved, regarding route, timing and other aspects of procession. They should also cover prohibition of provocative slogans or acts as well as carrying of lethal weapons. It should be specifically stated in the guidelines that all processions or demonstrations should be dealt with the same degree of fairness and firmness</p>

Topic/Issue	Recommendations on Public Order (5 <sup>th</sup> Report)
	c. Organisations and persons found guilty of instigating violence should be liable to pay exemplary damages. The damages should be commensurate with the loss caused by such violence. The law should provide for distribution of the proceeds of damages to the victims of such violence.
<b>24. (Para 6.1.5.3) Imposition of Prohibitory Orders</b>	a. Prohibitory orders once imposed, should be enforced effectively. Videography should be used in sensitive areas.
<b>25. (Para 6.1.6.6) Measures to be Taken Once a Riot has Started</b>	<p>a. If violence erupts, then the first priority should be to quickly suppress the violence. In cases of communal violence, the situation should be brought under control by effective use of force.</p> <p>b. Prohibitory orders must be enforced rigorously.</p> <p>c. If the situation so warrants, the forces of the Union and the Army should be requisitioned and used without any reluctance or delay.</p> <p>d. The Commissioner of Police or the District Magistrate and the Superintendent of Police should be given a free hand to deal with the situation in accordance with law.</p> <p>e. The media should be briefed with correct facts and figures so that there is no scope for rumour mongering.</p> <p>f. The police needs to be equipped with state-of-the-art crowd dispersal equipments.</p> <p>g. The District Magistrate should ensure that essential supplies are maintained and relief is provided, especially in vulnerable areas and particularly during prolonged spells of 'curfew'.</p>
<b>26. (Para 6.1.7.9) Measures to be Taken Once Normalcy has been Restored</b>	<p>a. No sanction of the Union Government or the State Government should be necessary for prosecution under Section 153(A). Section 196 Cr PC should be amended accordingly.</p> <p>b. Prosecution in cases related to rioting or communal offences should be not sought to be withdrawn.</p> <p>c. Commissions of Inquiry into any major riots/violence should give their report within one year.</p> <p>d. The recommendations made by a Commission of Inquiry should normally be accepted by the Government and if the Government does not agree with any observation or recommendation contained in the report of the Commission, it should record its reasons and make them public.</p> <p>e. All riots should be documented properly and analysed so that lessons could be drawn from such experiences.</p> <p>f. There is need for adequate follow up to ensure proper rehabilitation of victims.</p>
<b>27. (Para 6.2.4) Accountability of Public Servants Charged with Maintaining Public Order</b>	a. The State Police Complaints Authority should be empowered to identify and fix responsibility in cases of glaring errors of omission and commission by police and executive magistrates in the discharge of their duties relating to the maintenance of public order.

Topic/Issue	Recommendations on Public Order (5 <sup>th</sup> Report)
<b>28. (Para 6.3.15) The Executive Magistrates and the District Magistrate</b>	<p>a. The position of the District Magistrate vis-à-vis the police, and as a coordinator and facilitator in the district needs to be strengthened. The District Magistrate should be empowered to issue directions under the following circumstances: i. promotion of land reforms and settlement of land disputes; ii. extensive disturbance of public peace and tranquility in the district (The decision of the DM as to what constitutes extensive disturbance of public peace should be final); iii. conduct of elections to any public body; iv. handling of natural calamities and rehabilitation of the persons affected thereby; v. situations arising out of any external aggression or internal disturbances; vi. any similar matter, not within the purview of any one department and affecting the general welfare of the public of the district; vii. removal of any persistent public grievance (as to what constitutes persistent public grievance, the decision of the DM shall be final); and viii. whenever police assistance is required to enforce/implement any law or programme of the government.</p> <p>b. These directions shall be binding on all concerned. Directions in respect of item No. ii should normally be issued in consultation with the Superintendent of Police.</p>
<b>29. (Para 6.4.2) Capability Building of Executive Magistrates</b>	<p>a. All officers likely to be posted as Executive Magistrates should be specially trained in the relevant laws and procedures and should be eligible for posting only after qualifying in an examination.</p> <p>b. On the lines of a police manual, each state should also evolve a Manual for Executive Magistrates.</p>
<b>30. (Para 6.5.7) Inter-Agency Coordination</b>	<p>a. In a District, the District Magistrate should coordinate the role of all agencies at the time of crisis.</p> <p>b. In major cities, with the Police Commissioner System, a coordination committee should be set up under the Mayor, assisted by the Commissioner of Police and the Municipal Commissioner. All major service providers should be represented on this Coordination Committee.</p>
<b>31. (Para 6.6.4) Adoption of Zero Tolerance Strategy</b>	<p>a. All public agencies should adopt a zero tolerance strategy towards crime, in order to create a climate of compliance with laws leading to maintenance of public order.</p> <p>b. This strategy should be institutionalised in the various public agencies by creating appropriate statistical databases, backed up by modern technology, to monitor the level and trends of various types of offences and link these to a system of incentives and penalties for the officials working in these agencies. It should be combined with initiatives to involve the community in crime prevention measures.</p>
<b>32. (Para 7.3.7) Facilitating Access to Justice - Local Courts</b>	<p>a. A system of local courts should be introduced as an integral part of the judiciary. There should be one such court for a population of 25,000 in rural areas (this norm could be modified for urban areas).</p> <p>b. The local courts should have powers to try all criminal cases where the prescribed punishment is less than one year. All such trials should be through summary proceedings.</p> <p>c. The judge of the local court should be appointed by the District and Sessions Judge in consultation with his/her two senior-most colleagues. Retired judges or retired government officers (with appropriate experience) could be appointed.</p>

Topic/Issue	Recommendations on Public Order (5 <sup>th</sup> Report)
	d. These courts may function from government premises and could also be in the form of mobile courts.
	e. These local courts may be constituted by a law passed by the Parliament to ensure uniformity.
<b>33. (Para 7.5.1.11) Citizen Friendly Registration of Crimes</b>	a. Registration of FIRs should be made totally citizen friendly. Technology should be used to improve the accessibility of police stations to the public. Establishing call centers and public kiosks are possible options in this regard.
	b. Police stations should be equipped with CCTV cameras in order to prevent malpractice, ensure transparency and make the police more citizen-friendly. This could be implemented in all police stations within a time frame of five years.
	c. Amendments to the CrPC should be made as suggested by the National Police Commission.
	d. The performance of police stations should be assessed on the basis of the cases successfully detected and prosecuted and not on the number of cases registered. This is necessary to eliminate the widely prevalent malpractice of 'burking' of cases.
<b>34. (Para 7.5.2.4) Inquests</b>	a. All State Governments should issue Rules prescribing in detail the procedure for inquests under Section 174 CrPC.
<b>35. (Para 7.5.3.13) Statements Made before a Police Officer</b>	a. Sections 161 and 162 of CrPC should be amended to include the following: i. The statement of witnesses should be either in narrative or in question and answer form and should be signed by the witness. ii. A copy of the statement should be handed over to the witness immediately under acknowledgement. iii. The statement could be used for both corroboration and contradiction in a Court of Law.
	b. The statements of all important witnesses should be either audio or video recorded.
<b>36. (Para 7.5.4.10) Confessions before Police</b>	a. Confessions made before the police should be admissible. All such statements should be video-recorded and the tapes produced before the court. Necessary amendments should be made in the Indian Evidence Act.
	b. The witness/accused should be warned on video tape that any statement he makes is liable to be used against him in a court of law, and he is entitled to the presence of his lawyer or a family member while making such a statement. If the person opts for this, the presence of the lawyer/ family member should be secured before proceeding with recording the statement.
<b>36. (Para 7.5.4.10) Confessions before Police</b>	c. The accused should be produced before a magistrate immediately thereafter, who shall confirm by examining the accused whether the confession was obtained voluntarily or under duress.
	d. The above-mentioned recommendations should be implemented only if the reforms mentioned in Chapter 5 are accepted.
<b>37. (Para 7.7.1.10) The Judge's Obligation to Ascertain the Truth</b>	a. It is necessary to amend Section 311 CrPC and impose a duty on every court to suo motu cause production of evidence for the purpose of discovering the truth, which should be the ultimate test of the criminal justice system. Suitable amendments to the Indian Evidence Act, 1872 may also be made to facilitate this.
<b>38. (Para 7.7.2.14) Right to Silence</b>	a. Regarding grave offences like terrorism and organised crimes, in the case of refusal by the accused to answer any question put to him, the court may draw an inference from such behaviour. This may be specifically provided in the law.

Topic/Issue	Recommendations on Public Order (5 <sup>th</sup> Report)
<b>39. (Para 7.7.3.6) Perjury</b>	a. The penalties provided under Section 344 CrPC for those found guilty of perjury after a summary trial should be enhanced to a minimum of one year of imprisonment.
	b. It should be made incumbent upon the Courts to ensure that existing perjury laws providing for summary trial procedure are unfailingly and effectively applied by the trial courts, without awaiting the end of the main trial.
<b>40. (Para 7.7.4.6) Witness Protection</b>	a. A statutory programme for guaranteeing anonymity of witnesses and for witness protection in specified types of cases, based on the best international models should be adopted early.
<b>41. (Para 7.7.5.6) Victim Protection</b>	a. A new law for protecting the rights of the victims of the crimes may be enacted. The law should include the following salient features: i. Victims should be treated with dignity by all concerned in the criminal justice system. ii. It shall be the duty of the police and the prosecution to keep the victim updated about the progress of the case. iii. If the victim wants to oppose the bail application of an accused he/she shall be given an opportunity to be heard. Similarly, for release of prisoners on parole, a mechanism should be developed to consider the views of the victims. iv. A victim compensation fund should be created by State Governments for providing compensation to the victims of crime.
<b>42. (Para 7.7.6.6) Committal Proceedings</b>	a. Committal proceedings should be reintroduced where the magistrate should have powers to record the evidence of prosecution witnesses. Suitable amendments may be carried out in Chapter xVI of the Code of Criminal Procedure.
<b>43. (Para 7.8.5) Classification of Offences</b>	a. A comprehensive reclassification of offences may be done urgently to reduce the burden of work for both the Courts and the Police. A mechanism for ensuring regular and periodic review of offences should also be put in place to make such reclassification an ongoing and continuing exercise.
<b>43. (Para 7.8.5) Classification of Offences</b>	b. The objective of this exercise should be to ensure that crimes of a petty nature including those which require correctional rather than penal action should be taken out of the jurisdiction of the police and criminal courts so that they are able to attend to more serious crimes. Such offences should, in future be handled by the local courts
<b>47. (Para 8.3.14) Federal Crimes</b>	a. There is need to re-examine certain offences which have inter-state or national ramification and include them in a new law. The law should also prescribe the procedure for investigation and trials of such offences. The following offences may be included in this category: i. Organised Crime (examined in paragraph 8.4) ii. Terrorism iii. Acts threatening National security iv. Trafficking in arms and human beings v. Sedition vi. Major crimes with inter-state ramifications vii. Assassination of (including attempts on) major public figures viii. Serious economic offences.
	b. A new law should be enacted to govern the working of the CBI. This law should also stipulate its jurisdiction including the power to investigate the new category of crimes.
	c. The empowered committee recommended in the Commission's Report on 'Ethics in Governance' (para 3.7.19) would decide on cases to be taken over by the CBI.
<b>48. (Para 8.4.17 ) Organised Crime</b>	a. Specific provisions to define organised crimes should be included in the new law governing 'Federal Crimes'. The definition of organised crime in this law should be on the lines of the Maharashtra Control of Organised Crime Act, 1999.



Topic/Issue	Recommendations on Public Order (5 <sup>th</sup> Report)
<b>49. (Para 8.5.17) Armed Forces (Special Powers) Act, 1958</b>	a. The Armed Forces (Special Powers) Act, 1958 should be repealed. To provide for an enabling legislation for deployment of Armed Forces of the Union in the North-Eastern states of the country, the Unlawful Activities (Prevention) Act, 1967 should be amended by inserting a new Chapter VI A as recommended by the Committee to Review the Armed Forces (Special Powers) Act, 1958. The new Chapter VI A would apply only to the North-Eastern states.
<b>50. (Para 9.1.5) The Role of Civil Society</b>	<p>a. Citizens should be involved in evaluating the quality of service at police stations and other police offices.</p> <p>b. Government should incentivise citizens' initiatives.</p> <p>c. Formal mechanisms should be set up at the cutting edge level to involve citizens/ citizen's groups in various aspects of public order management.</p>
<b>51. (Para 9.2.7) The Role of the Media in Public Order</b>	<p>a. The Administration must make facts available to the media at the earliest about any major development, particularly activities affecting public order.</p> <p>b. In order to have better appreciation of each other's view points there should be increased interaction between the Administration and the media. This could be inter alia in the form of joint workshops and trainings.</p>
<b>51. (Para 9.2.7) The Role of the Media in Public Order</b>	<p>c. The Administration should designate points of contact at appropriate levels (a spokesperson) for the media which could be accessed during whenever required.</p> <p>d. Officers should be imparted training for interaction with the media.</p> <p>e. A cell may be constituted at the district level which may analyse media reports about matters of public importance.</p>

## Local Governance

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
<b>1. (Para 3.1.1.12) The Principle of Subsidiarity</b>	a. Article 243 G should be amended as follows: "Subject to the provisions of this Constitution, the Legislature of a State shall, by law, vest a Panchayat at the appropriate level with such powers and authority as are necessary to enable them to function as institutions of self government in respect of all functions which can be performed at the local level including the functions in respect of the matters listed in the Eleventh Schedule". (1)	(a)Not accepted
	b. Article 243 W should be similarly amended to empower urban local bodies	(b) Not accepted
<b>(2) (Para 3.1.2.4) Strengthening the Voice of Local Bodies</b>	(a)Parliament may by law provide for constitution of a Legislative Council in each State, consisting of members elected by the local governments.(3)	(a)Not accepted
<b>3. (Para 3.1.3.11) Structure of Local Bodies</b>	a. Article 243B(1) should be amended to read as follows: "There shall be constituted in every State, as the State Legislature may by law provide, Panchayats at appropriate levels in accordance with the provisions of this part".(4)	(a)Not accepted
	b. The Constitutional provisions relating to reservation of seats (Article 243 D) must be retained in the current form to ensure adequate representation to the under- privileged sections and women.(5)	(b) Accepted. Article 243 D would be retained in its present form
<b>3. (Para 3.1.3.11) Structure of Local Bodies</b>	c. Members of Parliament and State Legislatures should not become members of local bodies.(6)q	(c) Not accepted
	d. Article 243 C(1) should be retained.(7)	(d) Accepted
	e. Article 243 C (2 & 3) should be repealed and supplanted by Article 243 C(2) as follows: 243 C(2) Subject to the provisions of this part, the Legislature of a State may, by law, make provisions with respect to composition of Panchayats and the manner of elections provided that in any tier there shall be direct election of at least one of the two offices of Chairperson or members. Provided that in case of direct elections of members in any tier, the ratio between the population of the territorial area of a Panchayat at any level and the number of seats in such Panchayat to be filled by election shall, so far as practicable, be the same throughout the State. Also, each Panchayat area shall be divided into territorial constituencies in such manner that the ratio between the population of each constituency and the number of seats allotted to it shall, so far as practicable, be the same throughout the Panchayat area.(8)	(e) to (g) Not accepted

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
	f. There shall be a District Council in every district with representation from both urban and rural areas.(9)	
	g. 243 B (2) should be substituted by: "There shall be constituted in every District, a District Council representing all rural and urban areas in the District and exercising powers and functions in accordance with the provisions of Articles 243 G and 243 W of the Constitution."(10)	
<b>4. (Para 3.2.1.12) The Electoral Process</b>	a. The task of delimitation and reservation of constituencies should be entrusted to the State Election Commissions (SECs);(11)	(a) to (d) Accepted
	b. Local government laws in all States should provide for adoption of the Assembly electoral rolls for local governments without any revision of names by SECs. For such a process to be effective it is necessary to ensure that the voter registration and preparation of electoral rolls by Election Commission of India is based on geographic contiguity. Similarly the electoral divisions for elections to local bodies should follow the Building Blocks approach;(12)	
<b>4. (Para 3.2.1.12) The Electoral Process</b>	c. The Registration of Electors Rules, 1960, should be amended to define a 'Part' as a compact geographical unit.(13)	(a) to (d) Accepted
	d. In order to achieve convergence between census data and electoral rolls, the boundaries of a 'Part' and an 'Enumeration Block' should coincide.(14)	
<b>4. (Para 3.2.1.12) The Electoral Process</b>	e. Reservation of seats should follow any one of the two principles mentioned below (15) i. In case of single-member constituencies, the rotation can be after at least 2 terms of 5 years each so that there is possibility of longevity of leadership and nurturing of constituencies. ii. Instead of single-member constituencies, elections can be held to multi-member constituencies by the List System, ensuring the reservation of seats. This will obviate the need for rotation thus guaranteeing allocation of seats for the reserved categories.	(e) Alternative (ii))was not accepted
	f. The conduct of elections for the elected members of District and Metropolitan Planning Committees should be entrusted to the State Election Commission.(16)	(f) Accepted
<b>5. (Para 3.2.2.6) Constitution of the State Election</b>	a. The State Election Commissioner should be appointed by the Governor on the recommendation of a collegium, comprising the Chief Minister, the Speaker of the State Legislative Assembly and the Leader of Opposition in the Legislative Assembly.(17)	(a) & (b) Accepted

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
<b>Commission</b>	b. An institutional mechanism should be created to bring the Election Commission of India and the SECs on a common platform for coordination, learning from each other's experiences and sharing of resources.(18)	
<b>6. (Para 3.2.3.4) Correcting the Urban Rural Imbalance in Representation in Legislative Bodies</b>	(a) In order to set right the electoral imbalance between the urban and rural population in view of rapid urbanisation, an adjustment of the territorial constituencies - both for the Lok Sabha and the Legislative Assembly – within a State should be carried out after each census. Articles 81, 82, 170, 330 and 332 of the Constitution would need to be amended.(19)	(a) Not accepted
<b>7. (Para 3.3.1.7) Devolution of Powers and Responsibilities</b>	a. There should be clear delineation of functions for each level of local government in the case of each subject matter law. This is not a one-time exercise and has to be done continuously while working out locally relevant socio-economic programmes, restructuring organisations and framing subject-matter laws.(20)	(a) to (c) Accepted
<b>7. (Para 3.3.1.7) Devolution of Powers and Responsibilities</b>	b. Each subject-matter law, which has functional elements that are best attended to at local levels, should have provision for appropriate devolution to such levels – either in the law or in subordinate legislation. All the relevant Union and State laws have to be reviewed urgently and suitably amended.(21)	(a) to (c) Accepted
	c. In the case of new laws, it will be advisable to add a 'local government memorandum' (on the analogy of financial memorandum and memorandum of subordinate legislation) indicating whether any functions to be attended to by local governments are involved and if so, whether this has been provided for in the law.(22)	
	d. In case of urban local bodies, in addition to the functions listed in the Twelfth Schedule, the following should be devolved to urban local bodies: . School education; . Public health, including community health centres/area hospitals; . Traffic management and civic policing activities; . Urban environment management and heritage; and . Land management, including registration. These, however, are only illustrative additional functions and more such functions could be devolved to urban local bodies by the respective States.(23)	(d) Accepted

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
<b>8. (Para 3.4.20) Framework Law for Local Bodies</b>	(a) Government of India should draft and place before Parliament, a Framework Law for local governments. The Framework Law could be enacted under Article 252 of the Constitution on the lines of the South African Act, for the States to adopt. This Law should lay down the broad principles of devolution of powers, responsibilities and functions to the local governments and communities, based on the following: Principle of Subsidiarity Democratic Decentralisation Delineation of Functions Devolution in Real Terms Convergence Citizen Centricity (24)	(a) Accepted
<b>9. (Para 3.5.2.18) The State Finance Commission (SFC)</b>	a. This Commission endorses and reiterates the views of the Twelfth Finance Commission regarding the working of the SFCs as listed in paragraph 3.5.2.8.(25)	(a) to (j) Accepted
	b. Article 243 I (1) of the Constitution should be amended to include the phrase "at such earlier time" after the words "every fifth year".(26)	
<b>9. (Para 3.5.2.18) The State Finance Commission (SFC)</b>	c. Each State should prescribe through an Act, the qualifications of persons eligible to be appointed as Members of the State Finance Commission.(27)	
	d. SFCs should evolve objective and transparent norms for devolution and distribution of funds. The norms should include area-wise indices for backwardness. State Finance Commissions should link the devolution of funds to the level/quality of civic amenities that the citizens could expect. This could then form the basis of an impact evaluation.(28)	(a) to (j) Accepted
	e. The Action Taken Report on the recommendations of the SFC must compulsorily be placed in the concerned State Legislature within six months of submission and followed with an annual statement on the devolution made and grants given to individual local bodies and the implementation of other recommendations through an appendix to the State budget documents.(29)	
	f. Incentives can be built into devolution from the Union to the States to take care of the need to improve devolution from the States to the third tier of governments.(30)	
g. Common formats, as recommended by the Twelfth Finance Commission (TFC) must be adopted, and annual accounts and other data must be compiled and updated for use by the SFCs.(31)		

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
	<p>h. SFCs should carry out a more thorough analysis of the finances of local bodies and make concrete recommendations for improvements in their working. In case of smaller local bodies such recommendations could be broad in nature, but in case of larger local bodies, recommendations should be more specific. With historical data being available with the SFC, and with the improvement in efficiency of data collection, the SFC would be in a position to carry out the required detailed analysis. The special needs of large urban agglomerations particularly the Metropolitan cities should be specially addressed by the SFC.(32)</p> <p>i. SFCs should evolve norms for staffing of local bodies.(33)</p> <p>j. It is necessary that a mechanism be put in place which reviews the implementation of all the recommendations of the SFCs. If considered necessary, devolution of funds could be made conditional to local bodies agreeing to implement the recommendations of the SFCs.(34)</p>	
<p><b>10. (Para 3.6.16)</b>  <b>Capacity Building for Self Governance</b></p>	<p>a. Capacity building efforts in rural and urban local self governing institutions must attend to both the organisation building requirements as also the professional and skills upgradation of individuals associated with these bodies, whether elected or appointed. Relevant Panchayat and Municipal legislations and manuals framed thereunder must contain clear enabling provisions in this respect. There should be special capacity building programmes for women members.(35)</p> <p>b. State Governments should encourage local bodies to outsource specific functions to public or private agencies, as may be appropriate, through enabling guidelines and support. Outsourcing of activities should be backed by development of in-house capacity for monitoring and oversight of outsourced activities. Likewise, transparent and fair procurement procedures need to be put in place by the State Government to improve fiscal discipline and probity in the local bodies.(36)</p> <p>c. Comprehensive and holistic training requires expertise and resources from various subject matter specific training institutes. This can be best achieved by 'networking' of institutions concerned with various subjects such as financial management, rural development, disaster management and general management. This should be ensured by the nodal agencies in State Governments.(37)</p>	<p>(a) to (g) Accepted</p>

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
	<p>d. As an aid to capacity building, suitable schemes need to be drawn up under State Plans for Rural and Urban Development for documentations of case studies, best practices and evaluation with reference to the performance of the prescribed duties and responsibilities of such bodies.(38)</p> <p>e. Training of elected representatives and personnel should be regarded as a continuing activity. Expenditure requirement on training may be taken into account by the State Finance Commissions while making recommendations.(39)</p> <p>f. Academic research has a definite role to play in building long-term strategic institutional capacity for greater public good. Organisations like the Indian Council of Social Science Research must be encouraged to fund theoretical, applied and action research on various aspects of the functioning of local bodies.(40)</p>	
<b>10. (Para 3.6.16) Capacity Building for Self Governance</b>	g. A pool of experts and specialists (e.g. engineers, planners etc.) could be maintained by a federation/consortium of local bodies. This common pool could be then accessed by the local bodies whenever required for specific tasks.(41)	(a) to (g) Accepted
<b>11. (Para 3.7.5.6) Decentralised Planning</b>	<p>a. A District Council should be constituted in all districts with representation from rural and urban areas. It should be empowered to exercise the powers and functions in accordance with Articles 243 G and 243 W of the Constitution. In that event, the DPCs will either not exist or become, at best, an advisory arm of the District Council. Article 243 (d) of the Constitution should be amended to facilitate this.(42)</p> <p>b. In the interim and in accordance with the present constitutional scheme, DPCs should be constituted in all States within three months of completion of elections to local bodies and should become the sole planning body for the district. The DPC should be assisted by a planning office with a full time District Planning Officer.(43)</p> <p>c. For urban districts where town planning functions are being done by Development Authorities, these authorities should become the technical/planning arms of the DPCs and ultimately of the District Council.(44)</p> <p>d. A dedicated centre in every district should be set up to provide inputs to the local bodies for preparations of plans. A two-way flow of information between different levels of government may also be ensured.(45)</p> <p>e. The guidelines issued by the Planning Commission pertaining to the preparation of the plan for the district and the recommendations of the Expert Group regarding the planning process at the district level should be strictly implemented.(46)</p>	<p>(a) Accepted</p> <p>(b) to (h) Accepted. It was noted that the Planning Commission had already issued guidelines which the States need to implement.</p>

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
	f. Each State Government should develop the methodology of participatory local level planning and provide such support as is necessary to institutionalise a regime of decentralised planning.(47)	
	g. States may design a planning calendar prescribing the time limits within which each local body has to finalise its plan and send it to the next higher level, to facilitate the preparation of a comprehensive plan for the district.(48)	
<b>11. (Para 3.7.5.6) Decentralised Planning</b>	h. State Planning Boards should ensure that the district plans are integrated with the State plans that are prepared by them. It should be made mandatory for the States to prepare their development plans only after consolidating the plans of the local bodies. The National Planning Commission has to take the initiative in institutionalising this process.(49)	(b) to (h) Accepted. It was noted that the Planning Commission had already issued guidelines which the States need to implement.
<b>(Para 3.7.6.2.4)</b>	a. The function of planning for urban areas has to be clearly demarcated among the local bodies and planning committees. The local bodies should be responsible for plans at the layout level. The DPCs/District Councils – when constituted – and MPCs should be responsible for preparation of regional and zonal plans. The level of public consultation should be enhanced at each level.(50)	(a) to (e): Accepted.
	b. For metropolitan areas, the total area likely to be urbanised (the extended metropolitan region) should be assessed by the State Government and an MPC constituted for the same which may be deemed to be aDPC for such areas. As such an area will usually cover more than one district, DPCs for those districts should not be constituted (or their jurisdictions may be limited to the rural portion of the revenue district concerned).The MPCs should be asked to draw up a Master Plan/CDP for the entire metropolitan area including the peri-urban areas.(51)	
	c. The planning departments of the Development Authorities (DAs) should be merged with the DPCs and MPCs who will prepare the master plans and zonal plans.(52)	
	d. The task of enforcement and regulation of the master plans/CDPs drawn up by the MPCs should be the specific statutory responsibility of all the local bodies falling within the extended metropolitan region concerned.(53)	



Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
	<p>e. The monopoly role of Development Authorities (DAs) in development of land for urban uses, wherever it exists, should be done way with. However, public agencies should continue to play a major role in development of critical city level infrastructure as well as low cost housing for the poor. For this purpose, the engineering and land management departments of the DAs should be merged with the concerned Municipality/ Corporation.(54)</p>	
<p><b>12. (Para 3.8.6) Accountability and Transparency</b></p>	<p>a. Audit committees may be constituted by the State Governments at the district level to exercise oversight regarding the integrity of financial information, adequacy of internal controls, compliance with the applicable laws and ethical conduct of all persons involved in local bodies. These committees must have independence, access to all information, ability to communicate with technical experts, and accountability to the public. For Metropolitan Corporations, separate audit committees should be constituted. Once the District Councils come into existence, a special committee of the District Council may examine the audit reports and other financial statements of the local bodies within the district. Such committee may also be authorised to fix responsibility for financial lapses. In respect of the audit reports of the District Council itself, a special committee of the Legislative Council may discharge a similar function.(55)</p> <p>b. There should be a separate Standing Committee of the State Legislature for the local Bodies. This Committee may function in the manner of a Public Accounts Committee.(56)</p>	<p>(a) to (j) Accepted except that the constitution of the District Council is not acceptable (11(a)) as it would alter the existing structure of PRIs.</p>

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
<b>12. (Para 3.8.6)</b> <b>Accountability and Transparency</b>	<p>c. A local body Ombudsman should be constituted on the lines suggested below. The respective State Panchayat Acts and the Urban local Bodies Acts should be amended to include provisions pertaining to the local body Ombudsman. i. Local body Ombudsman should be constituted for a group of districts to look into complaints of corruption and maladministration against functionaries of local bodies, both elected members and officials. For this, the term 'Public Servant' should be defined appropriately in the respective State legislations. ii. Local body Ombudsman should be a single member body appointed by a Committee consisting of the Chief Minister of the State, the Speaker of the State Legislative Assembly and the Leader of the Opposition in the Legislative Assembly. The Ombudsman should be selected from a panel of eminent persons of impeccable integrity and should not be a serving government official. iii. The Ombudsman should have the authority to investigate cases and submit reports to competent authorities for taking action. In case of complaints and grievances regarding corruption and maladministration against local bodies in general and its elected functionaries, the local body Ombudsman should send its report to the Lokayukta who shall forward it to the Governor of the State with its recommendations. In case of disagreement with the recommendations of the Ombudsman, the reasons must be placed in the public domain. iv. In case of a Metropolitan Corporations, a separate Ombudsman should be constituted. v. Time limits may be prescribed for the Ombudsman to complete its investigations into complaints.(57)</p>	<p>(a) to (j) Accepted except that the constitution of the District Council is not acceptable (11(a)) as it would alter the existing structure of PRIs.</p>
	<p>d. In case of complaints and grievances related to infringement of the law governing elections to these local bodies, leading to suspension/ disqualification of membership, the authority to investigate should lie with the State Election Commission who shall send its recommendations to the Governor of the State.(58)</p>	
	<p>e. In the hierarchy of functionaries under the control of local bodies, functions should be delegated to the lowest appropriate functionary in order to facilitate access to citizens.(59)</p>	
<b>12. (Para 3.8.6)</b> <b>Accountability and Transparency</b>	<p>f. Each local body should have an in-house mechanism for redressal of grievances with set norms for attending and responding to citizens' grievances.(60)</p>	<p>(a) to (j) Accepted except that the constitution of the District Council is not acceptable (11(a)) as it would alter the existing</p>
	<p>g. For establishing robust social audit norms, every State Government must take immediate steps to implement the action points suggested in para 5.9.5 of the Report of the Expert Group on 'Planning at the Grass roots Level'.(61)</p>	

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
	<p>h. It should be ensured that suo motu disclosures under the Right to Information Act, 2005 should not be confined to the seventeen items provided in Section 4(1) of that Act but other subjects where public interest exists should also be covered.(62)</p> <p>i. A suitable mechanism to evolve a system of benchmarking on the basis of identified performance indicators may be adopted by each State. Assistance of independent professional evaluators may be availed in this regard.(63)</p> <p>j. Evaluation tools for assessing the performance of local bodies should be devised wherein citizens should have a say in the evaluation. Tools such as 'Citizens' Report Cards' may be introduced to incorporate a feedback mechanism regarding performance of local bodies.(64)</p>	structure of PRIs.
<b>13. (Para 3.9.22) Accounting and Audit</b>	<p>a. The accounting system for the urban local bodies (ULBs) as provided in the National Municipal Accounts Manual (NMAM) should be adopted by the State Governments.(65)</p> <p>b. The financial statements and balance sheet of the urban local bodies should be audited by an Auditor in the manner prescribed for audit of Government Companies under the Companies Act, 1956 with the difference that in the case of audit of these local bodies, the C&amp;AG should prescribe guidelines for empanelment of the Chartered Accountants and the selection can be made by the State Governments within these guidelines. The audit to be done by the Local Fund Audit or the C&amp;AG in discharge of their responsibilities would be in addition to such an audit.(66)</p> <p>c. The existing arrangement between the Comptroller &amp; Auditor General of India and the State Governments with regard to providing Technical Guidance and Supervision (TGS) over maintenance of accounts and audit of PRIs and ULBs should be institutionalised by making provisions in the State Laws governing local bodies.(67)</p>	(a) to (e): Accepted.
<b>13. (Para 3.9.22) Accounting and Audit</b>	<p>d. It should be ensured that the audit and accounting standards and formats for Panchayats are prepared in a way which is simple and comprehensible to the elected representatives of the PRIs.(68)</p> <p>e. The independence of the Director, Local Fund Audit (DLFA) or any other agency responsible for audit of accounts of local bodies should be institutionalised by making the office independent of the State administration. The head of this body should be appointed by the State Government from a panel vetted by the C&amp;AG.(69)</p>	(a) to (e): Accepted.

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
	f. Release of Finance Commission Grants to the localbodies may be made conditional on acceptance of arrangements regarding technical supervision of the C&AG over audit of accounts of local bodies. (70)	(f) Accepted
	g. Audit reports on local bodies should be placed before the State Legislature and these reports should be discussed by a separate committee of the State Legislature on the same lines as the Public Accounts Committee (PAC).(71)	(g) to (k) Accepted
	h. Access to relevant information/records to DLFA/designated authority for conducting audit or the C&AG should be ensured by incorporating suitable provisions in the State Laws governing local bodies.(72)	
	i. Each State may ensure that the local bodies have adequate capacity to match with the standards of accounting and auditing.(73)	
	j. The system of outcome auditing should be gradually introduced. For this purpose the key indicators of performance in respect of a government scheme will need to be decided and announced in advance.(74)	
	k. To complement institutional audit arrangements, adoption and monitoring of prudent financial management practices in the local bodies should be institutionalised by the State Governments by legislating an appropriate law on Fiscal Responsibility for local Bodies.(75)	
<b>14. (Para 3.10.1.2) Information and Communication Technology</b>	a. Information and Communication Technology should be utilised by the local governments in process simplification, enhancing transparency and accountability and providing delivery of services through single window.(76)	(a) Accepted
<b>15. (Para 3.10.2.8) Space Technology</b>	a. Space technology should be harnessed by the local bodies to create an information base and for providing services.(77)	(a) & (b) Accepted
	b. Local governments should become one point service centres for providing various web based and satellite based services. This would however require capacity building in the local governments.(78)	
<b>16. (Para 4.1.3.5) Size of the Gram Panchayat</b>	a. States should ensure that as far as possible Gram Panchayats should be of an appropriate size which would make them viable units of self-governance and also enable effective popular participation. This exercise will need to take into account local geographical and demographic conditions.(79)	(a) Accepted

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
<b>17. (Para 4.1.4.4) Ward Sabha - its Necessity</b>	a. Wherever there are large Gram Panchayats, States should take steps to constitute Ward Sabhas which will exercise in such Panchayats, certain powers and functions of the Gram Sabha and of the Gram Panchayat as may be entrusted to them.(80)	(a) Accepted
<b>18. (Para 4.1.5.4) Personnel Management in PRIs</b>	<p>a. Panchayats should have power to recruit personnel and to regulate their service conditions subject to such laws and standards as laid down by the State Government. Evolution of this system should not be prolonged beyond three years. Until then, the Panchayats may draw upon, for defined periods, staff from departments/agencies of the State Government, on deputation.(81)</p> <p>b. In all States, a detailed review of the staffing pattern and systems, with a zero-based approach to PRI staffing, may be undertaken over the next one year in order to implement the policy of PRI ownership of staff. The Zila Parishads, particularly, should be associated with this exercise.(82)</p>	(a) & (b) Accepted. However, any fresh recruitment should not result in an increase in the overall administrative cost.
<b>19. (Para 4.1.6.8) PRIs and the State Government</b>	a. The provisions in some State Acts regarding approval of the budget of a Panchayat by the higher tier or any other State authority should be abolished.(83)	(a) to (e) Accepted.
<b>19. (Para 4.1.6.8) PRIs and the State Government</b>	<p>b. State Governments should not have the power to suspend or rescind any resolution passed by the PRIs or take action against the elected representatives on the ground of abuse of office, corruption etc. or to supersede/ dissolve the Panchayats. In all such cases, the powers to investigate and recommend action should lie with the local Ombudsman who will send his report through the Lokayukta to the Governor.(84)</p> <p>c. For election infringements and other election related complaints, the authority to investigate should be the State Election Commission who will send its recommendations to the Governor.(85)</p> <p>d. If, on any occasion, the State Government feels that there is need to take immediate action against the Panchayats or their elected representatives on one or more of the grounds mentioned in 'b' above, it should place the records before the Ombudsman for urgent investigation. In all such cases, the Ombudsman will send his report through Lokayukta to the Governor in a specified period.(86)</p> <p>e. In all cases of disagreements with the recommendations made by the local Ombudsman/ Lokayukta, the reasons will need to be placed in the public domain.(87)</p>	(a) to (e) Accepted.
<b>20. (Para 4.1.7.8)</b>	a. Parastatals should not be allowed to undermine the authority of the PRIs.(88)	(a) to (e) Accepted.

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
<b>Position of Parastatals</b>	b. There is no need for continuation of the District Rural Development Agency (DRDA). Following the lead taken by Kerala, Karnataka and West Bengal, the DRDAs in other States also should be merged with the respective District Panchayats (Zila Parishad). Similar action should be taken for the District Water and Sanitation Committee (DWSC).(89)	
	c. The District Health Society (DHS) and FFDA should be restructured to have an organic relationship with the PRIs.(90)	
	d. The Union and State Governments should normally not setup special committees outside the PRIs. However, if such specialised committees are required to be set-up because of professional or technical requirements, and if their activities coincide with those listed in the Eleventh Schedule, they should, either function under the overall supervision and guidance of the Panchayats or their relationship with the PRIs should be worked out in consultation with the concerned level of Panchayat.(91)	
<b>20. (Para 4.1.7.8) Position of Parastatals</b>	e. Community level bodies should not be created by decisions taken at higher levels. If considered necessary the initiative for their creation should come from below and they should be accountable to PRIs.(92)	(a) to (e) Accepted.
<b>21. (Para 4.2.3.10) Activity Mapping</b>	(a) States must undertake comprehensive activity mapping with regard to all the matters mentioned in the Eleventh Schedule. This process should cover all aspects of the subject viz; planning, budgeting and provisioning of finances. The State Government should set-up a task force to complete this work within one year.(93)	(a) Accepted
	(b) The Union Government will also need to take similar action with regard to Centrally Sponsored Schemes.(94)	(b) Accepted
<b>22. (Para 4.2.4.2) Devolving Regulatory Functions to the Panchayats</b>	a. Rural policing, enforcement of building byelaws, issue of birth, death, caste and residence certificates, issue of voter identity cards, enforcement of regulations pertaining to weights and measures are some of the regulatory functions which should be entrusted to Panchayats. Panchayats may also be empowered to manage small endowments and charities. This could be done by suitably modifying `the laws relating to charitable endowments.(95)	(a) & (b) Accepted. However, control of local bodies over police functions was not agreed to.
	b. Regulatory functions which can be performed by the Panchayats should be identified and devolved on a continuous basis.(96)	

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
<b>23. (Para 4.3.5.3) Resource Generation by the Panchayats</b>	a. A comprehensive exercise needs to be taken up regarding broadening and deepening of the revenue base of local governments. This exercise will have to simultaneously look into four major aspects of resource mobilisation viz. (i) potential for taxation (ii) fixation of realistic tax rates (iii) widening of tax base and (iv) improved collection. Government may incorporate this as one of the terms of reference of the Thirteenth Finance Commission.(97)	(a) to (j) Accepted.
	b. All common property resources vested in the Village Panchayats should be identified, listed and made productive for revenue generation.(98)	
	c. State Governments should by law expand the tax domain of Panchayats. Simultaneously it should be made obligatory for the Panchayats to levy taxes in this tax domain.(99)	
<b>23. (Para 4.3.5.3) Resource Generation by the Panchayats</b>	d. At the higher level, the local bodies could be encouraged to run/ manage utilities such as transport, water supply and power distribution on a sound financial basis and viability.(100)	(a) to (j) Accepted.
	e. The expanded tax domain could interalia include levies on registration of cattle, restaurants, large shops, hotels, cybercafés and tourist buses etc.(101)	
	f. The role of State Governments should be limited to prescribing a band of rates for these taxes and levies.(102)	
	g. PRIs should be given a substantial share in the royalty from minerals collected by the State Government. This aspect should be considered by the SFCs while recommending grants to the PRIs.(103)	
	h. State Governments should consider empowering the PRIs to collect cess on the royalty from mining activities. In addition they should also be given power to impose and collect additional/special surcharge from such activities (mines/minerals/ plants).(104)	
	i. Innovative steps taken by the States and the PRIs to augment their resources must be rewarded by linking Central Finance Commission and State Finance Commission grants to such measures. States may reward better performing PRIs through special incentives.(105)	

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
	j. In the tax domain assigned to PRIs, Village Panchayats must have primary authority over taxation. However, where such taxation has inter-Panchayat ramifications, the local government institutions at higher levels Intermediate Panchayat and Zila parishad could be given concurrent powers subject to a ceiling. Whenever a tax/fee is imposed by the higher tier, such taxes should be collected by the concerned Village Panchayats.(106)	
<b>24. (Para 4.3.7.5) Transfer of Funds to the Panchayats</b>	a. Except for the specifically tied, major Centrally Sponsored Schemes and special purpose programmes of the States, all other allocations to the Panchayati Raj Institutions should be in the form of untied funds. The allocation order should contain only a brief description of broad objectives and expected outcomes.(107)	(a) to (e) Accepted.
<b>24. (Para 4.3.7.5) Transfer of Funds to the Panchayats</b>	b. State Governments should modify their rules of financial business to incorporate the system of separate State and District sector budgets, the later indicating district-wise allocations.(108)	(a) to (e) Accepted.
	c. There should be a separate Panchayat sector line in the State budget.(109)	
	d. State Governments should make use of the software on "fund transfer to Panchayats" prepared by the Union Panchayati Raj Ministry for speedy transfer of funds.(110)	
	e. State Governments should release funds to the Panchayats in such a manner that these institutions get adequate time to use the allocation during the year itself. The fund release could be in the form of equally spaced instalments. It could be done in two instalments; one at the beginning of the financial year and the other by the end of September of that year.(111)	
<b>25. (Para 4.3.8.2) PRIs and Access to Credit</b>	a. For their infrastructure needs, the Panchayats should be encouraged to borrow from banks/financial institutions. The role of the State Government should remain confined only to fixing the limits of borrowing.(112)	(a) Accepted
<b>26. (Para 4.3.9.5) Local Area Development Schemes</b>	a. The flow of funds for all public development schemes in rural areas should be exclusively routed through Panchayats. Local Area Development Authorities, Regional Development Boards and other organization having similar functions should immediately be wound up and their functions and assets transferred to the appropriate level of the Panchayat.(113)	(a) GoM deferred decision on recommendation relating to flow of funds.
	b. As recommended by the Commission in its report on "Ethics in Governance", the Commission reiterates that the schemes of MPLAD and MLALAD should be abolished.(114)	(b) Not accepted



Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
<b>27. (Para 4.4.7) Rural Development</b>	a. The Commission while endorsing the views of the Expert Group on Planning at the Grass roots Level as given at Annexure-IV(2) to this Report, recommends that there has to be territorial/ jurisdictional/functional convergence in implementing Centrally Sponsored Schemes.(115)	(a) to (d) Accepted.
<b>27. (Para 4.4.7) Rural Development</b>	<p>b. The centrality of PRIs in these schemes must be ensured if they are to deal with the matters listed in the Eleventh Schedule. (i) In all such schemes, the Gram/Ward Sabha should be accepted as the most important/cutting edge participatory body for implementation, monitoring and audit of the programmes. (ii) Programme committees dealing with functions under the Eleventh Schedule and working exclusively in rural areas need to be subsumed by the respective panchayats and their standing bodies. Some others having wider roles may need to be restructured to have an organic relationship with the Panchayats. (iii) In the programmes, where the activities percolate to areas and habitations below a Panchayat/Ward level, a small local centre committee should be formed to support these activities. This Centre committee should be only a deliberative body with responsibility to provide regular feedback to the Gram Sabha/Ward Sabha and be accountable to it.(116)</p> <p>c. The Ministry sanctioning the programme should issue only broad guidelines leaving scope for implementational flexibility so as to ensure local relevance through active involvement of the Panchayats.(117)</p> <p>d. All Centrally Sponsored programmes should have properly demarcated goals and there should be a mechanism to assess their socio-economic impact over a given period of time. The NSSO may be suitably strengthened and assigned this task.(118)</p>	(a) to (d) Accepted.
<b>28. (Para 4.4.8.6) Information, Education and Communication - IEC</b>	<p>a. A multi-pronged approach using different modes of communication like the print media, the visual media, electronic media, folk art and plays etc. should be adopted to disseminate information and create awareness about Panchayati Raj. It should be ensured that there is a convergence in approach to achieve synergies and maximise reach.(119)</p> <p>b. The Union Ministry of Information and Broadcasting should devise a mechanism in consultation with the Union Ministry of Panchayati Raj, Ministry of Rural Development and Ministry of Agriculture and other concerned Ministries for effectively implementing this activity.(120)</p>	(a) to (c) Accepted.

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
<b>28. (Para 4.4.8.6) Information, Education and Communication - IEC</b>	c. Rural broadcasting should become a full-fledged independent activity of the All India Radio. Rural broadcasting units should be based in the districts and the broadcasts should be primarily in the local language(s) prevalent in the district. These programmes should focus on issues related to Panchayati Raj Institutions, rural development, agriculture, Right to Information and relevant ones on public health, sanitation, education etc.(121)	(a) to (c) Accepted.
<b>29. (Para 4.5.4) Rule of Panchayats in Delivery of Services</b>	a. In terms of the Eleventh Schedule of the Constitution, local level activities of elementary education, preventive and promotive health care, water supply, sanitation, environmental improvement and nutrition should immediately be transferred to the appropriate tiers of the PRIs.(122)	(a) to (b) Accepted
	b. State Governments need to prepare an overarching Service Delivery Policy outlining the framework within which each department could lay down detailed guidelines for preparation of Service Delivery Plans.(123)	
<b>30. (Para 4.5.5.6) Resource Centre at the Village Level</b>	a. Steps should be taken to set up Information and Communication Technology (ICT) and space Technology enabled Resource Centres at the Village and Intermediate Panchayat levels for local resource mapping and generation of local information base.(124)	(a) to (c) Accepted. However, it would need to be ensured that these Centres take into account the Department of Information Technology's initiative to set up 1,00,000 Common Service Centres (CSC).
	b. These Resource Centres should also be used for documenting local traditional knowledge and heritage.(125)	
	c. Capacity building should be attempted at the local level by shifting the currently available post school generalistic education to a skill and technology based system having focus on farm & animal husbandry practices, computer applications, commercial cropping and soil and water management.(126)	
<b>31. (Para 4.6.1.2.3) Local Government in the Fifth Schedule Areas</b>	a) The Union and State legislations that impinge on provisions of PESA should be immediately modified so as to bring them in conformity with the Act.(127)	(a) Accepted
	b) If any State exhibits reluctance in implementing the provisions of PESA, Government of India may consider issuing specific directions to it in accordance with the powers given to it under Proviso 3 of Part A of the Fifth Schedule.(128)	(b) Accepted
<b>32. (Para 4.6.1.4.4) Effective Implementation of PESA</b>	a. Regular Annual Reports from the Governor of every State as stipulated under the Fifth Schedule, Part A (3) of the Constitution must be given due importance. Such reports should be published immediately and placed in the public domain.(129)	(a) to (c) Accepted subject to the views of MHA being obtained in this matter.

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
	<p>b. In order to ensure that women are not marginalised in meetings of the Gram Sabha, there should be a provision in the PESA Rules and Guidelines that the quorum of a Gram Sabha meeting will be acceptable only when out of the members present, at least thirty-three per cent are women.(130)</p> <p>c. Each State should constitute a group to look into strengthening of the administrative machinery in Fifth Schedule areas. This group will need to go into the issues of (i) special administrative arrangements, (ii) provision of hardship pay, (iii) other incentives, and (iv) preferential treatment in accommodation and education. All expenditure in this regard should be treated as charged expenditure under Article 275 of the Constitution.(131)</p>	
<p><b>33. (Para 4.6.1.5.3) Effective Implementation of the Tribal Sub-Plan (TSP)</b></p>	<p>a. Keeping in view the inadequacy of the past efforts, State Governments should form a special planning unit (consisting of professionals and technically qualified personnel) to prepare their Tribal-Sub Plan.(132)</p> <p>b. A certain portion of the allocation under TSP should be made non-lapsable on the pattern of the Non Lapsable Central Pool of Resources (NLCPR) created for the North-Eastern States. A special cell may be set up in the Ministry of Tribal Affairs to monitor expenditure from this fund.(133)</p> <p>c) The government may consider preparing an impact assessment report every year with respect to the States covered under PESA. This exercise may be assigned to a national level institute which has done similar work in the past e.g. National Council for Applied Economic Research (NCAER), National Institute of Public Finance and Policy (NIPFP), National Sample Survey Organisation (NSSO) or some other suitable agency. This agency will rate the performance of the State on predetermined indices.(134)</p>	<p>(a) to (c) Accepted subject to consultation with the Ministry of Finance and the Ministry of Tribal Affairs on the recommendations.</p>
<p><b>34. (Para 5.1.4) Urbanisation and Growth</b></p>	<p>a. A new National Commission on Urbanisation should be constituted by Government to suggest measures to deal with the rapid urbanisation, including the large cities and bring about more balanced and efficient urbanisation in the country.(135)</p>	<p>(a) Accepted</p>
<p><b>35. (Para 5.2.2.4) Proposed Basic Structure – Ward Committees and Area</b></p>	<p>a. Government may consider the adoption of a common categorisation of urban bodies across the country to improve clarity in their definition so as to assist a systematic planning process and devolution of funds. A categorisation on the lines proposed given in Table 5.6 could be adopted.(136)</p>	<p>(a) to (j) Accepted</p>

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
<b>Sabhas</b>	b. There should be three tiers of administration in urban local governments, except in the case of Town Panchayats, where the middle level would not be required. The tiers should be: i. Municipal Council/Corporation (by whatever name it is called); ii. Ward Committees; and iii. Area Committees or Sabhas.(137)	
	c. Each Area Sabha comprising all citizens in one or two (or more) polling station areas, should elect, once in five years, a small Committee of Representatives. The Committee of Representatives would elect one person who would chair the meetings of the Area Sabha and would represent the Area Sabha in the relevant Ward Committee. The State may, by law, prescribe the procedure and other details for such election;(138)	
	d. Ward Committees should be set up in every Ward/Corporator's Division, The present system of having more than one ward in a Ward Committee needs to be given up;(139)	
	e. Ward Committees need to be given legitimate functions which can be handled at that level. These functions could include street lighting, sanitation, water supply, drainage, road maintenance, maintenance of school buildings, maintenance of local hospitals/dispensaries, local markets, parks, playgrounds, etc;(140)	
	f. Funds allocated for the functions entrusted to the Ward Committee should be transferred en-bloc to the Ward Committee. The budget proposed by the WardCommittee in respect to the functions allotted to it should be taken into account in formulating the overall municipal budget;(141)	
	g. Meetings of the Ward Committee should be widely publicised to ensure maximum citizens' participation;(142)	
	h. Ward Committees should be given a share of the property taxes collected from the ward, depending on the locality;(143)	
	<b>35. (Para 5.2.2.4) Proposed Basic Structure – Ward Committees and Area Sabhas</b>	
j. A process of activity mapping similar to the one taken up for PRIs should be carried out for all ULBs within one year.(145)		

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
<b>36. (Para 5.2.3.2) Zonal System for Large Cities</b>	a. Zonal offices with all administrative powers delegated to them may be set up immediately in Metropolitan Corporations and Municipal Corporations and become the main point of contact for people in respect of services and amenities. One zone for every five lakh (or less) population could be considered. Similar zonal offices should also be set up in other big cities within the next three years.(146)	(a) Accepted
<b>37. (Para 5.2.4.3) The Office of the Mayor/Chairperson</b>	<p>a. The functions of chairing the municipal council and exercising executive authority in urban local government should be combined in the same functionary i.e. Chairperson or Mayor.(147)</p> <p>b. The Chairperson/Mayor should be directly elected by popular mandate through a city-wide election.(148)</p> <p>c. The Chairperson/Mayor will be the chief executive of the municipal body. Executive power should vest in that functionary.(149)</p> <p>d. The elected Council should perform the functions of budget approval, oversight and framing of regulations and policies.(150)</p> <p>e. In municipal corporations and metropolitan cities, the Mayor should appoint the Mayor's 'Cabinet'. The members of the Cabinet should be chosen by the Mayor from the elected corporators. The Mayor's Cabinet shall not exceed 10 per cent of the strength of the elected Corporation or fifteen, whichever is higher. The Cabinet will exercise executive authority on matters entrusted to them by the Mayor, under his overall control and direction.(151)</p>	(a) to (e) Not Accepted
<b>38. (Para 5.2.5.4) Management Structure of Urban Local Governments</b>	<p>a. The Mayor should be the Chief Executive of the municipal body while the Commissioner should perform the functions delegated to him/her.(152)</p> <p>b. The responsibility for selection and appointment of the Commissioner and other staff may be given to the Metropolitan Corporations within a period of two years. For other bodies this may be done within three years. States should, however, by law, lay down the procedure and conditions of such appointment. For the duration that the Commissioner/ Chief Officer continues to be drawn from the State Government, selection should be made by the Mayor from out of a panel of names sent by the State Government.(153)</p> <p>c. The Directorates of Municipal Administration, wherever they exist, should be abolished. In case there are State-wide cadres of municipal employees, no fresh appointments to these may be made and the employees should be absorbed in municipal bodies through a due process.(154)</p>	(a) to (c) Not accepted

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
<b>39. (Para 5.3.3.8) Property Tax Reforms</b>	a. State Governments should ensure that all local bodies switch over to the 'unit area method' or 'capital value method' for assessment of property tax in a time-bound manner.(155)	(a) to (i) Accepted
	b. The categories of exemptions from property tax need to be reviewed and minimised.(156)	
	c. In order to ensure that unauthorised constructions do not escape the tax net, State laws should stipulate that levy of tax on any property would not, in itself, confer any right of ownership, in case the property is found to be constructed in violation of any law or regulation.(157)	
	d. Tax details for all properties should be placed in the public domain to avoid collusion between the assessing authority and the property owner.(158)	
	e. The State law should also provide for tax on properties belonging to the municipal authorities which are given on lease, to be payable by the occupants.(159)	
<b>39. (Para 5.3.3.8) Property Tax Reforms</b>	f. The law should provide for the levy of service charge on properties belonging to the Union and State Governments. This service charge should be in lieu of various services provided such as solid waste management, sanitation, maintenance of roads, streetlighting and general civic amenities.(160)	(a) to (i) Accepted
	g. A periodic physical verification of the properties and the taxes levied on them should be carried out in each municipal area by a separate wing directly under the control of the Chief Executive.(161)	
	h. A computerised data base of all properties using GIS mapping should be prepared for all municipal areas.(162)	
	i. Randomly selected cases of assessment should be audited by the government auditors as is done by C&AG in case of Union taxes. (163)	
<b>40. (Para 5.3.4.2) Octroi</b>	a. Octroi should be abolished, but the States should evolve mechanisms to compensate the local governments for the loss of revenue caused by such abolition.(164)	(a) Accepted

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
<b>41. (Para 5.3.5.2) Other Taxes</b>	a. The following principles should be followed while administering all taxes: i. The manner of determination of tax should be made totally transparent and objective; ii. As far as possible, all levies may be based on self declaration of the tax payer but this should be accompanied by stringent penalties in case of fraud or suppression of facts by the tax payer; iii. The cost of tax collection and of compliance should be reduced to a minimum; iv. There should be an independent unit under the Chief Executive to monitor the collection of all taxes; and v. The appeal against orders of assessing officers should lie with an independent quasi-judicial authority.(165)	(a) Accepted
	b. Article 276(2) may be amended to enhance the upper ceiling on Profession Tax and this ceiling should be reviewed periodically.(166)	(b) Accepted
<b>42. (Para 5.3.6.8) Non Tax Revenues</b>	a. A significant portion of grants to the municipalities must be linked with their own efforts at resource raising.(167)	(a) to (d) Accepted
	b. An impact study should be carried out for all major developments in the city. A congestion charge and/or betterment levy in relation to such projects may be levied wherever warranted.(168)	
<b>42. (Para 5.3.6.8) Non Tax Revenues</b>	c. The power to impose fines for violation of civic laws should be given to municipal authorities. The relevant laws may be suitably modified.(169)	(a) to (d) Accepted
	d. The fines prescribed for civic offences need to be enhanced. The amount of fine should be regulated by Rules under the law so that it could be revised periodically without the necessity of an amendment to the law.(170)	
<b>43. (Para 5.3.7.7) Borrowings</b>	a. The limits of borrowings for various municipal bodies in a State may be fixed on the recommendation of the SFC.(171)	(a) Not accepted
	b. Municipal bodies should be encouraged to borrow without Government Guarantees. However, for small municipalities, pooled financing mechanisms will have to be put in place by the State Government.(172)	(b) Accepted
	c. The capacity of the municipalities to handle legal and financial requirements of responsible borrowing must be enhanced.(173)	(c) Accepted
<b>44. (Para 5.3.8.7) Leveraging Land as a Resource</b>	a. Municipal bodies should have a periodically updated database of its properties. IT tools like GIS should be used for this purpose. This database should be in the public domain;(174)	(a) to (d) Accepted

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
	<p>b. Land banks available with the municipalities as well as with the development authorities should be leveraged for generating resources for the municipalities. However, such resources should be used exclusively to finance infrastructure and capital expenditure and not to meet recurring costs.(175)</p> <p>c. Until the development authorities are merged with urban local bodies, a proportion of the revenue realised by such agencies from the sale of land, say, 25%, should be made available to the municipalities for meeting their infrastructure financing needs.(176)</p> <p>d. The respective municipal laws should provide that any built up property of municipal bodies shall not be given on rent/lease without following a competitive process. Such a lease period shall not exceed five years.(177)</p>	
<p><b>45. (Para 5.4.2.10)</b> <b>Regulatory Services</b></p>	<p>a. A time-bound programme for updating and simplification of all regulatory provisions relating to the ULBs should be made mandatory. Each State Government should create a task force to examine and suggest simplification of procedures in local governments. This task force could also suggest steps to be taken to reduce discretion and bring objectivity in the field offices of local governments. The city municipal corporations could undertake such an exercise on their own.(178)</p> <p>b. All service providers in cities should be brought under one umbrella by establishing 'one stop service centres. This could be completed within two years in all cities. Call centres, electronic kiosks, web based services and other tools of modern technology should be used by all ULBs to bring speed, transparency and <b>accountability into delivery of services to the citizens.</b>(179)</p> <p>c. Citizens' charters in all Urban Local Bodies should specify time limits for approvals relating to regulatory services such as licenses and permits and these should be scrupulously adhered to. The charter should also specify the relief available to the citizens in case of non adherence.(180)</p> <p>d. A system of self certification by registered architects for issue of building permits should be introduced in all ULBs with immediate effect, to start with, for individual residential units.(181)</p>	<p>(a) to (d) Accepted</p>
<p><b>46. (Para 5.4.3.1.5)</b> <b>Creating a Responsive</b></p>	<p>a. The local government should be responsible for providing civic amenities in its jurisdiction.(182)</p>	<p>(a) to (b) Accepted</p>



Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
<b>Institutional Framework</b>	b. In respect of all downstream activities of a particular State utility, as soon as it enters the geographical and administrative boundary of an Urban Local Body, the Government utility/ parastatal should become accountable to the ULB.(183)	
<b>47. (Para 5.4.3.2.8) Water Supply</b>	a. Urban Local Bodies should be given responsibility for water supply and distribution in their territorial jurisdictions whether based on their own source or on collaborative arrangements with parastatals and other service providers.(184)	(a) to (g) Accepted
<b>47. (Para 5.4.3.2.8) Water Supply</b>	b. Metropolitan Corporations may be given responsibility for the entire water supply programme from development to distribution. For other urban local bodies, a phased transfer of responsibilities for management of the distribution networks within their territorial jurisdiction while leaving source development to the parastatal agency would appear to be the most feasible approach.(185)	(a) to (g) Accepted
	c. State Finance Commissions may be entrusted with the task of developing suitable normative parameters for different classes of local governments for arriving at optimum tariff structure.(186)	
	d. Municipal bodies must focus on increasing operational efficiencies – through reduction in pilferage, improving efficiency of staff and use of technology.(187)	
	e. The municipal bodies should meter all water connection within a time frame. Installing a hierarchy of metering system could help in identifying pilferage. Payment of water charges should be made hassle free through use of Information Technology. As far as possible all water connections should be metered, and if necessary targeted subsidy should be provided to the poorest sections.(188)	
	f. Infrastructure development plans for water supply should be integrated with the CDPs.(189)	
<b>48. (Para 5.4.3.3.9) Sewerage Management</b>	a. Sanitation, as a matter of hygiene and public health, must be given due priority and emphasis in all urban areas. In all towns, advance action for laying down adequate infrastructure should be taken to avoid insufficiency of services.(191)	(a) to (d) Accepted

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
<b>48. (Para 5.4.3.3.9) Sewerage Management</b>	b. Each municipal body should prepare a time bound programme for providing sewerage facilities in slum areas. This should be brought into action through appropriate allocation in the annual budget. Local bodies may impose a cess on the property tax or development charges in order to raise resources for expansion and capacity enhancement of the existing sewerage systems. In order to motivate the local governments to generate additional resources for sewerage management, matching grants may be provided by the Union and State Governments.(192)	(a) to (d) Accepted
	c. Community participation and co-production of services should be encouraged by municipal bodies. This should be supplemented by awareness generation.(193)	
	d. A separate user charge should be introduced in all municipalities, even as a minimum levy, for sanitation and sewerage, as distinct from water charges. State Finance Commissions may be entrusted with the task of developing suitable normative parameters for different classes of local governments for arriving at optimum user charges.(194)	
<b>49. (Para 5.4.3.5.3) Solid Waste Management and Scavenging</b>	a. In all towns and cities with a population above one lakh, the possibility of taking up public private partnership projects for collection and disposal of garbage may be explored. This should, however, be preceded by development of capacity of the municipal bodies to manage such contracts.(195)	(a) to (f) Accepted
	b. Municipal bye-laws/rules should provide for segregation of waste into definite categories based on its manner of final disposal.(196)	
	c. Special solid waste management charges should be levied on units generating high amount of solid waste.(197)	
	d. Extensive surveys should be carried out by the State Governments to identify manual scavengers and estimate the number of dry latrines in existence within six months.(198)	
	e. Following the survey, adequate funds should be allocated for the purpose of eradication of manual scavenging within one year.(199)	
	f. Central Assistance to States Annual Plan should be tied to eradication of manual scavenging. Funds allocated under the JNNURM should also be linked to it.(200)	
<b>50. (Para 5.4.3.6.4) Power Utilities and Municipal Bodies</b>	a. Municipal bodies should be encouraged to take responsibility of power distribution in their areas. This, however, should be done after adequate capacity building in these organisations.(201)	(a) to (c) Accepted
	b. Municipal building bye-laws should incorporate power conservation measures.(202)	

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
	c. Municipal bodies should coordinate the layout plans for the distribution networks of power and other utilities.(203)	
<b>51. (Para 5.4.4.3) Services for Human Development</b>	a. There has to be a shift in emphasis in the crucial service delivery sectors of education and health from centralised control to decentralised action, from accountability to the State department to accountability to the local communities and from employment guarantee to service guarantee.(204)	(a) to (i) Accepted
	b. It is necessary that all schools are made functionally self-sufficient, in as much as basic facilities and classroom requirements are provided in all urban schools within the next two years.(205)	
	c. The municipalities, especially the larger ones, should seek the help of NGOs, the corporate sector and individual volunteers for assistance in running schools. Indeed, it would be useful to initiate a voluntary service element in our social sector to improve service delivery.(206)	
	d. The trend in urban areas to shift towards private healthcare needs to be seen as an opportunity by the City authorities to concentrate on public health as distinct from clinical services, and on preventive and not only curative aspects of health care.(207)	
	e. Institution specific standards should be prescribed for schools and hospitals and third party assessments carried out to monitor performance in service delivery. Performance based incentives should be prescribed at all levels by breaking salary ceilings to guarantee service outcomes and linking permanence in service to performance.(208)	
	f. Recruitment for hospitals and schools should be made to an institution/Society, moving away from non accountable State level recruitment.(209)	
<b>51. (Para 5.4.4.3) Services for Human Development</b>	g. Local bodies should ensure convergence among health systems, sanitation facilities and drinking water facilities. Primary level public health institutions in urban areas should be managed by the urban local bodies.(210)	(a) to (i) Accepted
	h. For all services provided by local governments there is need to develop a set of performance indicators. The concerned Ministry should lay down broad guidelines for this purpose. Thereafter, the State Governments could lay down norms for this purpose.(211)	
	i. The concerned Ministry should maintain a State- wise database about the performance of various service delivery systems. Similarly, the State should have a database for such services covering all municipal bodies.(212)	

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
<b>52. (Para 5.4.5.15)</b> <b>Urban Transport Management</b>	a. Urban Transport Authorities, to be called Unified Metropolitan Transport Authorities in the Metropolitan Corporations, should be set up in cities with population over one million within one year, for coordinated planning and implementation of urban transport solutions with overriding priority to public transport.(213)	(a) to (g) Accepted
	b. UMTAs/UTAs should be given statutory powers to regulate all modes of public transport, decide on complementary routes for each operator, and fix fares as well as service standards, etc. In addition, UMTAs/UTAs should be given financial powers and resources to give or recommend financial support, where necessary, to operators on unviable routes.(214)	
	c. Integration of land use with transport planning should be made mandatory for all ULBs as well as planning bodies such as the DPCs and MPCs.(215)	
	d. Demand for transportation in cities should be managed by adopting demand control measures like: i. Imposition of congestion levies; ii. Pedestrianisation of certain zones; and iii. Reserving access to certain areas only through public transport.(216)	
	e. Revitalisation of public transport services in cities should be taken up as priority projects under JNNURM and by tapping other sources of revenue as has been done in Indore and other cities. The aim should be to promote well structured public-private initiatives for modernising and redefining public transport. At the same time the efficiency of the existing State owned transport systems needs to be improved.(217)	
<b>52. (Para 5.4.5.15)</b> <b>Urban Transport Management</b>	f. Public transport systems should generally be multi- modal. The modes should be based on economic viability. High capacity public transport systems like metro rail or high capacity bus systems should form the backbone in mega cities supplemented by other modes like a bus system.(218)	(a) to (g) Accepted
	g. While building transport infrastructure in cities, it must be ensured that the needs of the pedestrians, the elderly, the physically challenged and other users of non motorised means of transport are adequately met.(219)	
<b>53. (Para 5.4.6.14)</b> <b>JNNURM - A Reform Process</b>	a. On the basis of projections, the total investment needed for urban renewal appears to be far in excess of the funds available. Government must find ways and means to fund this flagship programme – JNNURM – adequately.(220)	(a) to (d) Accepted
	b. The conditionalities linking reforms with fund flows should be enforced as per the schedules agreed between the ULBs and the Government of India without exceptions or relaxations.(221)	

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
	c. There should be sectoral allocations for sanitation and solid waste management.(222)	
	d. Capacity building measures should not be confined to only the selected towns and should be available for all cities/towns.(223)	
<b>54. (Para 5.4.7.2) A Critical and Urgent Area of Reform - Real Estate</b>	a. There is urgent need to bring in legislation to regulate the Real Estate sector on the lines mentioned in paragraph 5.4.7.1.(224)	(a) Accepted
<b>55. (Para 5.5.2.9) Re-Forming Mega Cities</b>	a. Public-Private Partnership projects for redevelopment of inner city areas need to be encouraged through a transparent and well structured regulatory regime of incentives and penalties.(225)	(a) Accepted
<b>56. (Para 5.5.3.4) Developing 25-30 World Class Mega Cities in India</b>	a. Government should prepare an action plan to redevelop about 25-30 cities (having a population of more than a million) to achieve international level amenities and services as modern megacities of the future.(226)	(a) to (c) Accepted
<b>56. (Para 5.5.3.4) Developing 25-30 World Class Mega Cities in India</b>	<p>b. Reform linked initiatives like JNNURM are an opportunity to complement physical development with enforcement of civic laws and general law enforcement in order to usher in genuine civic regeneration in our cities. In addition to infrastructure development in our cities, such large capital investment programs for city development should be invariably linked with a zero tolerance strategy towards civic violations.(227)</p> <p>c. As mentioned in the Commission's report on 'Public Order', a "zero tolerance strategy" can be institutionalised in the enforcement departments of local bodies by using modern technology to monitor the levels and trends in various types of civic offences. These can then be linked to a system of incentives and penalties to hold accountable the officials working in these departments. On the spot fines and other summary penalties should be used to inculcate civic discipline and deter and prevent minor civic violations that are at present largely ignored.(228)</p>	(a) to (c) Accepted
<b>57. (Para 5.5.4.7) Authorities for Metropolitan Corporations</b>	a. As recommended in the Commission's report on 'Public Order', a Metropolitan Police Authority should be set up in all cities with a population above one million to oversee community policing, improve police-citizen interface, suggest ways to improve quality of policing, approve annual police plans and review the working of such plans.(229)	(a) Not accepted

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
	<p>b. As recommended in para 5.4.5.15 of this Report, a Unified Metropolitan Transport Authority should be set up in an all mega cities for coordinated planning and implementation of urban transport solutions with overriding priority to public transport.(230)</p> <p>c. For all Metropolitan Corporations, which may be defined as cities with a population exceeding 5 million, MPCs may be constituted with the Chief Minister as the Chairperson in order to give the required impetus to the process of planning for such urban agglomerations.(231)</p> <p>d. In all cities with a population exceeding five million, a Metropolitan Environment Authority needs to be set up with powers delegated by the State Government from the State Pollution Control Board and related authorities. It should be vested with adequate powers for urban environmental management within the city limits.(232)</p>	(b) to (d) Accepted
<b>58. (Para 5.6.2.3) Beneficiary Identification</b>	<p>a. An exhaustive survey to identify the urban poor should be carried out within one year. The parameters to be used for such identification should be simple and easily comprehensible, allowing objective measurement without the use of discretion. The basic parameters should be spelt out at the national level. The identification should be based on a door-to-door survey with the survey teams including at least one person from the Area Sabha concerned. The urban poor so identified may be issued multi-utility identity cards for availing benefits under all poverty alleviation programmes.(233)</p>	(a) Accepted
<b>59. (Para 5.6.3.2.5) Measures for Poverty Alleviation - Employment</b>	<p>a. After identifying the urban poor through surveys, a mission mode approach would need to be adopted for alleviating urban poverty in a time-bound and systematic manner. The urban local bodies may also have their own poverty alleviation schemes with adequate backward and forward linkages converging with the other poverty alleviation schemes.(234)</p> <p>b. The thrust of the urban poverty alleviation schemes should be on upgradation of skills and training. Training institutes may be set up on the lines of RUDSETIs for imparting training to the urban poor for self employment. These institutes could also help in developing wage employment related skills.(235)</p> <p>c. In case of setting up of micro-enterprises, the urban poverty alleviation schemes should be flexible in selecting projects and providing financial assistance.(236)</p>	(a) to (d) Accepted

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
	d. To maximise the benefits of micro-finance, formation of Self-Help Groups (SHGs) needs to be encouraged. Institutions and NGOs with good track record should be encouraged to promote SHGs for availing micro-finance.(237)	
<b>60. (Para 5.6.3.3.4) Measures for Poverty Alleviation - Literacy</b>	a. The education plan should form an integral part of the development plan for the city.(238)	(a) Accepted
<b>61. (Para 5.6.3.4.2) Measures for Poverty Alleviation - Health and Nutrition</b>	a. Urban Local Bodies should adopt the concept of 'Primary Health Care, for providing health and medical facilities to the urban poor, particularly to women and children with the help of auxiliary health staff. These should specifically cater to the population living in slum areas.(239)	(a) Accepted
<b>62. (Para 5.6.3.6.3) Slums in Urban Areas and Land Use Reservation for the Poor</b>	<p>a. There has to be total redevelopment of slum areas. While redeveloping, it should be ensured that adequate provision has been made for schools, health centres, sanitation etc. (240)</p> <p>b. For slum redevelopment the approach suggested in para 5.6.3.5.11 may be considered while formulating policy or specific schemes.(241)</p> <p>c. It is necessary to earmark and reserve a certain percentage of land projects in each town and city for the urban poor. If a construction cannot allocate housing for the poor, the developer must, at his own cost, provide suitable housing in any other appropriate place acceptable to the authorities.(242)</p> <p>d. A detailed programme for the provision of night shelters needs to be drawn up in all cities, beginning with large cities having Metropolitan and Municipal Corporations, for implementation.(243)</p>	(a) to (d) Accepted
<b>63. (Para 5.7.2.12) The Town and Country Planning Act(s)</b>	<p>a. The City Development Plan (CDP) and zoning regulations once approved should remain in force for ten years. No authority should normally have any power to change the CDP.(244)</p> <p>b. Infrastructure plans should be made an integral part of the City Development Plan (CDP) in order to ensure that urban planning in cities become a truly holistic exercise.(245)</p>	(a) to (e) Accepted.

Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
	<p>c. The existing system of enforcement of building regulations needs to be revised. It should be professionalised by licensing architects and structural engineers for assessment of structures and for certification of safe buildings. The units of local bodies dealing with enforcement of building bye-laws and zoning regulations also need to be strengthened.(246)</p> <p>d. Prevention of Disaster Management must find a prominent place in spatial planning. Specific guidelines need to be framed by the Ministry of Urban Development. These should be addressed by including them in the zoning regulations and building bye-laws.(247)</p>	
<b>63. (Para 5.7.2.12) The Town and Country Planning Act(s)</b>	e. The standards prescribed by BIS for disaster resistant buildings should be available in the public domain, free of cost. They should also be posted on websites of the concerned government agencies to promote compliance.(248)	(a) to (e) Accepted.
<b>64. (Para 5.7.5.3) Development Areas</b>	a. In respect of all townships and satellite towns developed under the development authorities, it should be ensured that as soon as the development process is completed, jurisdiction over the township should be transferred to the local bodies.(249)	(a) Accepted
<b>65. (Para 5.7.6.5) Private Townships</b>	<p>a. Private townships and gated communities must be placed under the jurisdiction of the concerned local body and subject to its laws, rules and bye-laws. However, they can have autonomy for provision of infrastructure and services within their precincts and /or for collection of taxes and charges (para 5.7.7.2 ) (250)</p> <p>b. The establishment of private, gated colonies must be allowed only within the broad parameters of the larger regional urban planning process where the development plans must clearly indicate spaces for private expansion make mandatory provision for low cost housing and should be integrated with the availability of infrastructure services.(251)</p>	(a) & (b) Accepted
<b>66. (Para 5.7.7.4) Special Economic Zones (SEZs)</b>	<p>a. As in the case of private townships, concerned local bodies should have full jurisdiction with regard to enforcement of local civic laws in the SEZs.(252)</p> <p>b. SEZs may be given autonomy for provision of infrastructure and amenities in the SEZ area. A formula for sharing the resources raised in the SEZ area needs to be developed.(253)</p>	(a) & (b) Accepted
<b>67. (Para 5.8.4) Urban Local Bodies and the</b>	a. Municipal governments should have full autonomy over the functions/activities devolved to them.(254)	(a) to (c) Accepted



Topic/Issue	Recommendations on Local Government (6 <sup>th</sup> Report)	Government's Decision
State Government	b. If the State Government feels that there are circumstances that make it necessary to suspend or rescind any resolution passed by the Urban Local Bodies or to dissolve or supersede them, it should not do so unless the matter has been referred to the concerned local body Ombudsman and the Ombudsman recommends such action.(255)	
<b>67. (Para 5.8.4) Urban Local Bodies and the State Government</b>	c. If, on any occasion, the State Government is in possession of records or has adequate reasons to initiate action against the Urban Local Bodies or its elected representatives, it should place the records before the local body Ombudsman concerned for investigation.(256)	(a) to (c) Accepted

### Capacity Building for Conflict Resolution

Topic/Issue	Recommendations on Capacity Building for Conflict Resolution (7 <sup>th</sup> Report)	Government's Decision
<b>1. (Para 3.8) Left Extremism</b>	(a) A long-term (10-year) and short-term (5- year) Programme of Action based on the '14-Point Strategy' announced in Parliament may be formulated by the Union Government in consultation with the concerned State Governments to identify State specific action to be taken to implement the 'Strategy'.(1)	(a) The recommendation has been accepted
	(b) While agreeing with the spirit of the '14- Point Strategy', negotiations with the extremist outfits should be an important mode of conflict resolution.(2)	(b) Recommendation has not been accepted as it was felt that negotiations with extremists cannot be undertaken unless these groups abjure violence.
	(c) There is a strong case for 'back to the basics' in the matter of administrative monitoring and supervision. The system of periodic official inspections and review of organisational performances needs to be revitalised. It must be recognised that a major reason for such practices falling in disuse in 'disturbed areas' is the apprehension of senior functionaries about their personal safety while on tour. It is advisable that the need to provide suitable security to the senior administrative and technical officers while on tour, is taken into account in working out requirements for security forces in areas affected by serious violence.(3)	(c) to (g) The recommendations have been accepted

Topic/Issue	Recommendations on Capacity Building for Conflict Resolution (7 <sup>th</sup> Report)	Government's Decision
<b>1. (Para 3.8) Left Extremism</b>	(d) There is need to enhance the capacity of the security forces to act effectively and firmly, but in conformity with constitutional bounds; it is necessary that standard operational procedures and protocols are laid down in specific terms and detail.(4)	(c) to (g) The recommendations have been accepted
	(e) Training and reorientation including sensitising the police and paramilitary personnel to the root causes of the disturbances that they are seeking to curb, are necessary.(5)	
	(f) Formation of trained special task forces on the pattern of the Greyhounds in Andhra Pradesh should be an important element of the strategy to build capacity in the police machinery for tackling left extremism.(6)	
	(g) Establishing and strengthening local level police stations, adequately staffed by local recruits, in the extremist affected regions should be an important component of the policing strategy for tackling left extremism.(7)	
	(h) For effective implementation of the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Rights) Act, 2006, multidisciplinary Oversight Committees may be constituted to ensure that the implementation of this ameliorative legislation does not adversely affect the local ecosystems.(8)	(h) Recommendation has not been accepted as institutional mechanisms already exist in the Act
	(i) Special efforts are needed to monitor the implementation of constitutional and statutory safeguards, development schemes and land reforms initiatives for containing discontent among sections vulnerable to the propaganda of violent left extremism.(9)	(i) to (l) The recommendations have been accepted.
	(j) To facilitate locally relevant development adequate flexibility may be provided to implementing agencies in the affected areas as regards centrally sponsored and other schemes, so as to enable them to introduce suitable changes based on local requirements.(10)	
	(k) Performance of the States in amending their Panchayati Raj Acts and other regulations to bring them in line with the provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA) and in implementing these provisions may be monitored and incentivised by the Union Ministry of Panchayati Raj.(11)	
(l) The nexus between illegal mining/forest contractors and transporters and extremists which provides the financial support for the extremist movement needs to be broken. To achieve this, special anti-extortion and anti- money laundering cell should be established by the State police/State Government.(12)		
<b>1. (Para 3.8) Left Extremism</b>	(m) For implementing large infrastructure projects, particularly road networks, that are strongly opposed by the extremists or are used to extort funds from local contractors, the	(m) The recommendation has been accepted.

Topic/Issue	Recommendations on Capacity Building for Conflict Resolution (7 <sup>th</sup> Report)	Government's Decision
	use of specialised Government agencies like the Border Roads Organisation in place of contractors may be considered as a temporary measure.(13)	Government decided that there was a need for specialized agencies to undertake these large infrastructure projects in naxalite affected areas. MHA was directed to bring a proposal in this regard.
<b>2. (Para 4.9) Land Related Issues</b>	(a) The following steps may be taken to alleviate the distress in the agrarian sector Provide renewed impetus to land reform measures like redistribution of surplus land, vesting title in tenants and carrying forward consolidation of land holdings etc for maintaining and promoting the sustainability of agriculture. In order to provide adequate and timely facilities to farmers, there is need to augment the banking system in the rural areas and make them more responsive to the farmers' needs. Redesign poverty alleviation programmes to make them more relevant to the needs of small and marginal farmers. Step up public investment in order to expand non-farm and off farm activities to provide alternative livelihood opportunities for the poorer farmers within rural areas. Introduce measures to encourage formation of 'Self Help Groups' (SHGs) to improve access to credit and marketing and empower the disadvantaged. Diversify risk coverage measures such as weather insurance schemes and price support mechanisms.(14)	(a) The recommendation has been accepted.
	(b).A new legislation for land acquisition incorporating the principles laid down in the revised national rehabilitation policy needs to be enacted. The recently announced national policy on rehabilitation of project affected persons should be implemented forthwith for all ongoing projects as well as those in the pipeline.(15)	(b)&(c) The recommendations have been accepted. (c)(ii)
	c. There is need to amend the present approach to SEZs on the following lines. i. In establishing SEZs, use of prime agricultural land should be avoided. (ii) The number of SEZs should be limited, with a larger minimum size with locations preferably in backward areas so that they act as nuclei for economic growth. SEZs promoted by farmers themselves should be encouraged. The livelihood of the displaced should be a major concern of the SEZ policy. The SEZ regulations should clearly allocate social responsibility of rehabilitation to entrepreneurs seeking to establish SEZs. This should include provision for water, sanitation, health facilities, and vocational training centres. The proportion of land that is permitted to be used by the promoters of SEZs for	Recommendation has not been accepted as number of SEZs are determined as per Act. (viii) The recommendation has not been accepted

Topic/Issue	Recommendations on Capacity Building for Conflict Resolution (7 <sup>th</sup> Report)	Government's Decision
	<p>non- processing activities should be kept to a minimum and this should be ensured at the time of approval of their plans. The existing ratio between processing and non processing activities needs to be examined in order to maximize the proportion of land put to productive use. Also strict adherence to environmental regulations should be ensured. Comprehensive land use plans should be prepared and finalised after wide public consultations. Industrial activities in SEZs should be located only in areas earmarked for the purpose in the land use plans. The extremely liberal tax holidays provided both to export units and to developers require reconsideration.(16)</p>	
<b>3. (Para 5.5) Water Related Issues</b>	(a) The Union Government needs to be more proactive and decisive in cases of inter-State river disputes and act with the promptness and sustained attention that such disputes demand.(17)	(a) The recommendation has been accepted.
	(b) Since Article 262 of the Constitution provides that neither the Supreme Court nor any other Court shall exercise jurisdiction in respect of inter-State river disputes, it is necessary that the spirit behind this provision is fully appreciated.(18)	(b) The recommendation has been accepted.
	(c) River Basin Organisations (RBOs) should be set up for each inter-State river, as proposed by the Report of the National Commission for Integrated Water Resources Development, 1999 by enacting a legislation to replace the River Boards Act, 1956.(19)	(c) The recommendation has been accepted.
	(d) The Chairmen of all the River Basin Organisations, as and when formed, should be made members of the National Water Resources Council.(20)	(d) & (e) The recommendations have been accepted.
<b>3. (Para 5.5) Water Related Issues</b>	(e) The National Water Resources Council and RBOs should play a more positive role. The Council and its secretariat should be more proactive, suggest institutional and legislative reforms in detail, devise modalities for resolving inter-State water conflicts, and advise on procedures, administrative arrangements and regulation of use of resources by different beneficiaries keeping in view their optimum development and ensuring maximum benefits to the people.(21)	(d) & (e) The recommendations have been accepted.
	(f) In order to develop, conserve, utilise and manage water on the basis of a framework that incorporates long term perspectives, a national water law should be enacted as suggested in para 5.4.3 above.(22)	(f) Accepted in principle. Ministry of Water Resources should reexamine this issue and come up with detailed proposal for consideration

Topic/Issue	Recommendations on Capacity Building for Conflict Resolution (7 <sup>th</sup> Report)	Government's Decision
		of the government.
<b>4. (Para 6.11) Issues Related to Scheduled Castes</b>	(a) Government should adopt a multi- pronged administrative strategy to ensure that the Constitutional, legal and administrative provisions made to end discrimination against the Scheduled Castes are implemented in letter and spirit.(23)	(a) to (n) The recommendations have been accepted.
	(b) To ensure speedy disposal of discrimination cases pending in subordinate courts, an internal mechanism may be set up under the control of the High Court Administrative Judge to review such cases.(24)	
	(c) There is need to place a positive duty on public authorities for promotion of social and communal harmony and prevention of discrimination against the Scheduled Castes and Scheduled Tribes.(25)	
	(d) There is need for engaging independent agencies to carry out field surveys to identify cases of social discrimination.(26)	
	(e) There is need to spread awareness about the laws and the measures to punish discrimination and atrocities. It is necessary to launch well-targeted awareness campaigns in areas where the awareness levels are low. The District Administration should organise independent surveys to identify 'vulnerable areas'.(27)	
	(f) The administration and the police should be sensitised towards the special problems of the Scheduled Castes and Scheduled Tribes. They should also play a more pro- active role in detection and investigation of crimes against the weaker sections. Appropriate training programmes would help in the sensitising process.(28)	
<b>4. (Para 6.11) Issues Related to Scheduled Castes</b>	(g) Enforcement agencies should be instructed in unambiguous terms that enforcement of the rights of the weaker sections should not be downplayed for fear of further disturbances or retribution.(29)	(a) to (n) The recommendations have been accepted.
	(h) The Administration should focus on the rehabilitation of the victims and provide all required support to them including counselling.(30)	
	(i) As far as possible the deployment of police personnel in police stations with significant proportion of SCs and STs should be in proportion to the population of such communities. The same principle should be followed in cases of localities having substantial proportion of linguistic and religious minorities.(31)	
	(j) A statutory duty may be cast on all public authorities to promote equality and actively check social discrimination.(32)	
	(k) It would be desirable to introduce a system of incentives wherein efforts made by	

Topic/Issue	Recommendations on Capacity Building for Conflict Resolution (7 <sup>th</sup> Report)	Government's Decision
	<p>these officials in detecting and successfully prosecuting cases of discrimination/atrocities against the Scheduled Castes are suitably acknowledged.(33)</p> <p>(l) There should be training programmes for the law enforcement agencies to suitably sensitise them to the problems of the Scheduled Castes and the need for strict enforcement of laws.(34)</p> <p>(m) The local governments – municipalities and panchayats – should be actively involved in various programmes concerned with effective enforcement of various social legislations.(35)</p> <p>(n) The corporate sector and NGOs need to be involved in complementing the efforts of government for the development of the Scheduled Castes. Such voluntary action should not only be directed towards economic and social empowerment of the SCs, but also towards enabling them to raise their voice against atrocities, discrimination and exploitation. (36)</p>	
<b>5. (Para 7.10) Issues Related to Scheduled Tribes</b>	<p>(a) While all States in the Fifth Schedule Area have enacted compliance legislations vis-à-vis PESA, their provisions have been diluted by giving the power of the Gram Sabha to other bodies. Subject matter laws and rules in respect of money lending, forest, mining and excise have not also been amended. This needs to be done. In case of default, Government of India would need to issue specific directions under Proviso 3 of Part A of the Fifth Schedule, to establish a forum at the central level to look at violations and apply correctives. The Commission would like to re-iterate the importance of the Annual Reports of the Governors under the Fifth Schedule of the Constitution.(37)</p>	<p>(a) Recommendation has not been accepted. Moral suasion of State Governments seems a better option. Ministry of Tribal Affairs and Ministry of Panchayati Raj Institutions were directed to resolve any overlapping issues hence the two operative Acts.</p>
	<p>(b) Awareness campaigns should be organised in order to make the tribal population aware of the provisions of PESA and the 73rd amendment to the Constitution so as to demand accountability in cases in which the final decisions are contrary to the decisions of the Gram Sabha or Panchayat.(38)</p>	<p>(b) to (i)The recommendations have been accepted.</p>
	<p>(c) There should be a complete overhaul and systematic re-organisation of existing land records with free access to information about land holdings.(39)</p>	
	<p>(d) There is need to harmonise the various legislations and government policies being implemented in tribal areas with the provisions of PESA. The laws that require</p>	

Topic/Issue	Recommendations on Capacity Building for Conflict Resolution (7 <sup>th</sup> Report)	Government's Decision
	<p>harmonisation are the Land Acquisition Act, 1894, Mines and Minerals (Development and Regulation) Act, 1957, the Indian Forest Act, 1927, the Forest Conservation Act, 1980, and the Indian Registration Act. National policies such as the National Water Policy, 2002, National Minerals Policy, 2003, National Forest Policy, 1988, Wildlife Conservation Strategy, 2002 and National Draft Environment Policy, 2004 would also require harmonisation with PESA.(40)</p>	
	(e) Mining laws applicable to Scheduled Tribal Areas should be in conformity with the principles of the Fifth and Sixth Schedules of the Constitution.(41)	
	(f) Government should select such police, revenue and forest officials who have the training and zeal to work in tribal areas and understand as well as empathise with the population they serve.(42)	
<b>5. (Para 7.10) Issues Related to Scheduled Tribes</b>	(g) A national plan of action for comprehensive development which would serve as a road map for the welfare of the tribals should be prepared and implemented.(43)	(b) to (i)The recommendations have been accepted.
	(h) There should be convergence of regulatory and development programmes in the tribal areas. For the purpose, a decadal development plan should be prepared and implemented in a mission mode with appropriate mechanism for resolution of conflicts and adjustments.(44)	
	(i) The authorities involved in determining the inclusion and exclusion of tribes in the list of Scheduled Tribes should adopt a mechanism of consultation with the major States and those with tribal populations, on the basis of which a comprehensive methodology with clearly defined parameters is arrived at.(45)	
<b>6. (Para 8.6) Issues Related to Other Backward Classes</b>	(a) Government may work out the modalities of a survey and take up a statewide socio-economic survey of the "Other Backward Classes", which could form the basis of policies and programmes to improve their status.(46)	(a) & (b) The recommendations have been accepted.
	(b) Government needs to formulate and implement a comprehensive scheme for capacity building of OBCs that would bring them at par with the rest of society.(47)	
<b>7. (Para 9.6) Religious Conflicts</b>	(a) Community policing should be encouraged. The principles laid down by the Commission in paragraph 5.15.5 of its Report on 'Public Order' should be followed.(48)	(a) to (c) The recommendations have been accepted.
	(b) District Peace Committees/Integration Councils should be made effective instruments of addressing issues likely to cause communal disharmony. The District Magistrate in consultation with the Superintendent of Police should constitute these committees. In	

Topic/Issue	Recommendations on Capacity Building for Conflict Resolution (7 <sup>th</sup> Report)	Government's Decision
	<p>Police Commissionerates, these committees should be constituted by the Police Commissioner in consultation with the Municipal Commissioner. The committees should be of permanent nature. These committees should identify local problems with a potential to degenerate into communal conflicts and suggest means to deal with them at the earliest. Further, Mohalla Committees should also be organised on the same lines.(49)</p> <p>(c) In conflict prone areas, the police should formulate programmes in which the members of the target population get an opportunity of interacting with the police as a confidence building mechanism.(50)</p>	
<b>7. (Para 9.6) Religious Conflicts</b>	<p>(d) A separate law to deal with communal violence is not required. The existing provisions of the Indian Penal Code and the Criminal Procedure Code need to be strengthened. This may be achieved by incorporating provisions for: i. Enhanced punishments for communal offences. ii. Setting up of special courts for expeditious trial of cases related to communal violence. iii. Giving powers of remand to Executive Magistrates in cases of communal offences. iv. Prescription of norms of relief and rehabilitation. Further, as recommended in para 6.1.7.9 of the Commission's Report on 'Public Order', this should be accompanied by the deletion of the provisions contained in Section 196 of CrPC requiring prior sanction of the Union or State Government or the District Magistrate for initiating prosecution for offences under Sections 153A, 153B, 295A and sub-sections (1)(c), (2) and (3) of Section 505 of IPC.(51)</p>	(d) The recommendation has not been accepted
	<p>(e) For providing relief and rehabilitation to victims of communal violence, the framework provided under the Disaster Management Act, 2005 could be effectively used.(52)</p>	(e) The recommendation has been accepted.
<b>8. (Para 10.3) Politics and Conflicts</b>	<p>(a) Political parties should evolve a code of conduct on the forms of dissent permissible in our democratic set up. This could be incorporated in a law, which would apply to all political parties and their functionaries. Enforcement of the law could be entrusted to the Election Commission. The law should also stipulate punitive action against political parties and their functionaries violating the prescribed forms of democratic dissent, by providing for criminal cases to be filed against them and imposing fines as deterrent.(53)</p>	(a) & (b) The recommendations have been accepted.
	<p>(b) There should be consensus that identity politics would be played within the space provided by democracy and not allowed to develop into intractable conflicts leading to violence. Political parties need to build capacity to arrive at such a consensus.(54)</p>	
<b>9. (Para 11.6) Regional Disparities</b>	<p>(a) A composite criteria for identifying backward areas (with the Block as a unit) based on indicators of human development including poverty, literacy and infant mortality rates,</p>	(a) to (f) The recommendations have



Topic/Issue	Recommendations on Capacity Building for Conflict Resolution (7 <sup>th</sup> Report)	Government's Decision
	<p>along with indices of social and economic infrastructure, should be developed by the Planning Commission for the 12th Five Year Plan.(55)</p> <p>(b) Union and State Governments should adopt a formula for Block-wise devolution of funds targeted at more backward areas.(56)</p>	been accepted.
<b>9. (Para 11.6) Regional Disparities</b>	<p>(c) Governance needs to be particularly strengthened in more backward areas within a State. The role of 'special purpose vehicles' such as backward area development boards and authorities in reducing intra-State disparities needs to be reviewed. It is advisable to strengthen local governments and make them responsible and accountable.(57)</p> <p>(d) A system of rewarding States (including developed States) achieving significant reduction in intra-State disparities should be introduced.(58)</p> <p>(e) Additional funds need to be provided to build core infrastructure at the inter-district level in less developed States and backward regions in such States. The quantum of assistance should be made proportionate to the number of people living in such areas.(59)</p> <p>(f) The approach to all such funding should be outcome driven. The strategy should be to define acceptable minimum norms of human and infrastructure development that every block in the country should attain and funding should be driven by the consideration to achieve the norms so defined.(60)</p>	(a) to (f) The recommendations have been accepted.
<b>10. (Para 12.6.1.4) Capacity Building in Administration in the North East</b>	<p>(a) Greater opportunities may be provided to officers serving in the region to serve outside the North East to gain greater exposure to diverse work situations. Local and technical officers from the State should also be given opportunities to serve in larger States and to improve their professional qualifications through training in the country and abroad.(61)</p> <p>(b) Incentives available for officers working in the North East should be increased.(62)</p> <p>(c) Regional training institutions for various branches of administration, including the technical services may be operated by the North Eastern Council.(63)</p> <p>(d) NEC may initiate discussions with the States to examine the legal implications and feasibility of regional cadres for senior positions in technical and specialised departments under the States.(64)</p> <p>(e) NEC and the Ministry of Home Affairs may, in collaboration with the States, draw up an agenda for administrative reforms for the region with its implementation being</p>	<p>(a) The recommendation has not been accepted.</p> <p>(b) The recommendation has been accepted.</p> <p>(c) The recommendation has not been accepted</p> <p>(d) &amp; (e) The recommendations have been accepted.</p>

Topic/Issue	Recommendations on Capacity Building for Conflict Resolution (7 <sup>th</sup> Report)	Government's Decision
	monitored systematically. Satisfactory performance in implementation of this charter may qualify the States to additional funding including special economic packages.(65)	
<b>11. (Para 12.6.2.4) Capacity Building in Police in the North East</b>	(a) The North Eastern Police Academy (NEPA) needs major upgradation of infrastructure and staff to cater to a larger number of officers at the induction level. NEPA may also be developed for imparting training to civil police officers from other regions in dealing with insurgency. Financial and other incentives are necessary for attracting and retaining instructors in the Academy from the Central Police organisations and civil police particularly those with proven track record in counter insurgency operations.(66) (b) Concrete steps are needed to introduce a scheme of deploying police personnel from the region to Central Police Organisations and to encourage deputation of police officers from outside the region to the North Eastern States.(67)	(a) & (b) The recommendations have been accepted.
<b>12. (Para 12.6.3.1.7) Capacity Building in Local Governance Institutions in the North East – Sixth Schedule Councils</b>	(a) To avoid complaints of less favourable treatment to 'Scheduled Areas' in certain respects, suitable amendment may be made in the Sixth Schedule of the Constitution to enable the Autonomous Councils to benefit from the recommendations of State Finance Commissions and the State Election Commissions provided respectively under Articles 243I and 243K of the Constitution of India.(68) (b) The Union Government, Government of Meghalaya and the Autonomous Councils in that State may review the existing pattern of relationship between the Councils and the State Government to evolve a satisfactory mechanism to resolve conflicts between the Councils and the State Government.(69) (c) Ministry of Home Affairs may, in consultation with the concerned State Governments and the Autonomous Councils, identify powers under the Sixth Schedule that Governors may exercise at their discretion without having to act on the 'aid and advice' of the Council of Ministers as envisaged in Article 163 (1) of the Constitution.(70) (d) Paragraph 14 of the Sixth Schedule may be suitably amended to enable the Union Government to appoint a common Commission for all autonomous districts for assessing their state of administration and making other recommendations envisaged in that paragraph. A periodicity may also be provided for the Commission.(71)	(a) to (e)The recommendations have been accepted.
<b>12. (Para 12.6.3.1.7) Capacity Building in Local Governance Institutions in the North</b>	(e) Government of Assam should review the existing arrangements of determining budgetary allocations and release of funds to the 'original' Autonomous Councils with a view, as far as practicable, to bringing them at par with the arrangements for the Bodoland Territorial Council.(72)	(a) to (e)The recommendations have been accepted.

Topic/Issue	Recommendations on Capacity Building for Conflict Resolution (7 <sup>th</sup> Report)	Government's Decision
<b>East – Sixth Schedule Councils</b>		
<b>13. (Para 12.6.3.2.4) Capacity Building in Local Governance Institutions – Village Level Self-governance in the Tribal North East</b>	<p>(a) Measures should be taken to ensure that all the Autonomous Councils pass suitable legislation for establishing of village level bodies with well defined powers and a transparent system of allocation of resources.(73)</p> <p>(b) Stipulation may be made in the rules relating to release of grants to the Autonomous Councils to the effect that passage of appropriate legislation for elected village level bodies and its implementation, will entitle the Councils to additional funding.(74)</p> <p>(c) To enable the Autonomous Councils to discharge their responsibilities satisfactorily, it is imperative that the requirement of funds by these bodies is worked out normatively with reference to the minimum standards of service to be provided and capacity to raise localresources.Suchexercisecouldbe undertaken by the State Finance Commission.(75)</p> <p>(d) Nagaland has made commendable efforts to usher in a paradigm of decentralised village self-governance which combines the elective element with traditional power centers. The Ministry of Rural Development should formally recognise this arrangement for implementation of various development and poverty alleviation initiatives.(76)</p> <p>(e)GovernmentofMeghalayamaytake steps for extension of the experiment of elected village committees in the Garo Hills for implementation of the National Employment Guarantee Act throughout the State for implementation of all rural development programmes.(77)</p> <p>(f) It is imperative that in all States where village bodies administer justice under customary laws by virtue of the Sixth Schedule or other laws, such laws are duly codified.(78)</p>	(a) to (f) The recommendations have been accepted.
<b>14. (Para 12.6.3.4.3) Capacity Building in Local Governance Institutions in the North East – Tribe Specific Councils in Assam and other Issues</b>	<p>(a) Government of Assam may apportion functions between the tribe specific Councils/ villageCouncilsandthePanchayatiRaj Institutions in a manner that schemes involving individual tribal beneficiaries may be assigned to the 'Tribe Specific Councils' while area development schemes are left to the latter.(79)</p> <p>(b) State Governments may initiate a system of meeting at least the establishment costs of the Councils from sources outside the tribal sub plan and build in these requirements in their projections to the next Finance Commission.(80)</p> <p>(c) State Governments may take steps to identify innovative initiatives which could be entrusted to the Tribe Specific Councils without affecting area development concerns.(81)</p>	(a) to (e)The recommendations have been accepted.

Topic/Issue	Recommendations on Capacity Building for Conflict Resolution (7 <sup>th</sup> Report)	Government's Decision
	(d) Suitable guidelines may be prepared for preparation of District and sub-District plans in the relevant areas through joint efforts of the Tribe Specific Councils and the Panchayati Raj Institutions.(82)	
	(e) While continuous and vigorous measures are needed to bring about a consensus between various sections of society in Manipur about revival of the Hill Districts Councils, steps may be urgently taken to bring in suitable legislation to introduce elected village level bodies in the hill areas of that State.(83)	
<b>15. (Para 12.6.4.3) Capacity Building in Regional Institutions in the North East – NEC and DONER</b>	(a) The NEC Act, 1971 may be suitably amended to restore the original 'conflict resolution provision' requiring the Council to 'discuss issues of mutual interest to two or more states in the region and to advise the Central Government thereon'.(84)	(a) Accepted in principle. Ministry of Home Affairs should take up this matter with North- East Council.
	(b) To enable the Council to assist effectively in the discharge of its responsibilities for reviewing the measures taken by the member-States for maintenance of security in the region, Ministry of Home Affairs should keep the Council Secretariat regularly within its 'security coordination loop'. The Council Secretariat would also need to be suitably strengthened to effectively assist in security coordination.(85)	(b) Accepted in principle. Ministry of Home Affairs should examine this issue in consultation with NEC.
	(c) The Planning Commission needs to lay down a framework for preparation of integrated regional plans, with priorities and not as an assortment of schemes by the NEC. The regional plan should focus on areas with a bearing on intra-regional, inter- State priorities which have the potential of avoiding conflicts and promoting regional integration.(86)	(c) & (d) The recommendations have been accepted.
<b>15. (Para 12.6.4.3) Capacity Building in Regional Institutions in the North East – NEC and DONER</b>	(d) Planning Commission should ensure the association of the NEC in the State plan formulation exercise by suitably amending their guidelines.(87)	(c) & (d) The recommendations have been accepted.
	(e) The responsibility of sanctioning funds from the 'Non Lapsable Central Pool of Resources' (NLCPR) should be entrusted to the North Eastern Council (NEC). NEC should work out mechanisms for scrutinizing proposals for funding from the 'pool' and their funding in coordination with the Ministries concerned.(88)	(e) The Recommendation has not been accepted as NEC is a planning body.
	(f) It is desirable that a 10-year perspective plan is prepared for the entire region encompassing areas like development of human resources and infrastructure. A governance reform agenda should also form part of this plan. This comprehensive plan needs to be reviewed by the Prime Minister regularly with the Chief Ministers for speedy	(f) The recommendation has been accepted.

Topic/Issue	Recommendations on Capacity Building for Conflict Resolution (7 <sup>th</sup> Report)	Government's Decision
	<p>follow-up.(89)</p> <p>(g) The Ministry for Development of North Eastern Region (DONER) may be abolished and the responsibility for the development of the region, including the infrastructure sectors, and utilisation of the non-lapsable fund should be restored to the subject matter Ministries, with the MHA acting as the nodal Ministry.(90)</p>	<p>(g) The recommendation has not been accepted as Ministry of DoNER provided undivided attention to development of North East. However, a review of functioning of NEC and DoNER can be undertaken to make these bodies more effective.</p>
<p><b>16. (Para 12.6.5.2) Capacity Building in Other Regional Institutions in the North- East</b></p>	<p>(a) NEC may prepare a comprehensive scheme for making NEHU a centre for advanced study in Sciences, Social Sciences and Humanities to address diverse issues common to the region as a whole. NEC may also actively coordinate arrangements with the State Governments to make NEIGRIHMS a centre for tertiary health care particularly for the low income groups in the region.(91)</p>	<p>(a) The recommendation has been accepted.</p>
<p><b>17. (Para 12.6.6.3) National Register of Indian Citizens</b></p>	<p>(a) The MNIC project needs to be taken up on a priority basis. Since there are several Union Government and State Government agencies which issue similar identity cards, it would be necessary to achieve convergence amongst all such systems so that the MNIC becomes the basic document for identification of a person and lends itself to be used as a multi-purpose individual card. Priority should be given to areas having international borders, for implementation of this Project.(92)</p>	<p>(a) The recommendation has been accepted.</p>
<p><b>18. (Para 12.6.7.2) Capacity Building in the North East – Miscellaneous Issues</b></p>	<p>(a) The recommendations of the High Level Commission contained in its Report – ‘Transforming the North East’ - and the report of the Task Force on Development Initiatives prepared by the North Eastern Council should be implemented to fill the gaps in infrastructure in the region.(93)</p> <p>(b) A comprehensive framework needs to be evolved and put in place to promote the region as a preferred investment destination.(94)</p> <p>(c) A Transport Development Fund to finance construction of important road corridors should be set up.(95)</p> <p>(d) Comprehensive implementation of a ‘look east’ policy though relevant for the country</p>	<p>(a) &amp; (b) The recommendations have been accepted.</p> <p>(c) The recommendation has not been accepted.</p> <p>(d) to (i) The</p>

Topic/Issue	Recommendations on Capacity Building for Conflict Resolution (7 <sup>th</sup> Report)	Government's Decision
	<p>as a whole, is especially important for the long term growth of the North East. The agenda for its implementation must be prepared in active association with the State Governments. Clear apportionment of responsibility for planning and implementation of the policy between various Ministries of the Union Government for its implementation should be expeditiously undertaken.(96)</p> <p>(e) Rail connectivity should be improved in the region on a priority basis.(97)</p> <p>(f) Much greater efforts are needed to establish bank branches and other credit disbursement outlets through further relaxation and incentivisation in the policies of the Reserve Bank and other financial institutions.(98)</p> <p>(g) There is need for setting up of centres of excellence for professional and higher education in the North East. In addition, a large scale expansion of facilities for technical education, such as ITIs, should be carried out to create a pool of skilled work force and generate entrepreneurial capacity as well as employment.(99)</p>	<p>recommendations have been accepted.</p>
<p><b>18. (Para 12.6.7.2) Capacity Building in the North East – Miscellaneous Issues</b></p>	<p>(h) There is a need to make an in-depth study of the customary judicial system in order to achieve better understanding and dissemination of the prevailing norms and practices.(100)</p> <p>(i) It is necessary to evolve a credible system of maintenance of land records for the North East.(101)</p>	<p>(d) to (i) The recommendations have been accepted.</p>
<p><b>19. (Para 13.2.5) Executive and Conflict Management – Police and Executive Magistracy</b></p>	<p>(a) Police Reforms recommended by the Commission in its Fifth Report, “Public Order” (Chapters 5 and 6) are likely to augment the institutional capacity of the Police to play a more proactive and effective role in conflict resolution. The Commission, therefore, reiterates these recommendations.(102)</p> <p>(b) Police Manuals must be updated to contain suitable provisions extending the scope of responsibilities of Police officials to include conflict resolution in their charter of duties. Suitable amendments in training formats may also be carried out to provide relevant inputs on the subject. Achievements under this ‘head’ needs to be taken into account while evaluating overall performance.(103)</p> <p>(c) Executive Magistrates in their capacity as Revenue and other field level officials have extensive public inter-face and enjoy considerable goodwill particularly in rural areas. Their familiarity with the field situation and general acceptability makes them eminently suitable to be involved as interlocutors in mediating in local conflicts. State Governments need to build on the modalities and the institutional framework in this regard.(104)</p>	<p>(a) to (c) The recommendations have been accepted.</p>

Topic/Issue	Recommendations on Capacity Building for Conflict Resolution (7 <sup>th</sup> Report)	Government's Decision
<b>20. (Para 13.3.4) Judicial Delays and Alternative Dispute Redressal</b>	(a) Allocation of resources for upgradation of infrastructure and personnel of the subordinate judiciary needs to receive higher priority in federal fiscal transfers.(105)	(a) to (c) The recommendations have been accepted.
	(b) Much greater attention needs to be paid to make the institution of Lok Adalats serve their intended objective, and in particular to enlist active cooperation of the members of the Bar to give this approach a chance of success.(106)	
	(c) Ministry of Law may initiate a dialogue with the Bench and the Bar of the higher judiciary to explore ways and means of bringing 'greater finality' to the decisions of quasi-judicial authorities and bodies.(107)	
<b>21. (Para 13.4.5) Civil Society and Conflict Resolution</b>	(a) While social capital formation needs encouragement to improve delivery of services and build community self reliance, it is imperative that such initiatives also attempt to involve communities in 'in-house' conflict resolution.(108)	(a) & (b) The recommendations have been accepted.
	(b) General policy guidelines need to be formulated by the State Governments for involving both the Panchayats and urban local bodies along with 'nonpolice' instrumentalities of the State, in conflict resolution.(109)	
	(c) Guidelines of Centrally sponsored and Central Sector Schemes may be suitably modified to require that beneficiary capacity building may also emphasise developing self-reliance in local conflict management.(110)	(c) The recommendation has not been accepted.
<b>22. (Para 14.3.1.1.10) Institutional Arrangements for Conflict Management – The Inter-State Council</b>	(a) The conflict resolution role envisaged for the Inter-State Council under Article 263 (a) of the Constitution should be effectively utilised to find solutions to disputes among States or between all or some of the States and the Union.(111)	(a) The recommendation has been accepted.
	(b) The Inter-State Council may not, however, exist as a permanent body.As and when a specific need arises, a suitable Presidential order may be issued constituting and convening the Council to consider a dispute or coordination of policy or action on matters of interest to the Union and concerned States. This body may cease to function once the purpose for which it was constituted is completed.(112)	(b) The recommendation has not been accepted and Inter State Council is a constitutional body with clear mandate.
	(c) The composition of an Inter-State Council may be flexible to suit the exigencies of the matter referred to it under Article 263.(113)	(c) & (d) The recommendations have been accepted.
	(d) If necessary, more than one Inter-State Council could be in existence at the same time with different terms of reference and composition as warranted for each Council.(114)	
<b>23. (Para 14.3.1.2.5) Institutional</b>	(a) The National Commissions for Scheduled Castes and Scheduled Tribes have an important mandate to guide review and monitor the implementation of safeguards	(a) & (b) The recommendations have

Topic/Issue	Recommendations on Capacity Building for Conflict Resolution (7 <sup>th</sup> Report)	Government's Decision
<b>Arrangements for Conflict Management – The National Commission for Scheduled Castes and</b>	provided for SC/STs in various fields, including in the matter of their service conditions. It is imperative that the focus of the two Commissions remains on policy and larger issues of implementation rather than on cases of an individual nature which can be looked into by the administrative Ministries/ appropriate forum with the Commissions playing a critical oversight role.(115)	been accepted.
<b>The National Commission for Scheduled Tribes</b>	(b) The administrative Ministries connected with the two Commissions may undertake an exercise, and in consultation with these bodies, work out the details of how these bodies could be better enabled to discharge their constitutional mandate.(116)	(a) & (b) The recommendations have been accepted.
<b>24. (Para 14.3.2.1.4) Institutional Arrangements for Conflict Management – The Zonal Councils</b>	(a) The system of Zonal Councils may be dispensed with. Important issues of Inter- State coordination or disputes between States in the same region may, wherever necessary, be entrusted to an Inter-State Council with appropriate composition and terms of reference so that any given issue is considered in depth.(117)	(a) The recommendation has been accepted.
<b>25. (Para 14.3.3.1.8) Institutional Arrangements for Conflict Management – The National Integration Council</b>	(a) The mandate of the National Integration Council (NIC) requires consideration of all factors impinging on national cohesion, and not only communalism or communal violence. The agenda of the NIC needs to be diversified.(118)	(a)&(b) The recommendations have been accepted
	(b) Substantive issues before the Council may be considered in detail in smaller, subject-matter specific committees.(119)	
	(c) The composition of the NIC may be rationalised to facilitate consideration of a wider variety of issues. Broad guidelines may be framed by the Ministry of Home Affairs for identifying interest groups and specialty streams that need to be represented on the NIC.(120)	(c) The recommendation has not been accepted.
	(d) The Council may meet at least once a year, while the sub-committees could meet as often as required to complete the assigned task in a time-bound manner.(121)	(d) The recommendation has been accepted.
	(e) Summary proceedings of the NIC may be laid before both Houses of Parliament.(122)	(e) The recommendation has not been accepted.
	(f) The Indian Council of Social Science Research (ICSSR) and the Planning Commission may take a lead in the matter of establishing a multidisciplinary research and policy analysis platform to discuss issues concerning national integration either in an existing institution or by promoting a new institution or as a network.(123)	(f) The recommendation has been accepted.



Topic/Issue	Recommendations on Capacity Building for Conflict Resolution (7 <sup>th</sup> Report)	Government's Decision
<b>26. (Para 14.3.3.3.2)</b> <b>Institutional Arrangements for Conflict Management – National Development Council and Other Apex Level Bodies</b>	(a) Specific rules of procedure for the National Development Council and other apex level bodies may be drawn up to ensure focussed deliberations.(124)	(a) The recommendation has not been accepted as these apex level institutions should have requisite flexibility.
<b>27. (Para 14.4.2)</b> <b>Institutional Arrangements for Conflict Management – Other Institutional Innovations</b>	(a) State Integration Councils may be constituted to take stock of State level conflict situations having suitable linkages with the NIC. In important matters, the report of State level bodies may also be brought for consideration, advice and recommendations of the NIC. Guidelines for deciding the membership to the National Integration Council may also give suitable weightage to adequately representing the State Integration Councils in the national body.(125) (b) District level integration Councils (District Peace Committees) having suitable linkages with the State Councils may also be considered particularly for Districts with a history of violent, divisive conflicts. These should comprise eminent individuals enjoying confidence of all sections of society. These bodies may play mediatory and advisory roles in conflict situations.(126)	(a)&(b) The recommendations have been accepted.

### Combating Terrorism (Government Decisions Not Available)

Topic/Issue	Recommendations on Combating Terrorism (8 <sup>th</sup> Report)
<b>1. (Para 4.1.6.9) Need for a Comprehensive Anti Terrorist Legislation</b>	a. A comprehensive and effective legal framework to deal with all aspects of terrorism needs to be enacted. The law should have adequate safeguards to prevent its misuse. The legal provisions to deal with terrorism could be incorporated in a separate chapter in the National Security Act, 1980.

Topic/Issue	Recommendations on Combating Terrorism (8 <sup>th</sup> Report)
<b>2. (Para 4.2.9) Definition of Terrorism</b>	a. There is need to define more clearly those criminal acts which can be construed as being terrorist in nature. The salient features of this definition should inter alia include the following: i. use of firearms, explosives or any other lethal substance to cause or likely to cause damage to life and property and essential infrastructure including installations/establishments having military significance. ii. assassination of (including attempt thereof) public functionaries. The intent should be to threaten the integrity, security and sovereignty of India or overawe public functionaries or to terrorise people or sections of people. iii. Detention of any person or threat to kill or injure any person to force the government to act or abstain from acting in a particular manner. iv. Providing/facilitating material support, including finances, for the aforesaid activities. v. Commission of certain acts or possession of certain arms etc. by members or supporters of terrorist organizations which cause or are likely to cause loss of life, injury to a person or damage to any property.
<b>3. (Para 4.3.8) Bail Provisions</b>	a. Regarding grant of bail, the law should provide that: i. Notwithstanding anything contained in the Code, no person accused of an offence punishable under this Act shall, if in custody, be released on bail or on his own bond unless the Court gives the Public Prosecutor an opportunity of being heard; ii. Where the Public Prosecutor opposes the bail application of accused to release on bail, no person accused of an offence punishable under this Act or any rule made thereunder shall be released on bail until the Court is satisfied that there are grounds for believing that the accused is not guilty of committing such offence. Provided that after the expiry of a period of one year from the date of detention of the accused for an offence under this Act, the provisions of sub-section (i) of this section shall apply. iii. A Review Committee should review the case of all detenus periodically and advise the prosecution about the release of the accused on bail and the prosecution shall be bound by such advice.
<b>4. (Para 4.4.5) Period of Detention (Remand) during Investigation</b>	a. For terrorist and other related offences, it should be provided that Section 167 of the CrPC shall apply subject to the modification that in sub-section (2), the references to “fifteen days”, “ninety days” and “sixty days”, wherever they occur, shall be construed as references to “thirty days”, “ninety days” and “ninety days” respectively.
<b>5. (Para 4.5.10) Confession before a Police Officer</b>	a. Confession before the police should be made admissible as recommended in the Report on Public Order. But this should be done only if comprehensive police reforms as suggested by the Commission are carried out. Till such time, confessions should continue to be made before judicial magistrates under Section 164 CrPC.
<b>6. (Para 4.6.5) Presumptions under the Law</b>	a. The following legal provisions should be included regarding presumptions: If it is proved – i. that the arms or explosives or any other dangerous substance were recovered from the possession of the accused and there is reason to believe that such arms or explosives or other substances of similar nature, were used in the commission of such offence; or that by the evidence of an expert the fingerprints of the accused, or any other definitive evidence were found at the site of the offence or on anything including arms and vehicles used in connection with the commission of such offence the Court shall draw adverse inference against the accused. ii. If it is proved that the accused rendered any financial assistance to a person accused of, or reasonably suspected of, an offence of terrorism, the Court shall draw adverse inference against the accused.

Topic/Issue	Recommendations on Combating Terrorism (8 <sup>th</sup> Report)
<b>7. (Para 4.7.10) Review Committee</b>	a. A statutory Review Committee should be constituted to examine each case registered, within 30 days of its registration. The Review Committee should satisfy itself that a prima facie case has been made out by the investigation agency. This Committee should review each case every quarter.
<b>8. (Para 4.9.5) Special Courts</b>	a. Provisions for constitution of Special Fast Track Courts exclusively for trial of terrorism related cases may be incorporated in the law on terrorism. Other specific provisions related to such Special Courts may also be incorporated. Such Courts may be set up as and when required.
<b>9. (Para 4.10.3) Possession of Arms etc.</b>	a. Provision for penalizing unauthorized possession of certain specified arms and ammunition in notified areas and unauthorized explosive substances, weapons of mass destruction and biological or chemical substances of warfare in notified as well as non-notified areas, may be incorporated in the law on terrorism.
<b>10. (Para 4.11.4) A Federal Agency to Investigate Terrorist Offences</b>	a. The Commission would like to reiterate the recommendations made in its Report on 'Public Order' (paragraph 8.3.14) on the creation of a specialized Division in the CBI to investigate terror offences.
	b. It should be ensured that this Division of the CBI is staffed by personnel of proven integrity and who are professionally competent and have developed the required expertise in investigation of terrorism related offences. The autonomy and independence of this agency may be ensured through a laid down procedure of appointment and assured fixed tenure for its personnel.
<b>11. (Para 5.2.4) Measures against Financing of Terrorism – Anti-money Laundering Measures</b>	a. The Prevention of Money-laundering Act (PMLA) may be suitably amended at an early date to expand the list of predicate offences to widen its scope and outreach.
	b. The stage at which search and seizure action may be taken under the PMLA may be advanced in cases involving wider ramifications. Adequate safeguards may also be put in place in such cases.
	c. It may be examined whether institutional coordination mechanisms between the Directorate of Enforcement and other intelligence collecting and investigating agencies, could be strengthened and some provisions of the PMLA delegated to them by the Enforcement Directorate.
	d. The financial transaction reporting regime under the Financial Intelligence Unit (FIU-IND) may be extended to cover high risk sectors such as real- estate. There is also need to strengthen the capacity of FIU-IND to enable it to meet future challenges.
	e. It would be useful to utilize the platform provided by the Regional Economic Intelligence Councils (REICs) for increased coordination among various investigation agencies in cases which are suspected to be linked with money laundering. Further, owing to the complexity of cases involved, the FIU-IND, apart from disseminating agency specific information, should furnish overall region-centric information to the Central Economic Intelligence Bureau (CEIB) for disseminating it to the respective REICs with a view to expanding the information regime.

Topic/Issue	Recommendations on Combating Terrorism (8 <sup>th</sup> Report)
<b>12. (Para 5.3.4) Measures against Financing of Terrorism – Measures to Block the flow of Funds for Financing Terrorist Activities</b>	a. The new legal framework on terrorism may incorporate provisions regarding freezing of assets, funds, bank accounts, deposits, cash etc. when there is reasonable suspicion of their intended use in terrorist activities. Such actions may be undertaken by the investigating officer with the prior approval of a designated authority, subject to adequate safeguards. These provisions may be incorporated in a separate chapter in the National Security Act, 1980 as recommended in paragraph 4.1.6.9.
	b. A specialized cell may be created in the proposed National Counter- terrorism Centre drawing upon expertise from the Union Ministries of Finance and Home Affairs and the Cabinet Secretariat for taking concerted action on the financial leads provided from information gathered by various sources. Further, different investigation agencies dealing with financial transactions may setup anti-terrorist finance cells within their organizations to augment the efforts of intelligence agencies involved in counter- terrorism activities.
<b>12. (Para 5.3.4) Measures against Financing of Terrorism – Measures to Block the flow of Funds for Financing Terrorist Activities</b>	c. For speedy investigation into the financial aspects of specific cases/group of cases related to terrorist activities, dedicated teams may be formed within the agencies charged with the responsibility of investigating into offences related to terrorism. This may be accomplished by inducting officers having specialization in different aspects of financial investigation for short periods, say three to six months. A protocol for achieving this may be arrived at between the concerned Union and State Ministries/Departments to facilitate such capacity building and strengthening the effectiveness of the counter-terrorist measures.
<b>13. (Para 7.2.6) Role of Citizens, Civil Society and Media in Combatting Terrorism– Education</b>	a. NCERT has proposed a scheme to encourage and support institutions, voluntary agencies and NGOs etc. engaged with school education for promotion of Education for Peace within the country. These initiatives need to be encouraged with necessary funds and other material support.
	b. The feasibility of extending the scheme to religious schools also needs to be examined.
<b>18. (Para 7.4.7) Role of Citizens, Civil Society and Media in Combatting Terrorism – Media</b>	a. The potential of media in spreading education and awareness needs to be tapped to build the capacity of citizens in dealing with any public disorder, particularly terrorist violence.
	b. Media should be encouraged to evolve a self regulating code of conduct to ensure that publicity arising out of terrorist attacks does not help the terrorist in their anti-national designs.

## Social Capital - A Shared Destiny

Topic/Issue	Recommendations on Social Capital (9 <sup>th</sup> Report)	Government's Decision
<p><b>1. (Para 3.1.2.6) New Legal Framework for Charities in India</b></p>	<p>a) The Union Government should draft a comprehensive model legislation covering both Trusts and Societies in lieu of the existing laws on Societies, Trusts, Endowments and Charitable Institutions etc.(1)</p> <p>b) In place of the present charity administration consisting of a Charity Commissioner / Inspector General of Registrations as existing in the States, the proposed law should provide for a new governance structure in the form of a three member Charities Commission in each State with necessary support staff for incorporation, regulation and development of Charitable Organisations. The Chairman of the Commission should be a law officer drawn from the cadre of District Judges. Out of the other two members, one should be drawn from the voluntary sector and the other would be an officer of the State Government. In addition, the State should also have a Charities Tribunal which would exercise appellate powers over the orders of the Charities Commission.(2)</p> <p>c) The proposed model legislation should indicate a cut off limit with regard to the annual revenue of a Charity. Organisations having an annual income below this threshold will have lighter compliance requirements with respect to submission of returns /reports/ permission etc. However, if irregularities are detected in their functioning, the organisations will be liable for legal and penal action. To start with, the cut off limit could be set at Rs.10 lakhs which could be reviewed for upward revision once in five years.(3)</p> <p>d) The government should set up an Inclusive Committee which will comprehensively examine the issue of defining „Charity“ and „Charitable Purpose“ and suggest measures to “soften” charities- government relationship, particularly in tax matters.(4)</p> <p>e) The model legislation should take into consideration the views and suggestions made above with regard to the following issues of charity administration: i. Interface with the State Government ii. Alteration in the memorandum iii. Approval on change report iv. Alienation of immovable property v. Contribution by Public Trusts to the State Government(5)</p>	<p>(a) to (e) The Recommendations have been accepted. Law Commission may be requested to consider formulation of model law to be suggested to State Govts. It was further recommended that it should be made mandatory for charity organizations and NGOs to take Permanent Account Number (PAN).</p>
<p><b>2. (Para 3.2.6.2.5) Corporate Social Responsibility`</b></p>	<p>a) When a community benefit project is taken up by a corporate entity, there should be some mutual consultation between the company and the local government so that there is no unnecessary overlap with other similar development programmes in the area.(6)</p> <p>b) Government should act as a facilitator and create an environment which encourages business and industry to take up projects and activities which are likely to have an impact</p>	<p>(a) &amp; (b) The recommendations have been accepted.</p>

Topic/Issue	Recommendations on Social Capital (9 <sup>th</sup> Report)	Government's Decision
	on the quality of life of the local community.(7)	
<b>3. (Para 3.2.7.2.8) Accreditation of Voluntary Organisations</b>	<p>a) There should be a system of accreditation / certification of voluntary organisations which seek funding from government agencies.(8)</p> <p>b) Government should take initiative to enact a law to set up an independent Body – National Accreditation Council – to take up this work. In the beginning, Government may need to provide a onetime corpus of funds to this organisation.(9)</p> <p>c) The above law should provide details with regard to the constitution of the Council, its functions, its powers to levy appropriate fees from the applicants, and other related matters.(10)</p>	(a) to (c) : The recommendations have been accepted. It was further decided that registration of the voluntary organizations should be encouraged. Task Force for Accreditation of Voluntary Organisations set up by the Planning Commission should be requested to expedite its Report.
<b>4. (Para 3.3.7) Charitable Organisations and Tax Laws</b>	<p>a) Under Section 12AA and Section 80G, the registration or approval should be granted or an order rejecting the application should be passed within a period of ninety days from the date of filing of the application instead of the present one hundred and eighty days.(11)</p> <p>b) In view of the fact that infrastructure projects are a critical component of charitable institutions, the period for accumulation of surplus which is currently five years needs to be further enhanced.(12)</p> <p>c) The present National Committee may be replaced by four Regional Committees to recommend “deduction on expenditure” to the Union Government under Section 35AC of the Income Tax Act.(13)</p>	(a) to (c) The recommendations have not been accepted.
<b>5. (Para 3.4.4) Regulation of Foreign Contribution</b>	<p>a) The Foreign Contribution (Regulation) Bill, 2006 needs to be amended to include inter-alia the following suggestions: i. There should be a fine balance between the purpose of the legislation on one side and smooth functioning of the voluntary sector on the other. The objectives of such a regulatory legislation should be properly enunciated to avoid subjective interpretation of law and its possible misuse.(14)</p> <p>ii. There should be a time limit for procedures falling under Section 11 (seeking registration or prior permission for receiving foreign contribution).(15)</p> <p>iii. Transparent rules/guidelines should be prescribed for inter-agency consultation particularly in respect of (a) the minimum amount of donation which would require inter-agency consultation, (b) the level of the Authority which would authorize it, and (c)</p>	(a) (i) to (iv) The Amendment Bill is under consideration of the Govt. which has taken into consideration ARC recommendations. However, de- centralization and delegation to State Govt./District Administration has not been

Topic/Issue	Recommendations on Social Capital (9 <sup>th</sup> Report)	Government's Decision
	setting uptime limits for such procedures.(16)	agreed to.
	iv. To facilitate (a) speedy disposal of registration / prior permission petitions received from organisations, (b) effective monitoring of their activities, and (c) proper scrutiny of returns filed by them, some of the functions under the Foreign Contribution (Regulation Act) should be decentralised and delegated to State Governments/ District Administration.(17)	
	v. Other concerns as stated in paragraph 3.4.1.5.3 also need to be considered.(18)	(v) These issues were considered by the Parliamentary Standing Committee on Home which examined FCRA Bill, 2006, and most of these suggestions were not agreed to. Hence, this recommendation is not accepted.
	b) Organisations receiving an annual foreign contribution equivalent to less than Rs.10.00 lakh in a year (the figure to be reviewed from time to time) should be exempted from registration and other reporting requirements of the law. They should be asked, instead, to file an annual return of the foreign contribution received by them and its utilisation at the end of the year. The law may provide that they may be liable to be investigated, if there is a reasonable suspicion of suppression / misrepresentation of facts, and penal provisions of the law will be used against them in case violation is established.(19)	(b) The recommendation has not been accepted
<b>6. (Para 4.6.10) Issues of Self-Help Group Movement</b>	a) The role of the Government in the growth and development of the SHG movement should be that of a facilitator and promoter. The objective should be to create a supportive environment for this movement.(20)	(a) to (k) The recommendations have been accepted.
b) Since a large number of rural households in the North-Eastern States and Central-Eastern parts of the country (Bihar, Jharkhand, Uttar Pradesh, Uttarakhand, Orissa, Madhya Pradesh, Chhattisgarh and Rajasthan) do not have adequate access to formal sources of credit, a major thrust on the expansion of the SHG movement in these areas should be facilitated. The presence of NABARD should be much more pronounced in these places.(21)	c) The SHG movement needs to be extended to urban and semi-urban areas. State	

Topic/Issue	Recommendations on Social Capital (9 <sup>th</sup> Report)	Government's Decision
	<p>Governments, NABARD and commercial Banks should join together to prepare a directory of activities and financial products relevant to such areas.(22)</p> <p>d) Currently, the commercial Banks, on the basis of a project's financial viability can disburse microcredit in urban and semi- urban areas on their own but such micro- credit disbursements are not entitled to refinance from NABARD. If necessary, the NABARD Act, 1981 may be amended suitably to bring urban / semi-urban areas under its refinance mandate.(23)</p> <p>e) The SHG – Bank Linkage model with a mentor SHPI in tow deserves to be encouraged as the preferred mode for financial intermediation throughout the country.(24)</p> <p>f ) Commercial Banks and NABARD in collaboration with the State Government need to continuously innovate and design new financial products for these groups.(25)</p> <p>g) There should be a planned effort to establish RRB networks in the 87 districts of the country which currently do not have RRB presence.(26)</p> <p>h) Special steps should be taken for training / capacity building of government functionaries so that they develop a positive attitude and treat the poor and marginalized as viable and responsible customers and as possible entrepreneurs.(27)</p>	
<p><b>6. (Para 4.6.10) Issues of Self-Help Group Movement</b></p>	<p>i) Rural credit is often viewed as a potential Non Performing Asset. There is need to educate government employees and Bank personnel in this regard. Technology may be leveraged to reduce the cost of reaching out to the poorest of the poor.(28)</p> <p>j) There is need to review the scale of the promotional grant given to SHPIs by NABARD (currently Rs.1500/- per SHG formed and activated).(29)</p> <p>k) In order to scale up the operations of the Rashtriya Mahila Kosh, its corpus should be enhanced substantially. RMK's geographical reach should be expanded to help quick processing of loan applications and effective monitoring of the sanctioned projects in far off areas. The Kosh may open adequately staffed regional offices at selected places in the country and give greater attention to the credit deficient States.(30)</p>	<p>(a) to (k) The recommendations have been accepted.</p>
	<p>l) The Micro Financial Sector (Development and Regulation) Bill, 2007 needs to be amended to include the following suggestions:- i. The scope of Micro-finance Services should be substantially widened to cover credit / savings, insurance, pension services, money transfer, issue / discount of warehouse receipts and future / option contracts for agricultural commodities and forest produce.(31)</p> <p>ii. „Nidhis“ registered under Section 620A of the Companies Act, and Producer Companies should be brought under the new legislation.(32)</p>	<p>(l) (i) to (iii) The recommendation has been accepted in principle and would be considered in the proposed Bill</p>



Topic/Issue	Recommendations on Social Capital (9 <sup>th</sup> Report)	Government's Decision
	iii. The activities of Section 25 Companies to the extent they concern micro-financial services as described under the proposed Bill should also be brought under the purview of this legislation. However, for their management and other functions, they will continue to be governed by the provisions of the Companies Act.(33)	
	iv. The issue of interest rate charged by the MFIs should be left to the Regulatory Authority which is being created under the proposed Bill.(34)	(iv) The recommendation has not been accepted
<b>6. (Para 4.6.10) Issues of Self-Help Group Movement</b>	v. It should be ensured that if MFIs are allowed to handle thrift / savings and money transfer services, they would do so only as business correspondents of commercial Banks. Other concerns as stated in Para 4.6.9.2 also need to be considered.(35)	v. The recommendation has not been accepted
	m) Micro-finance institutions covered under the proposed law should be kept out of the purview of the State laws on money- lending.(36)	(m) The recommendation has been accepted in principle and would be considered in the proposed Bill
<b>7. (Para 5.2.13) Separating Professional Education from Self-Regulatory Authorities</b>	a) Professional education should be taken away from the domain of the existing Regulatory Bodies and handed over to specially created agencies – one for each of the streams of higher/professional education. These Bodies may be called National Standards and Quality Council for Medicine, National Standards and Quality Council for Management etc. After this bifurcation, the work of the existing Regulatory Bodies“ would remain confined to issues concerning registration, skill upgradation and management of professional standards and ethics. On creation of these separate Councils, the AICTE will stand abolished.(37)	a) to (f) A separate Group of Ministers has been constituted to consider the issue of separating professional education from Self Regulatory bodies. It was decided that the decision of that GoM could be brought before this GoM for its consideration
	b) Such Councils should be created by law and their role should be to lay down norms, standards and parameters on issues concerning growth and development of their stream viz. (a) setting up new institutions, (b) designing/ updating curriculum, (c) faculty improvement, (d) carrying out research / innovation, and (e) other key issues concerning the stream.(38)	
	c) The proposed law should take into consideration the following guiding principles while constituting these Councils i. Such Councils should have full autonomy. ii. The highest policy and decision making Body of these Councils should have a majority of independent members, and preferably no more than 2 or 3 drawn from government, who could be there in an ex- officio capacity. iii. These Councils should have a strong and effective	

Topic/Issue	Recommendations on Social Capital (9 <sup>th</sup> Report)	Government's Decision
	grievance redressal mechanism. iv. The Councils should be accountable to Parliament and their Report should be placed before the House annually. In addition, there should be strong norms for suo-motu disclosures under the RTI Act. v. Each of these Councils should have a body of experts to advise it on accreditation / certification of institutions falling under their jurisdiction. vi. Some of the members of such Councils can be elected from office bearers of specialty Associations (e.g. Indian Medical Association), as these members are elected by the practicing professionals in their individual speciality.(39)	
<b>7. (Para 5.2.13) Separating Professional Education from Self-Regulatory Authorities</b>	d) Within such norms, standards and parameters, the Universities/Autonomous Institutions should be given full autonomy for setting up and running institutions under their jurisdiction.(40)	a) to (f) A separate Group of Ministers has been constituted to consider the issue of separating professional education from Self Regulatory bodies. It was decided that the decision of that GoM could be brought before this GoM for its consideration
	e) The recommendations of the National Knowledge Commission regarding reforms in the structure, governance and functioning of Universities should be examined and implemented on priority. The process of appointment of Vice Chancellors should be free from direct or indirect interference of the government. Vice Chancellors should be given a fixed tenure and they should have adequate authority and flexibility to govern the Universities with the advice and consent of the Executive Council.(41)	
	f) There should be stronger ties between educational institutions in the public and private sectors through mechanisms such as exchange of faculty.(42)	
<b>8. (Para 5.3.5) Continuing Professional Education</b>	a) Every Professional Regulatory Body in coordination with the respective National Quality and Standards Council and Academic Institutions should conduct Continuing Professional Education programmes periodically for updation and skill enhancement of its members.(43)	(a) As per the comments against para 5.2.13.
<b>9. (Para 5.4.3) Ethical Education and Training</b>	a) After separation of professional education, the agenda of the Professional Regulatory Authorities should be to focus on (i) procedure for registration of new members / renewal of registration; and (ii) matters concerning professional ethics, standards and behavior. The Regulatory Authorities should also pay greater attention to conducting workshops, seminars and training programmes on such issues.(44)	(a) As per the comments against para 5.2.13.
<b>10. (Para 5.5.4) Enrolment in the Profession</b>	a) Within the parameters of the Act, the respective Regulatory Authority should be empowered to prescribe guidelines for enrolment of new members.(45)	(a) As per the comments against para 5.2.13.
<b>11. (Para 5.6.3) Renewal / Revalidation of Registration</b>	a) There should be a provision in the relevant laws that a professional registration/license will need revalidation after a prescribed number of years. It could be done after successful completion of a course prescribed by the respective Professional Regulatory	(a) The recommendation has not been accepted

Topic/Issue	Recommendations on Social Capital (9 <sup>th</sup> Report)	Government's Decision
	Authority.(46)	
<b>12. (Para 5.7.6) Disciplinary Mechanism</b>	<p>a) There should be provision in the relevant laws that in order to bring objectivity in their working, the Disciplinary Committees of the Regulatory Authorities at both the State as well as the national level should consist of professional and non-professional members. They could be inducted in the Committee in the ratio of 60:40 respectively.(47)</p> <p>b) The law should provide that such Bodies should be required to complete the entire disciplinary proceeding within a prescribed time span (say 90 days).(48)</p> <p>c) The law should also have a provision that anybody aggrieved with the findings of the State Panel could go in appeal to the National (Apex) Body which too will have to dispose of the matter within the prescribed time limit (say 90 days).(49)</p>	(a) to (c) As per the comments against para 5.2.13.
<b>13. (Para 5.8.10) Constitution and Composition of the Self-Regulatory Authorities</b>	<p>a) The structure and composition of the General Council and the Executive Committee of Professional Regulatory Authorities should be rationalised. As far as practicable, it should be uniform for all of them.(50)</p> <p>b) Every Authority should have a fairly large and representative General Council (the ideal number could be around 50; such a Body encourages a wider perspective and diversity of opinions).(51)</p> <p>c) The Executive Committee should be a small Body consisting of 10 to 15 members (a compact forum supports administrative efficiency and accountability).(52)</p> <p>d) There should be an explicit provision that a person cannot be elected to the post of President / Vice-President or General Secretary for more than one term. However, a person could be elected as a member of a Body for a maximum of two terms.(53)</p>	(a) to (d) As per the comments against para 5.2.13.
<b>14. (Para 5.8.12.4) Clients / Users – as Lay Members in Regulatory Authorities</b>	<p>a. The composition of the General Council as well as the Executive Committee should be such that 40% of the strength consists of lay members.(54)</p> <p>b. The nomination of lay members should be done by the Ministry /Department concerned in consultation with the appropriate Regulatory Authority.(55)</p>	(a) & (b) As per the comments against para 5.2.13.
<b>15. (Para 5.9.4) Accountability and Parliamentary Oversight</b>	a) The laws governing the Self-Regulatory Authorities should have a provision under which the Regulatory Authority should be required to present an Annual Report to the Parliament for scrutiny.(56)	(a) As per the comments against para 5.2.13.

Topic/Issue	Recommendations on Social Capital (9 <sup>th</sup> Report)	Government's Decision
<b>16. (Para 6.4.10) Cooperatives; Constitutional Context</b>	a) An Article should be added to Part-IV of the Constitution in the form of 43B where the State should be made responsible for making such laws that will ensure autonomous, democratic, member driven and professional cooperative institutions. In that case, a large scale Constitutional amendment on the pattern of Parts-IX and IX-A which was introduced by the 73rd and 74th Amendments, will not be necessary. The proposed Article 43B may read as follows: Article 43B: Empowerment of Co- operatives: "The State shall endeavour to secure by suitable legislation or economic organisation or any other way autonomous, democratic, member driven and professional cooperative institutions in different areas of economic activity particularly those relating to agriculture."(57)	(a) The recommendation has been accepted. An Amendment Bill is under consideration of the Govt.
	b) The Commission endorses the amendments suggested by the National Advisory Council and feels that this coupled with the amendment suggested in the Directive Principles would be a step in the right direction to make the cooperative institutions voluntary, democratic, professional, member-driven and member-centric enterprises. Accordingly, the following amendments may be made in the Constitution: Under Article 19, 19(1)(h) may be added as follows: "(h) to form and run cooperatives based on principles of voluntary and open membership, democratic member control, member economic participation, and autonomous functioning free from State control." Correspondingly, Article 19(4) should be amended as follows: "(4) Nothing in sub-clauses (c) and (h) of the said clause shall affect the operation of any existing law in so far as it imposes, or prevents the State from making any law imposing, in the interests of [the sovereignty and integrity of India or] public order or morality, reasonable restrictions on the exercise of the right conferred by the said sub- clause".(58)	(b) The recommendation has not been accepted
<b>17. (Para 6.5.6) Legislative Framework</b>	a) All States (other than Andhra Pradesh, Bihar, Jharkhand, Madhya Pradesh, Chhatisgarh, Orissa, Uttarakhand, Karnataka and Jammu and Kashmir) should immediately take steps to enact their own Mutually Aided /Self-Reliant Cooperative Societies Act on the pattern of the Model Law suggested by the Task Force on Revival of Cooperative Credit Institutions. The States where such Acts are already in existence should also examine the Model Law suggested by the Task Force and amendments in the existing legislations may be made, if so required.(59)	(a) & (b) The recommendations have been accepted.
	b) For the next few years, there is need to have parallel laws to deal separately with (i) the Mutually Aided / Self-Reliant cooperative societies formed under the recent enactments (post 1995), and (ii) societies formed under the old laws in which the government still has financial stakes. The societies referred at (ii) above should gradually	

Topic/Issue	Recommendations on Social Capital (9 <sup>th</sup> Report)	Government's Decision
	be encouraged to clear off their liabilities and convert into Mutually Aided Societies.(60)	
<b>18. (Para 6.6.8) Producer Companies</b>	<p>a) A new law regarding Producer Companies should be enacted on the basis of the following broad principles: Producer Companies should be given a liberal charter of functions to take up any primary activity as per their technical and financial capability; The law should provide for flexibility in investment of funds, surpluses / reserves; Depending on their functional requirement and financial strength, a Producer Company should have full flexibility in creating / abolishing executive and managerial posts; The compliance requirements with regard to the Company's audit and accounts should be in tune with the size of its operations; and v. The law should have provision for proxy voting in order to facilitate smooth conduct of elections and general meetings.(61)</p> <p>b) Co-operatives should be encouraged to incorporate themselves as Producer Companies under the existing provisions of Part IXA of the Companies Act, 1956 and subsequently under the new law, as and when enacted, as this would be a more viable option in the present environment. The existing inter-State cooperative societies may also explore the possibility of getting themselves converted into Producer Companies.(62)</p>	(a) & (b) The recommendations have not been accepted.
<b>19. (Para 6.7.15) Cooperative Credit and Banking Institutions</b>	<p>a) The process of implementation of the revival package for Short-Term Rural Cooperative Credit Structure (STCCS) formulated on the basis of the Vaidyanathan Committee Report should be completed immediately. It consists of the following major steps : i. States which have so far not signed the MOU for this purpose should be asked to do so without further loss of time. ii. The Banking Regulation Act, NABARD Act and the State Cooperative Societies Acts need to be suitably amended in order to improve the management/ governance of cooperative credit institutions. iii. A model Cooperative Law needs to be enacted by the States. States which do not wish to pass the Model Act, should introduce a separate chapter on Agricultural and Rural Credit Societies containing the salient provisions of the Model Law in their existing Cooperative legislation.(63)</p> <p>b) Similar steps should be taken in a time- bound manner in respect of the recommendations of the same Committee on Long-Term Cooperative Credit Structure (LTCCS).(64)</p>	(a) & (b) The recommendations have been accepted.
<b>20. (Para 7.7) Integrated Social Policy</b>	<p>a) Government should craft an integrated social policy which will ensure priority State action on the key issues relating to social justice and empowerment.(65)</p> <p>b) Government should provide a significant portion of its plan allocation for implementation of this integrated social policy.(66)</p>	(a) & (b) The recommendations have been accepted

## Refurbishing of Personnel Administration (Government Decisions Not Available)

Topic/Issue	Recommendations on Refurbishing Personnel Administration (10 <sup>th</sup> Report)
<b>1. (Para 5.3.6) Stage of Entry into the Civil Services</b>	<p>a. Government of India should establish National Institutes of Public Administration to run Bachelor's Degree courses in public administration/ governance/management. In the long run it is expected that these specialized centres of excellence (National Institutes of Public Administration) would evolve as major sources of civil services aspirants.</p>
	<p>b. Selected Central and other Universities should also be assisted to offer such graduate level programmes in public administration/governance/public management which will produce graduates to further expand the pool of eligible applicants to the civil services.</p>
	<p>c. The courses offered in these universities should include core subjects such as the Constitution of India, Indian legal system, administrative law, Indian economy, Indian polity, Indian history and culture apart from optional subjects.</p>
	<p>d. Graduates of the above mentioned special courses from the National Institutes of Public Administration and selected universities would be eligible for appearing in the Civil Services Examinations. Further, graduates in other disciplines would also be eligible to appear in the Civil Services Examination provided they complete a 'Bridge Course' in the core subjects mentioned above. The Bridge course should be run by the same selected national institutes/universities, which conduct the graduate level courses stated in (c) above.</p>
	<p>e. Liberal need-based scholarships should be provided to students admitted to the Institutes/Universities.</p>
	<p>f. An 'Expert Committee' should be appointed immediately by the Government in consultation with UPSC to develop the curricula and determine the admission policy to these selected institutes/universities. This Committee should inter alia have the following terms of reference: i. Lay down norms for identification universities and institutes where the said courses would be conducted. ii. Design the content of the curricula for the said courses in public administration. iii. Prescribe the modalities for admission to these courses. iv. Prescribe the modalities and design of the bridge courses. The Commission strongly recommends that the Expert Committee be appointed straightway so that the new courses could be started in some of these institutions/universities from the coming academic year. The Commission also feels that the bridge courses and their effectiveness should be reviewed based on the experience of five years.</p>
	<p>g. Since this is a major reform relating to an important area of governance and will need coordinated guidance, especially in the initial years, a high-level oversight/coordination committee with the Prime Minister as Chairman may be constituted to meet once in three months and give guidance to the implementing agencies and concerned institutions.</p>

Topic/Issue	Recommendations on Refurbishing Personnel Administration (10 <sup>th</sup> Report)
<b>1. (Para 5.3.6) Stage of Entry into the Civil Services</b>	h. The reforms to the scheme of the examination system as recommended in paragraph 5.5 may be taken up immediately. Examination and Recruitment reforms following the introduction of public administration/governance management as a full-fledged degree course in National Institutes of Public Administration and selected universities would take some time to be operationalised. Till then, the existing system, where students from all disciplines can appear for the competitive examinations, may continue. i. Students who have acquired a graduation degree in the above-mentioned course would have option to join any other career of their choice either in the public or private sector.
<b>2. (Para 5.4.17) Age of Entry and Number of Attempts</b>	<p>a. The permissible age for appearing in the Civil Services Examination should be 21 to 25 years for general candidates, 21 to 28 years for candidates from OBC and 21 to 29 years for candidates from SC/ST as also for those who are physically challenged.</p> <p>b. The number of permissible attempts in the Civil Services Examination should be 3, 5, 6 and 6 respectively for general candidates, candidates from OBC, candidates from SC/ST and physically challenged candidates respectively.</p> <p>c. The present cut-off date for determining the eligibility in terms of age (i.e. 1st of August in the year of the examination) may continue.</p>
<b>3. (Para 5.5.5.3) Structure of the Civil Services Examination</b>	<p>a. Structure of Examination: Either of the following two models may be adopted for compressing the examination cycle. i. The Preliminary and Main Examinations for the Civil Services Examination would be conducted together on two to three consecutive days. Evaluation of papers for the Main Examination should be done in case of only those candidates who have secured a threshold level of marks in the Preliminary Examination. The personality test would follow thereafter. OR ii. Based on the results of the Preliminary Examination, candidates eligible for taking the main examination and the personality test would be short listed in accordance with their rankings. Only these short-listed candidates would be eligible for appearing in the Main Examination, which would be conducted within two months of the Preliminary Examination. The short list would be limited to about two to three times of the number of vacancies available. Thus it would be possible to start the Personality Test and the Main Examination almost simultaneously.</p> <p>b. Content: ( i). The Preliminary Examination should consist of an objective type test having one or two papers on general studies including the Constitution of India, the Indian legal system, Indian economy, polity, history and culture. There should be no optional subjects.( ii). The Main Examination should consist of two papers only in the compulsory subjects. These compulsory subjects may include Constitution of India, Indian legal system, Indian economy, polity, history and culture etc. The question papers should be of the conventional descriptive type. Besides, there should be a separate essay paper as a part of the Main Examination.</p>
<b>3. (Para 5.5.5.3) Structure of the Civil Services Examination</b>	c. Steps may be taken by DOPT in consultation with the UPSC to finalise the syllabi of compulsory subjects for the both the preliminary and main examination, for the recruitment cycle 2010. This could later on be dovetailed with the recommendation of the "Expert Committee" suggested in Paragraph 5.3.6.

Topic/Issue	Recommendations on Refurbishing Personnel Administration (10 <sup>th</sup> Report)
<b>4. (Para 5.7.5) Other Modes of Induction into the Civil Services</b>	a. The induction of officers of the State Civil Services into the IAS should be done by the UPSC on the basis of a common examination.
	b. UPSC should conduct such an examination annually for officers from the State Civil Services who have completed 8 to 10 years of service in Grade 'A' posts. The eligibility criteria should also include norms such as an upper age limit of 40 years etc. On the basis of this examination, the UPSC should provide the State Governments with an eligibility list. The State Governments should fill up their quota for promotion to the IAS on the basis of this eligibility list. A maximum of two attempts should be allowed to an eligible candidate for taking this examination. To ensure that the existing officers in the State Civil Services are not denied adequate opportunities, the examination in the next two years may be conducted for all such eligible officers and the upper age limit of 40 years may be introduced, thereafter.
	c. The mechanism mentioned above should also be applied in case of induction into other All India Services at the State level.
	d. Induction by way of promotion into Group 'A' Central Services should, in addition to consideration of ACRs, also be done through conduct of examination on the basis of the criteria as mentioned above. The nature of the examination, ratio of posts to be filled by promotion etc. should be decided by the concerned departments in consultation with the UPSC.
<b>5. (Para 5.8.6) Allotment of Cadres to the All India Services</b>	a. The following amendments should be made in the new Cadre Allocation Policy (2008) for allocation of Cadre to candidates selected for the IAS: (i). At least one vacancy each year in each of the cadres of AGMUT (only for the State of Arunachal Pradesh) Manipur, Meghalaya, Mizoram, Nagaland, Sikkim and Tripura may be allotted to a successful candidate domiciled therein provided he/she has opted for his/her home State. This may be done even if there is no 'insider' vacancy in these cadres. (ii). In case there is more than one eligible candidate, then the allotment may be done in the order – ST, SC, OBC and General candidates, as applicable to each state. (iii). Once the home State quota of the above-mentioned North Eastern States is filled up, further allocation may be done as per the Cadre Allocation Policy (2008), after making adjustments necessitated by the changes recommended above.
<b>6. (Para 5.9.6) The Union Public Service Commission</b>	a. Promotion of officers through Departmental Promotion Committees (DPC), upto the level of Selection Grade may be delegated to the concerned Departments. The UPSC should supervise the functioning of these DPCs through periodic reviews, audit etc.
<b>6. (Para 5.9.6) The Union Public Service Commission</b>	b. In the case of disciplinary proceedings, consultation with the UPSC should be mandatory only in cases involving likely dismissal or removal of a government servant.
<b>7. (Para 6.8) Capacity Building</b>	a. Every government servant should undergo a mandatory training at the induction stage and also periodically during his/her career. Successful completion of these trainings should be a minimum necessary condition for confirmation in service and subsequent promotions. Mandatory induction trainings should be prescribed for Group D staff also before they are assigned postings.
	b. A monitoring mechanism should be set up for overseeing the implementation of the National Training Policy (1996).



Topic/Issue	Recommendations on Refurbishing Personnel Administration (10 <sup>th</sup> Report)
	<p>c. The practice of having a 'Common Foundation Course' for all Group 'A' Services – generalist, specialized and technical, should continue. For Group 'B' and 'C' Services, the Institute of Secretarial Training and Management (ISTM) may be developed as the nodal agency for design and delivery of common Foundation Courses.</p> <p>d. All civil servants should undergo mandatory training before each promotion and each officer/official should be evaluated after each training programme. Successful completion of the training programmes should be made mandatory for promotions.</p> <p>e. The objective of mid-career training should be to develop domain knowledge and competence required for the changing job profile of the officer. To this end, mid career learning opportunities relevant to specific domains or specializations should be made available for officers.</p> <p>f. Public servants should be encouraged to obtain higher academic qualifications and to write papers for reputed and authoritative journals.</p> <p>g. A strong network of training institutions at the Union and State levels needs to be built up to cater to the training requirements of civil servants. However, instead of spreading resources over a large number of institutions, a few institutions should be identified for capacity building and upgradation.</p> <p>h. The composition of governing bodies of the national training institutions such as the LBSNAA, SVPNPA, IGNSA and also the State Administrative Training Institutes should be broadened by inducting eminent experts. The governing bodies should be adequately empowered to enable them to discharge their functions efficiently. (i). A national institute of good governance may be set up by upgrading one of the existing national/state institutes. This institute would identify, document, and disseminate best practices and also conduct training programmes.</p>
<p><b>8. (Para 7.3.3) Recruitment at Group 'B' Level</b></p>	<p>a. Each Department, dealing with both the general as well as specialized Services (Group B), may set up committees to examine what changes are required in the system of recruitment and promotions to these posts. Prima- facie the Commission is of the view that in order to infuse fresh thinking, a certain percentage of vacancies (say 25% every year) at the level of Section Officer as well as for other specialized Group 'B' posts, should be filled through 'Direct Recruitment'.</p>
<p><b>9. (Para 7.5.7) Recruitment at Graduate Level (Group 'B' non-gazetted and Group 'C')</b></p>	<p>a. The age limit for all positions (Group 'B' non-gazetted and Group 'C') – requiring a graduate degree - should be 20-25 years for general candidates with a relaxation of three years for OBC and five years for SC/ST and physically challenged candidates.</p> <p>b. The examination system should be based on a well designed objective type question paper.</p> <p>c. There is no need to conduct separate examinations for posts (Group 'B' non- gazetted and Group 'C') which require a graduate degree. There should be a common examination and thereafter, the candidates should be allowed to apply for various posts with this examination score.</p>
<p><b>10. (Para 7.6.6)</b></p>	<p>a. The Commission endorses the stand taken by the Government that recruitment of LDCs should be phased out.</p>

Topic/Issue	Recommendations on Refurbishing Personnel Administration (10 <sup>th</sup> Report)
<b>Recruitment for LDCs</b>	b. In case it is felt necessary to recruit LDCs in certain organizations/departments, especially in field offices, their recruitment should be done through the Staff Selection Commission. The existing recruitment process needs to be modified on the following lines: (i). The minimum qualification should be class 12th pass or equivalent. (ii). The test should comprise of objective type questions. (iii). Short listed candidates should be administered a skills test. This should be conducted on computers so that the capability of the candidates to use word processing softwares is also assessed.
<b>11. (Para 7.7.10) Training for Group 'B' and 'C' Employees</b>	<p>a. Unless a government employee undergoes mandatory induction training he/ she should not be assigned any regular post.</p> <p>b. Successful completion of prescribed training courses should be a pre-condition for all promotions.</p> <p>c. All training programmes should be concluded with an evaluation of the trainees' performance, and this should be an input while assessing their annual performance.</p>
<b>12. (Para 7.8.6) Group 'B' and 'C' Employees: Promotions</b>	a. The posts of Assistants under the Central Secretariat Service should be filled in the ratio of 40 per cent by promotion from UDCs of Central Secretariat Clerical Service Cadre, 40 per cent by Direct Recruitment and 20 per cent through Limited Departmental Competitive Examination.
<b>13. (Para 7.9.6) Group 'B' and 'C' Employees: Performance Appraisal</b>	a. The Appraisal Form should provide the Reporting Officer with multiple options on the level of performance against which he/she would indicate numerically the level at which the officer reported upon has performed.
<b>13. (Para 7.9.6) Group 'B' and 'C' Employees: Performance Appraisal</b>	<p>b. The proforma of the Confidential Reports of Group B and C posts may include a column wherein the area/field of interest of the official reported upon (i.e. Health, Information Technology, Finance, Transport, Defence etc) is indicated, which may be considered for future postings.</p> <p>c. A mechanism of acknowledging the receipt of the ACR proforma at various stages may be adopted so that delays are avoided and an element of accountability is introduced.</p>
<b>13. ( Para 8.7) Placement at Middle Management Level</b>	<p>a. In posting officers in Government of India, the primary consideration should be to select the most suitable person for the post that is on offer.</p> <p>b. Domains should be assigned by the Central Civil Services Authority (the Commission has recommended the constitution of this Authority in paragraph No 9.8 of this Report) to all officers of the All India Services and the Central Civil Services on completion of 13 years of service.</p>

Topic/Issue	Recommendations on Refurbishing Personnel Administration (10 <sup>th</sup> Report)
	<p>c. The Central Civil Services Authority should invite applications from all officers who have completed the minimum qualifying years of service, for assignment of domains. The applications should specify the academic background of officers, their research accomplishments (if any) and significant achievements during their career, relevant to the domain applied for. A consultative process should be put in place where the officers should be interviewed and their claims to specific domains evaluated. The Authority should thereafter assign domains to the officers on the basis of this exercise. In case some domains do not attract applicants, the Authority should assign these domains to officers with the relevant knowledge and experience.</p>
	<p>d. All vacancies arising at the level of Deputy Secretary/Director during a financial year should be identified well before the beginning of that financial year, by the Department of Personnel and Training (DOPT). The Ministries concerned should also give a brief job description for these positions. All these posts and their job description should be notified to the cadre controlling authorities of the concerned All India Services and Central Services. On receipt of nominations from the cadre controlling authorities, the DOPT should try to match the requirements of various positions with the competencies of the officers in the 'offer list'. The DOPT should then seek approval for the entire list from the Competent Authority.</p>
	<p>e. The Central Civil Services Authority should be charged with the responsibility of fixing tenure for all civil service positions and this decision of the Authority should be binding on Government.</p>
	<p>f. Officers from the organized services should not be given 'non-field' assignments in the first 8-10 years of their career.</p>
	<p>g. State Governments should take steps to constitute State Civil Services Authorities on the lines of the Central Civil Services Authority.</p>
<p><b>14. (Para 9.8) Placement at Top Management Level</b></p>	<p>a. The present empanelment system for short listing officers for posting at a. The present empanelment system for short-listing officers for posting at the SAG level and above should be replaced by a more transparent and objective placement procedure.</p>
	<p>b. At higher levels in government, it is necessary to ensure that the tasks assigned to a public servant match his/her domain competence as well as aptitude and potential.</p>
	<p>c. Ministries should classify all of their SAG level posts according to their relevant functional domains.</p>

Topic/Issue	Recommendations on Refurbishing Personnel Administration (10 <sup>th</sup> Report)
	<p>d. There is need to introduce competition for senior positions in government (SAG and above) by opening these positions in Government (including attached and subordinate offices) to all Services. This principle would apply to all posts including those that are presently encadred with the organised Group 'A' Services. In order to operationalise this, government should make the continued participation of any of the organised civil services in the Central Staffing Scheme, contingent upon the implementation of this principle in those Departments/Cadres. ( i). For the positions at the Joint Secretary/SAG level and above, the Central Civil Services Authority would invite applications from amongst all the eligible officers from the All India Services and Group 'A' Central Services which are participating in the scheme. (ii). For positions at the HAG level and above, the Central Public Service Authority would, in consultation with Government, earmark positions for which outside talent would be desirable. Applications to fill up these posts would be invited from interested and eligible persons from the open market and also, from serving eligible officers. (iii). While carrying out this exercise , the Central Civil Services Authority would stipulate the eligibility criteria, the required domain expertise as well as the requirements of qualifications, seniority and work experience. The Authority would conduct interviews to short-list suitable officers for these posts. Government would make the final selection on the basis of this shortlist.</p> <p>e. A Central Civil Services Authority should be constituted under the proposed Civil Services Bill. The Central Civil Services Authority shall be a five-member body consisting of the Chairperson and four members (including the member-secretary). The Authority should have a full time Member-Secretary of the rank of Secretary to Government of India. The Chairperson and members of the Authority should be persons of eminence in public life and professionals with acknowledged contributions to society. The Chairperson and members of the Authority shall be appointed by the President on the recommendation of a Committee consisting of the Prime Minister and the Leader of the Opposition in the Lok Sabha. (Explanation:- Where the Leader of the Opposition in the Lok Sabha has not been recognized as such, the Leader of the single largest group in the Opposition in the Lok Sabha shall be deemed to be the Leader of the Opposition).</p>
<p><b>14. (Para 9.8) Placement at Top Management Level</b></p>	<p>f. The Central Civil Services Authority should deal with matters of assignment of domains to officers, preparing panels for posting of officers at the level of Joint Secretary and above, fixing tenures for senior posts, deciding on posts which could be advertised for lateral entry and such other matters that may be referred to it by the Government.</p> <p>g. A similar procedure should be adopted for filling up vacancies at SAG level and higher in the central police agencies. For example, in the Central Para-Military Forces the senior positions should be opened to competition from officers of the CPMFs, IPS and the Armed Forces (including those completing their Short Service Commissions). Similarly for the intelligence agencies officers from the armed forces as well as the CPOs with experience in the field of intelligence should be considered for postings at higher levels in the intelligence agencies.</p>

Topic/Issue	Recommendations on Refurbishing Personnel Administration (10 <sup>th</sup> Report)
<b>15. (Para 10.12) Deputation of Civil Servants to Organizations Outside Government</b>	<p>a. In drawing up the list of external organizations to which government servants can be permitted to go on deputation, the primary consideration should be the objectives and activities of such organizations and not merely its organizational structure. For the present Government should permit deputation of civil servants only to such organizations that are engaged in non-profit making activities.</p> <p>b. This policy may be reviewed after three years.</p>
<b>16. (Para 11.15) Performance Management System</b>	<p>a. A good employee performance appraisal system is a pre-requisite for an effective performance management system. The existing performance appraisal system should be strengthened on the following lines: • Making appraisal more consultative and transparent - performance appraisal systems for all Services should be modified on the lines of the recently introduced PAR for the All India Services. • Performance appraisal formats to be made job specific - the appraisal format prescribed for civil servants should have three sections i.e. (i) a generic section that meets the requirements of a particular service to which the officer belongs, (ii) another section based on the goals and requirements of the department in which he/she is working, and (iii) a final section which captures the specific requirements and targets relating to the post that the officer is holding. • Performance appraisal should be year round: provisions for detailed work-plan and amid-year review should be introduced for all Services. • Guidelines need to be formulated for assigning numerical rating: DOPT should formulate detailed guidelines to guide the reporting and reviewing officers for assigning numerical ratings for their subordinates. Training modules for implementing performance management systems should be designed and introduced for training programmes for civil servants.</p> <p>b. Government should expand the scope of the present performance appraisal system of its employees to a comprehensive performance management system (PMS).</p>
<b>16. (Para 11.15) Performance Management System</b>	<p>c. In implementing PMS in government, it must be emphasized that the PMS should be designed within the overall strategic framework appropriate to the particular ministry/department/organization. It is also necessary to link individual contributions to strategic objectives of the organization. It will therefore be necessary for each ministry/department/organization to customize its PMS relevant to them, while incorporating the general features described in Chapter 11.</p> <p>d. Annual performance agreements should be signed between the departmental minister and the Secretary of the ministry/heads of departments, providing physical and verifiable details of the work to be done during a financial year. The actual performance should be assessed by a third party – say, the Central Public Services Authority – with reference to the annual performance agreement. The details of the annual performance agreements and the result of the assessment by the third party should be provided to the legislature as a part of the Performance Budget/Outcome Budget.</p>

Topic/Issue	Recommendations on Refurbishing Personnel Administration (10 <sup>th</sup> Report)
<b>17. (Para 12.5) Motivating Civil Servants</b>	<p>a. There is need to recognise the outstanding work of serving civil servants including through National awards. Awards for recognizing good performance should also be instituted at the State and district levels. It must be ensured that selection for such awards is made through a prompt, objective and transparent mechanism because the value of such awards should not get compromised by either subjectivity or lack of transparency. Further, all organizations should evolve their own in-house mechanism for rewarding good performance from simple, verbal and written appreciation to more tangible rewards.</p>
	<p>b. Selections for foreign assignments referred to in Paragraph 12.4.3.2 should be made, based on the recommendations of the Central Civil Services Authority. The Authority should follow the due process of inviting applications from eligible candidates and preparing a panel of officers who are most suitable for such assignments.</p>
	<p>c. It should be the responsibility of the head of the office to examine the job content of each person working in the organization to ensure that the job content is meaningful and challenging so that the employee derives a sense of satisfaction in performing the tasks assigned to him/her. The head of the office could seek the assistance of a professional agency for this purpose.</p>
	<p>d. Each head of office should ensure that a congenial work environment is created in the office. His/her success in this should be an element in evaluating his/her performance.</p>
<b>18. (Para 13.4) Accountability</b>	<p>a. A system of two intensive reviews – one on completion of 14 years of service, and another on completion of 20 years of service - should be established for all government servants.</p>
	<p>b. The first review at 14 years would primarily serve the purpose of intimating to the public servant about his/her strengths and shortcomings for his/ her future advancement. The second review at 20 years would mainly serve to assess the fitness of the officer for his/her further continuation in government service. The detailed modalities of this assessment system would need to be worked out by government.</p>
<b>18. (Para 13.4) Accountability</b>	<p>c. The services of public servants, who are found to be unfit after the second review at 20 years, should be discontinued. A provision regarding this should be made in the proposed Civil Services Law. Besides, for new appointments it should be expressly provided that the period of employment shall be for 20 years. Further continuance in government service would depend upon the outcome of the intensive performance reviews.</p>
<b>19. (Para 14.6) Disciplinary Proceedings</b>	<p>a. In the proposed Civil Services law, the minimum statutory disciplinary and dismissal procedures required to satisfy the criteria of natural justice should be spelt out leaving the details of the procedure to be followed to the respective government departments. The present oral inquiry process should be converted into a disciplinary meeting or interview to be conducted by a superior officer in a summary manner without the trappings and procedures borrowed from court trials. This would require that the CCS (CCA) Rules, 1965 be repealed and substituted by appropriate regulations.</p>

Topic/Issue	Recommendations on Refurbishing Personnel Administration (10 <sup>th</sup> Report)
	<p>b. No penalty of removal and dismissal should be imposed, except by an Authority, which is at least three levels above the post which the government servant is holding. Other penalties – apart from dismissal and removal– may be imposed by an Authority which is at least two levels above the current post of the government servant. No penalty may be imposed, unless an inquiry is conducted and the accused government servant has been given an opportunity of being heard.</p> <p>c. The two-stage consultation with the CVC in cases involving a vigilance angle should be done away with and only the second stage advice after completion of the disciplinary process, should be obtained. In addition, for cases involving a vigilance angle, no consultation with the UPSC should be required.</p> <p>d. Consultation with the UPSC should be mandatory only in cases leading to the proposed dismissal of government servants and all other types of disciplinary cases should be exempted from the UPSC’s purview.</p>
<b>20. (Para 15.6) Relations between the Political Executive and Civil Servants</b>	<p>a. There is a need to safeguard the political neutrality and impartiality of the civil services. The onus for this lies equally on the political executive and the civil services. This aspect should be included in the Code of Ethics for Ministers as well as the Code of Conduct for Public Servants.</p> <p>b. The Commission would like to reiterate its recommendation made in its Report on “Ethics in Governance” while examining the definition of corruption under the Prevention of Corruption Act, 1988, wherein it has been recommended that “abuse of authority unduly favouring or harming someone” and “obstruction of justice” should be classified as an offence under the Act.</p>
<b>20. (Para 15.6) Relations between the Political Executive and Civil Servants</b>	<p>c. It is essential to lay down certain norms for recruitment in government to avoid complaints of favouritism, nepotism, corruption and abuse of power. These norms are: (i). Well-defined procedure for recruitment to all government jobs. (ii). Wide publicity and open competition for recruitment to all posts. (iii). Minimisation, if not elimination, of discretion in the recruitment process. (iv). Selection primarily on the basis of written examination or on the basis of performance in existing public/board/university examination with minimum weight to interview. These principles could be included in the ‘Civil Services Bill’ as recommended by the Commission in Chapter 17.</p>
<b>21. (Para 16.17) Civil Services Code</b>	<p>a. ‘Civil Services Values’ and the ‘Code of Ethics’ should be incorporated in the proposed Civil Services Bill.</p> <p>b. Conduct Rules for civil servants need to be redrawn based on the values and code of ethics as outlined in this Chapter (Chapter 16).</p>
<b>22. (Para 17.5) The Civil Services Law</b>	<p>A new Civil Services Bill may be drafted. The following salient features may be included in the proposed Bill:</p> <p>(I). Title of the Bill: The Bill may be called ‘The Civil Services Bill’.</p> <p>(II). Definitions: “Civil Services” shall comprise of all personnel holding civil posts under the Union.</p>

Topic/Issue	Recommendations on Refurbishing Personnel Administration (10 <sup>th</sup> Report)
	<p>(III). Civil Service Values: The Civil Services and the Civil Servants shall be guided by the following values in addition to a commitment to uphold the Constitution, the discharge of their functions:(i). Absolute integrity at all times(ii). Impartiality and non-partisanship (iii). Objectivity (iv). Dedication to public service (v). Empathy towards weaker sections The Heads of Departments shall be responsible for promoting these values in their organizations. The Central Civil Services Authority may from time to time review the adoption, adherence to and implementation of the Civil Service Values in the departments or organizations under the Union.</p> <p>IV. Code of Ethics: The following should be included in the Code of Ethics for civil servants: (i). Integrity: Civil servants should be guided solely by public interest in their official decision making and not by any financial or other consideration either in respect of themselves, their families or their friends. (ii). Impartiality: Civil servants in carrying out their official work, including functions like procurement, recruitment, delivery of services etc, should take decisions based on merit and free from any partisan consideration.(iii). Commitment to public service: civil servants should deliver services in a fair, effective, impartial and courteous manner.(iv). Open accountability: civil servants are accountable for their decisions and actions and should be willing to subject themselves to appropriate scrutiny for this purpose. (v). Devotion to duty: civil servants should maintain absolute and unstinting devotion towards their duties and responsibilities at all times.(vi). Exemplary behaviour: civil servants should treat all members of the public with respect and courtesy and at all times should behave in a manner that upholds the rich traditions of the civil services.</p>
<p><b>22. (Para 17.5) The Civil Services Law</b></p>	<p>V. Recruitment and Conditions of Service: Recruitment and conditions of service of persons appointed to the ‘Public Services’ shall be governed by Rules made under this Act. The following principles of recruitment should be included for all appointments not routed through the UPSC or SSC: (i). Well-defined merit based procedure for recruitment. (ii). Wide publicity and open competition for recruitment to all posts. (iii). Minimisation, if not elimination, of discretion in the recruitment process. (iv). Selection primarily on the basis of written examination or on the basis of performance in existing public/board/university examination with minimum weight-age to interview. An independent agency should audit the recruitments made outside the UPSC and SSC systems and advise the government suitably. This audit should be conducted under the supervision of the UPSC.</p> <p>VI. New Conditions of Appointment: (1) A civil servant, not being a civil servant recruited or inducted for a short-term appointment, shall hold office for twenty years from the date of initial appointment. (2) The relationship between the Civil Servant and the Government of India during the time he/ she holds office shall also be governed by the rules made in this regard. All public servants shall be subjected to two intensive reviews on completion of 14 years and 20 years of service respectively. Their further continuance beyond 20 years will depend on the outcome of these reviews. It should be expressly provided that all new recruitments shall be for a period of 20 years and their continuance beyond 20 years would depend on the outcome of the intensive reviews.</p>



Topic/Issue	Recommendations on Refurbishing Personnel Administration (10 <sup>th</sup> Report)
	<p>VII. Appointment to Senior Positions in Government: All positions in Government (including in the attached and subordinate offices) at the level of Joint Secretary and above would constitute the 'Senior Management Pool'. This would apply to all posts including those that are presently encadred with the organised Group A Services. All appointments to positions in this pool shall be made on the recommendations of the Central Civil Services Authority, which would go into the past performance and also evaluate the future potential of an officer. The Central Civil Services Authority should recommend a panel of officers suitable for a position in the Government and Government should choose an officer/person from this panel.</p> <p>VIII. Fixation of Tenures: All senior posts should have a specified tenure. The task of fixing tenures for various posts may also be assigned to this independent agency – Central Civil Services Authority.</p> <p>IX. Widening the Pool of Candidates for Selection to Senior Positions: Candidates outside the government system should be allowed to compete for certain posts at senior levels (Additional Secretary and above). The task of identifying these posts should be entrusted to the Central Civil Services Authority.</p>
<p><b>22. (Para 17.5) The Civil Services Law</b></p>	<p>X. Dismissal, Removal etc. of Civil Servants: After the repeal of Articles 310 and 311 (as recommended in the Report on 'Ethics in Governance'), safeguards against arbitrary action against government servants should be provided in the new law. These safeguards should include: (i). No penalty of removal and dismissal should be imposed, except by an authority, which is at least three levels above the post which the government servant is holding. (ii). Other penalties – apart from dismissal and removal - may be imposed by an authority which is at least two levels above the current post of the government servant. (iii). No penalty may be imposed, unless an enquiry is conducted and the accused government servant has been given an opportunity of being heard. (iv). The Head of an organization should have powers to lay down the details of the enquiry procedure, subject to the general guidelines which may be issued by the Government from time to time.</p> <p>XI. A performance management system should be mandatory for every organization in the government.</p> <p>XII. Constitution of the Central Civil Services Authority: (i). The Central Government shall, by notification in the Official Gazette, constitute a body to be known as the Central Civil Services Authority to exercise the powers conferred on, and to perform the functions assigned to it, under this Act. (ii). The Central Civil Services Authority shall be a five-member body consisting of the Chairperson and four members (including the member-secretary). The Authority should have a full time Member- Secretary of the rank of Secretary to Government of India. The Chairperson and members of the Authority should be persons of eminence in public life and professionals with acknowledged contributions to society. The Chairperson and members of the Authority shall be appointed by the President on the recommendations of a Committee consisting of the Prime Minister and the Leader of the Opposition in the Lok Sabha. (Explanation:- Where the Leader of the Opposition in the Lok Sabha has not been recognized as such, the Leader of the single largest group in the opposition in the Lok Sabha shall be deemed to be the Leader of the Opposition).</p>

Topic/Issue	Recommendations on Refurbishing Personnel Administration (10 <sup>th</sup> Report)
	<p>XIII. Functions of the Central Civil Services Authority: The Central Authority shall discharge the following functions:(i). Review the adoption, adherence to and implementation of the Civil Service Values in the departments or organizations under the Central Government and send reports to the Central Government. (ii). Assign domains to all officers of the All India Services and the Central Civil Services on completion of 13 years of service. (iii) . Formulate norms and guidelines for appointments at ‘Senior Management Level’ in Government of India.(iv). Evaluate and recommend names of officers for posting at the ‘Senior Management Level’ in Government of India. (v). Identify the posts at ‘Senior Management Level’ in Government of India which could be thrown open for recruitment from all sources. (vi).Fix the tenure for posts at the ‘Senior Management Level’ in Government of India. (vii). Submit an annual report to Parliament.</p>
<b>22. (Para 17.5) The Civil Services Law</b>	<p>XIV. Creation of Executive Agencies in Government: Government should be authorized to create or reorganize some or all of existing Departments into ‘Executive Agencies’. The role of the Ministries should primarily be on policy formulation while implementation should be left to the Executive Agencies.</p>

## Promoting e-Governance - The Smart Way Forward

Topic/Issue	Recommendations on Promoting e-Governance(11 <sup>th</sup> Report)	Government's Decision
<b>1. (Para 6.2.2) Building a Congenial Environment</b>	a. Building a congenial environment is a sine qua non for successful implementation of e-Governance initiatives. This should be achieved by: Creating and displaying a will to change within the government providing political support at the highest level Incentivising e-Governance and overcoming the resistance to change within government Creating awareness in the public with a view to generating a demand for change.(1)	(a) Recommendation has been accepted. Plan funds earmarked for computerization should be utilized for e-governance initiatives and physical progress should be monitored in a more effective manner.
<b>2. (Para 6.3.9) Identification of e-Governance Projects and Prioritization</b>	a. Government organizations/ departments at Union and State Government levels need to identify e- Governance initiatives which could be undertaken within their functional domain, keeping the needs of the citizens in mind. Such initiatives may be categorized as follows: Initiatives which would provide timely and useful information to the citizens. Initiatives which would not require the creation of a database for providing useful services to the citizens. This may include initiatives where database may be created prospectively without waiting for the updation of historical data. Initiatives which allow for making elementary online transactions including payment for services. Initiatives which require verification of information/data submitted online. Initiatives which require creation and integration of complex databases.(2)	(a) to (c) Recommendations have been accepted. All Ministries/ Departments to prioritize 3 to 4 high volume citizen-centric e-governance initiatives. An independent budget head of account should be created to utilize 2% to 3% of Plan funds for e- Governance projects. A Core Group consisting of officers from DIT and DAR&PG should guide Ministries/Departments in prioritizing the projects for e-Governance.
<b>2. (Para 6.3.9) Identification of e-Governance Projects and Prioritization</b>	b. Instead of implementing all such initiatives at one go, these should be implemented after prioritizing them on the basis of ease of implementation, which would generally follow the categories mentioned above in that order. However, suitable modifications in their prioritization may be made by organizations/ departments on the basis of the needs of and likely impact on citizens.(3)	
<b>2. (Para 6.3.9) Identification of e-Governance Projects and Prioritization</b>	c. Respective Departments of Information Technology at the Union and State Government levels should coordinate between organizations and provide technical support if needed, in the task of identification and prioritisation.(4)	
<b>3. (Para 6.4.16) Business Process Re- engineering</b>	a. For every function a government organization performs and every service or information it is required to provide, there should be a step-by-step analysis of each process to ensure its rationality and simplicity. (5)	(a)to(d) Recommendations have been accepted. Government process re-

Topic/Issue	Recommendations on Promoting e-Governance(11 <sup>th</sup> Report)	Government's Decision
	<p>b. Such analysis should incorporate the viewpoints of all stakeholders, while maintaining the citizen- centricity of the exercise. (6)</p> <p>c. After identifying steps which are redundant or which require simplification, and which are adaptable to e-Governance, the provisions of the law, rules, regulations, instructions, codes, manuals etc. which form their basis should also be identified. (7)</p> <p>d. Following this exercise, governmental forms, processes and structures should be re-designed to make them adaptable to e-Governance, backed by procedural, institutional and legal changes. (8)</p>	<p>engineering strategy has been developed by the Government which should be shared with all Ministries/ Departments. D/AR&amp;PG along with DIT &amp; CSIR would work on creating standards and process certification modalities for government Process Re-engineering (GPR) &amp; required skill sets for e-Governance projects.</p>
<p><b>4 (Para 6.5.22) Capacity Building and Creating Awareness</b></p>	<p>a. Capacity building efforts must attend to both the organizational capacity building as also the professional and skills upgradation of individuals associated with the implementation of e- Governance projects.(9)</p> <p>b. Each government organization must conduct a capacity assessment which should form the basis for training their personnel. Such capacity assessment may be carried out by the State Department of Information Technology in case of State Governments, and the Union Department of Information Technology in the Centre. Organisations should prepare a roadmap for enhancing the capabilities of both their employees and the organization. (10)</p>	<p>(a)to(f) Recommendations have been accepted. There is a need for a substantial increase in the efforts for capacity building both at the individual as well as institutional level. The requirement of resources for capacity building should be an integral part of every project outlay. To achieve desired outcomes, there is a need to have focused teams including Chief Innovation Officers who can be selected through a competitive process either from inside the Govt. or open market.</p>
<p><b>4 (Para 6.5.22) Capacity Building and Creating Awareness</b></p>	<p>c. A network of training institutions needs to be created in the States with the Administrative Training Institutes at the apex. The Administrative Training Institutes in various States should take up capacity building programmes in e-Governance, by establishing strong e-Governance wings. ATIs need to be strengthened under the NeGP. (11)</p> <p>d. State Governments should operationalise the Capacity Building Roadmap (CBRMs), under the overall guidance and support of the DIT, Government of India. (12)</p> <p>e. Lessons learnt from previous successful e- Governance initiatives should be incorporated in training programmes.(13)</p>	<p>(a)to(f) Recommendations have been accepted. There is a need for a substantial increase in the efforts for capacity building both at the individual as well as institutional level. The requirement of resources for capacity building should be an integral part of every project outlay. To achieve desired outcomes, there is a need to have focused teams including Chief Innovation Officers who can be selected through a competitive process either from inside the Govt. or open market.</p>

Topic/Issue	Recommendations on Promoting e-Governance(11 <sup>th</sup> Report)	Government's Decision
	f. The recommendations made by the Commission in its Second Report entitled 'Unlocking Human Capital' in paragraph (5.2.1.6) should be adopted for creating awareness among people with regard to e-Governance initiatives.(14)	
<b>5. (Para 6.6.2.10) Developing Technological Solutions</b>	a. There is a need to: i. Develop a national e-Governance 'enterprise architecture' framework as has been done in some countries. ii. Promote the use of 'enterprise architecture' in the successful implementation of e-Governance initiatives; this would require building capacity of top level managers in all government organizations.(15)	(a) Recommendation has been accepted. DIT would develop an enterprise architecture framework which can be used for large and complex projects wherever found appropriate
<b>6. (Para 6.7.2.7) Implementation</b>	<p>a. All organizations should carry out a periodic independent evaluation of the information available on their websites from the citizens perspective and then re-design their websites on the basis of the feedback obtained. (16)</p> <p>b. Each government organization should prepare a time-bound plan for providing of transactional information through their websites. To begin with, this could be done by updating the websites at regular intervals, while at the same time, re- engineering the back-end processes and putting them on computer networks. Ultimately, all the back-end processes should be computerized. (17)</p>	a) to (e) Recommendations have been accepted. Need for well designed government websites which provide information to citizens in a user-friendly manner is very much felt. DIT would empanel web designing firms to help the government
<b>6. (Para 6.7.2.7) Implementation</b>	<p>c. Complex e-Governance projects should be planned and implemented like any major project having several parts / components for which Project Management capability should be developed in- house. (18)</p> <p>d. Implementation of e-Governance projects would involve a detailed 'project management' exercise which would consist of the following activities: i. Breaking up entire e-Governance projects into components/activities ii. Planning each activity in detail iii. Allocating resources, both human and financial iv. Commencement of activities as per the plan and continuous tracking v. Need-based mid-course correction (19)</p> <p>e. While implementing transformational programmes like the NeGP, it is essential to recognise of the importance of a structured approach to Change Management – the people side of transformation. It is necessary for Government agencies, especially the nodal Ministries and the Administrative Reforms and IT Departments, to design appropriate Change Management Strategies and Plans to accompany the e-Governance implementation.(20)</p>	Ministries/Departments in designing their websites as per Government guidelines. Within a period of six months all the websites would be redesigned. This process would be monitored by DAR&PG. Change management strategy designed by DAR&PG would be shared and exposed to the officers through training institutions.

Topic/Issue	Recommendations on Promoting e-Governance(11 <sup>th</sup> Report)	Government's Decision
7. (Para 6.8.3) Monitoring and Evaluation	a. Monitoring of e-Governance projects should be done by the implementing organization during implementation in the manner in which project monitoring is done for large infrastructure projects. Even after the project has been implemented, constant monitoring would be required to ensure that each component is functioning as per the design. (21)	(a) & (b) Recommendations have been accepted. Evaluation of projects would be undertaken by statutory auditors and independent agencies
	b. Evaluation of success or failure of e-Governance projects may be done by independent agencies on the basis of parameters fixed beforehand.(22)	
8. (Para 6.9.5) Institutional Framework for Coordination and Sharing of Resources/ Information	a. The Departments of Information Technology at the Union and State Government levels should provide institutional support to other departments and organizations in implementation of e- Governance projects identified and conceptualized by them. The DIT should focus on the following: Conducting an e-preparedness audit for each organization Enforcing standardization Assisting in co-ordination when e-Governance projects transcend an organisation's functional domain Carrying out evaluation of e-Governance projects Acting as a repository of best practices and encouraging horizontal replication of successful projects Helping in selection of technological solutions.(23)	(a) & (b) Recommendations have been accepted. The specific elements suggested by ARC may be emphasized in DIT's allocation. However, overarching role of DAR&PG in e-governance would continue. DAR&PG would need to be strengthened to perform its assigned role in this area
8. (Para 6.9.5) Institutional Framework for Coordination and Sharing of Resources/ Information	b. The Second Schedule to the Government of India Allocation of Business Rules, 1961 may be suitably amended to incorporate these elements with regard to the subject matter of 'e-Governance'.(24)	
9. (Para 6.10.6) Public-Private Partnership (PPP)	a. Several components of e-Governance projects lend themselves to the Public-Private Partnership (PPP) mode. In all such cases (PPP) should be the preferred mode.(25)	(a) & (b) Recommendations have been accepted. DIT would identify institutions which could provide assistance to Ministries/ Departments in implementing PPP projects
	b. The private partner should be selected through a transparent process. The roles and responsibilities of government as well as the private partner should be clearly laid down in the initial stage itself, leaving no room for any ambiguity.(26)	

Topic/Issue	Recommendations on Promoting e-Governance(11 <sup>th</sup> Report)	Government's Decision
<b>10. (Para 6.11.2) Protecting Critical Information Infrastructure Assets</b>	a. There is need to develop a critical information infrastructure assets protection strategy. This should be supplemented with improved analysis and warning capabilities as well as improved information sharing on threats and vulnerabilities.(27)	(a) Recommendation has been accepted. Critical information infrastructure protection strategy as designed for MMPs would be applied to all e-Governance projects.
<b>11. (Para 7.3.2.3.16) The Common Support Infrastructure</b>	<p>a. As recommended by the Standing Committee on Information Technology in its 58th Report, the State Data Centres (SDCs) should be maintained by Government agencies such as NIC as it involves handling of sovereign data. Further, all data centres at the State level should be subsumed in the SDCs.(28)</p> <p>b. The implementation of SDCs, SWANs and CSCs should be coordinated to prevent significant time- lag between their operationalisation. Last mile connectivity issues involved in operationalisation of CSCs should also be addressed in a time-bound manner.(29)</p>	(a) to (e) Recommendations have been accepted.
<b>11. (Para 7.3.2.3.16) The Common Support Infrastructure</b>	<p>c. Gram Panchayats should be involved in monitoring the operation of the Common Services Centres in the first four years of their operation when they are receiving revenue support from government for providing 'Government to Citizen' services. They should proactively engage in making citizens aware of the services provided through the CSCs and encourage them to make use of them.(30)</p> <p>d. State Governments should make available a large bouquet of G2C services through the CSCs. In doing so, they should adopt the approach outlined in this Report while discussing identification and prioritization of e-Governance projects.(31)</p> <p>e. The Mission Mode Project on Gram Panchayats should be finalized and implemented in a time- bound manner. The MMP should incorporate the recommendations made by the Commission in its Sixth Report entitled 'Local Governance', in paragraphs 3.10.2.8 and 4.5.5.6.(32)</p>	(a) to (e) Recommendations have been accepted.
<b>12. (Para 7.3.3.8) Mission Mode Projects</b>	a. State Governments should first provide a clear mandate for governance reforms that must precede the e-Governance initiatives. This would involve, if necessary, changing procedures and even structures and statutes. Therefore as a first step, these issues need to be analysed, decision points identified and political approval taken.(33)	(a) to (c) The Recommendations have been accepted. Deptt. of IT has worked out a detailed

Topic/Issue	Recommendations on Promoting e-Governance(11 <sup>th</sup> Report)	Government's Decision
	<p>b. The major decisions involved in (a) above should be identified by the State Level Apex Committee and approval of the State Government obtained within six months.(34)</p> <p>c. The Secretaries of the concerned departments should be entrusted with the responsibility of project implementation in unambiguous terms. They should be provided with the requisite authority and resources for project implementation.(35)</p> <p>d. Thereafter, the business process re-engineering and capacity building exercise should be completed by the concerned department within a maximum period of one year. The IT component of these projects should not be funded until this step is completed.(36)</p> <p>e. The Annual Performance Appraisal Report (APR) of public servants entrusted with the responsibility of project implementation under NeGP should have a separate entry for evaluation of their performance in this regard. (37)</p>	<p>methodology for preparing project proposals which includes stakeholder analysis, determination of services and service levels.</p> <p>(d) Recommendation has not been accepted.</p> <p>(e) The Recommendation has been accepted. There is a need to put emphasis on performance by officers for e-Governance projects, however, mechanics of doing so need to be studied in greater detail.</p>
<p><b>13. (Para 7.3.4.1.23)</b> <b>Mission Mode Project on Computerisation of Land Records</b></p>	<p>a. Surveys and measurements need to be carried out in a mission mode utilizing modern technology to arrive at a correct picture of land holdings and land parcels and rectification of outdated maps.(38)</p> <p>b. This needs to be accompanied by an analysis of the existing mechanism for updating land records – which varies from State to State – to be supplanted by an improved and strengthened mechanism which ensures that all future transactions in titles are immediately reflected in the land records. Such a system should be able to detect changes in titles through various means – namely, succession, will, partition, gift, survivorship etc and update records accordingly. (39)</p> <p>c. The dispute resolution mechanism with regard to land titles needs to be strengthened in order to be compatible with the demands made on it.(40)</p> <p>d. In case of urban areas, a similar exercise needs to be undertaken especially since measurements and surveys have not been done in many of such areas and even record of titles is not available in most cities.(41)</p>	<p>(a) to (d) Recommendations have been accepted.</p>



Topic/Issue	Recommendations on Promoting e-Governance(11 <sup>th</sup> Report)	Government's Decision
<b>14. (Para 7.3.4.2.7) Passport &amp; Visa MMP</b>	a. The entire passport issue process needs to be put on an e-Governance mode in phases. As the processes which precede and follow the police verification have already been re-engineered and put in e-Governance mode, this may be integrated with online police and citizen identification data bases. In the mean time, the process of police verification should be streamlined and made time bound.(42)	(a) The Recommendation has been accepted.
<b>15. (Para 7.3.4.3.12) Unique National Identity Number/Card</b>	a. The proposed Unique ID Authority should evolve a database of UIDs on the basis of permanent identifiers such as date of birth, place of birth etc. as described in paragraph 7.3.4.3.11.(43)	(a) Recommendation has been accepted
<b>16. (Para 8.2) Legal Framework for e-Governance</b>	a. A clear road map with a set of milestones should be outlined by Government of India with the ultimate objective of transforming the citizen-government interaction at all levels to the e-Governance mode by 2020. This may be enshrined in a legal framework keeping in consideration the mammoth dimension of the task, the levels of required coordination between the Union and State Governments and the diverse field situations in which it would be implemented.(44)	(a) to (c) The Recommendations have been accepted. DIT would come up with a draft legislation.
<b>16. (Para 8.2) Legal Framework for e-Governance</b>	<p>b. The legal framework should, inter alia, include provisions regarding: i. Definition of e-Governance, its objectives and role in the Indian context; ii. Parliamentary oversight mechanism; iii. Mechanism for co-ordination between government organizations at Union and State levels; iv. Role, functions and responsibilities of government organizations with regard to e- Governance initiatives, especially business process re-engineering; Financial arrangements; Specifying the requirements of a strategic control framework for e-Government projects dealing with the statutory and sovereign functions of government; Framework for digital security and data protection; and Responsibility for selection and adoption of standards and inter-operability framework.(45)</p> <p>c. This legislation should have an overarching framework and be able to provide flexibility to organizations.(46)</p>	(a) to (c) The Recommendations have been accepted. DIT would come up with a draft legislation.

## Citizen Centric Administration - The Heart of Governance

Topic/Issue	Recommendations on Citizen-centric Administration (12 <sup>th</sup> Report)	Government's Decision
<b>1. Functions of Government (Para 3.3.4)</b>	(a). Government organisations should adhere to the principles highlighted in paragraph 3.2.4 while performing regulatory functions.(1) (i) Regulation only when necessary (ii) Regulation to be effective (iii) Self regulation is the best form of the regulation (iv) Regulatory procedures to be simple, transparent and citizen friendly (v) involving citizens' groups, professional organizations in the regulation activities	(a) Recommendation has been accepted.
	(b). Government agencies, whether regulatory or developmental, should introduce the Single Window Agency concept within their organisations to minimize delays and maximize convenience to citizens. Government as a whole should draw a roadmap with timelines for expeditious creation of a single window at the local level for provision of all developmental and regulatory services to citizens.(2)	(b) Recommendation has been accepted.
<b>(Para 3.4.2)</b>	(a). The principle of subsidiarity should be followed while deciding on the implementation machinery for any programme.(3)	(a) to (d) Recommendations have been accepted. Recommendation has been accepted.
	(b). Citizens should be actively involved in all stages of these programmes i.e. planning, implementation and monitoring.(4)	
	(c). Mandatory social audit should be carried out for all programmes.(5)	
	(d). Impact assessment should be carried out for all programmes at periodic intervals.(6)	
<b>2. (Para 4.6.2) Making Citizens' Charters Effective – An Agenda for Reform Citizens' Charters should be made effective by adopting the following principles:</b>	(a) One size does not fit all. Citizens' Charter should be prepared for each independent unit under the overall umbrella of the organisations' charter. Wide consultation which include Civil Society in the process. Firm commitments to be made. Internal processes and structure should be reformed to meet the commitments given in the Charter. Redressal mechanism in case of default. Periodic evaluation of Citizens' Charters. chmark using end-user feedback. Hold officers accountable for results.(7)	(a) Recommendation has been accepted.
<b>3. (Para 4.9.9) The ARC Seven-Step Model for Citizen Centricity</b>	(a). The Union and State Governments should make the seven-step model outlined in paragraph 4.9, mandatory for all organizations having public interface.(8)	(a) Recommendation has been accepted.

Topic/Issue	Recommendations on Citizen-centric Administration (12 <sup>th</sup> Report)	Government's Decision
<b>4. (Para 5.7.4) Citizen's Participation in Administration</b>	(a). It should be mandatory for all government organizations to develop a suitable mechanism for receipt of suggestions from citizens, which could range from the simple 'Suggestion Box' to periodic consultations with citizens' groups. Heads of the concerned organizations should ensure rigorous follow up action on the suggestions received so that these become a meaningful exercise. A system of incentives and rewards should be introduced so that suggestions that lead to significant improvement or savings can be acknowledged. (9)	(a) Recommendation has been accepted.
	(b). Every government organization must ensure the following: (i) fool-proof system for registration of all complaints, (ii) a prescribed time schedule for response and resolution, and (iii) a monitoring and evaluation mechanism to ensure that the norms, prescribed are complied with. Use of tools of information technology can help to make such a system more accessible for citizens. Heads of all government organizations should be made responsible for ensuring the development of such a system for responding to a time-bound resolution of the complaints of citizens. (10)	(b) Recommendation has been accepted.
	(c). Regular citizens' feedback and survey and citizens' report cards should be evolved by all government organisations for gauging citizens' responses to their services. These should be used as inputs for improving organizational efficiency.(11)	(c) to (e) Recommendations have been accepted.
<b>4. (Para 5.7.4) Citizen's Participation in Administration</b>	(d). While no single modality or mechanism can be prescribed for encouraging citizens' participation in governance; in general, there is need to create institutionalized mechanisms for encouraging their participation in governance across public agencies at all levels and, for this to happen, the following steps are necessary: A comprehensive review of policy and practice in each department/ public agency. Modifying administrative procedures where necessary. Entrustment of the function of institutionalizing citizens' participation in governance to a senior level officer. Performance management reviews to incorporate effectiveness in ensuring citizens' participation in governance.(12)	(c) to (e) Recommendations have been accepted.
	(e). The objective could also be served by active and cooperative participation by government agencies in civil society initiatives in the area of citizens' participation in grievance redressal.(13)	
<b>5. (Para 5.10) Participation of Women and the Physically</b>	(a). Ensuring the full participation of women should be a specific aim of citizen centric administration and this should be reflected in various policies and programmes, including citizens' charters and grievances redressal mechanisms.(14)	(a) to (f) Recommendations have been accepted.

Topic/Issue	Recommendations on Citizen-centric Administration (12 <sup>th</sup> Report)	Government's Decision
<b>Challenged</b>	(b). Government may constitute an expert committee to identify the areas where special provisions for the physically challenged should be made mandatory. These areas could be reviewed and expanded every five years.(15)	
	(c). Government should adopt a more proactive approach for detection and registration of the physically challenged persons. (16)	
	(d). To achieve this, responsibility should be cast on the Primary Health Centres (PHCs) to identify all such cases in their jurisdiction and to get the evaluation of the disabilities done. To enable the PHCs to discharge these responsibilities, adequate resources should be placed at the disposal of the Medical Officer, PHC along with delegation of commensurate authority and changes in the relevant rules. (17)	
	(e). Organization of camps at PHC level, attended by the concerned medical personnel, would greatly help in issuing certificates of disability on the spot.(18)	
<b>5. (Para 5.10) Participation of Women and the Physically Challenged</b>	(f). Further, steps should be taken to create a database for all the Disabilities Certificate holders with integration at District, State and National levels.(19)	(a) to (f) Recommendations have been accepted.
<b>6. (Para 6.11) Delegation</b>	(a). Based on the principle of subsidiarity, each government organization should carry out an exercise to assess whether adequate delegation of authority has been done. In 21. the top levels of the organization should essentially focus on policy making functions and the field level functionaries should focus on operational aspects. (20)	(a) & (b) Recommendations have been accepted.
	(b). The extent to which delegated powers is used or is allowed to be used, should be two of the elements while appraising an officer's overall performance.(21)	
<b>7. (Para 7.9.3.3) Evolving an Effective Public Grievances Redressal System</b>	(a). There is need for a strong and effective internal grievance redressal mechanism in each organization. (22)	(a) The recommendation has been accepted.
	(b). The Union and State Governments should issue directions asking all public authorities to designate public grievance officers on the lines of the Public Information Officers under the RTI Act. These officers should be of adequate seniority and should be delegated commensurate authority(23)	(b)Recommendation was not accepted.
	(c ). All grievance petitions received should be satisfactorily disposed of by these officers within thirty days. Non-adherence to the time limit should invite financial penalties.(24)	( c)&(d) Recommen dations were not accepted.
	(d). Each organization should designate an appellate authority and devolve adequate powers upon them including the power to impose fines on the defaulting officers. (25)	

Topic/Issue	Recommendations on Citizen-centric Administration (12 <sup>th</sup> Report)	Government's Decision
<b>8. (Para 7.10.3) Analysis and Identification of Grievance Prone Areas</b>	(a). Government organizations should analyse the complaints received and identify the areas wherein interventions would be required so as to eliminate the underlying causes that lead to public grievances. This exercise should be carried out at regular intervals.(26)	(a) Recommendation has been accepted.
<b>9. (Para 8.3.3) Consumer Protection</b>	(a). Lok Adalats would be effective in settling many consumer disputes. It should be stipulated by law that cases up to a particular value, say Rupees two lakhs, should first be referred to Lok Adalats. (27)	(a) Recommendation was not accepted. However, the District Consumer Courts need to be empowered to handle these cases.
<b>9. (Para 8.3.3) Consumer Protection</b>	(b). All Ministries/Departments need to examine the procedures regulating grant of licenses, permissions or registration including the underlying Acts, Rules, Notifications, etc. These should be recast with the following underlying principles: i. There should be an upper time limit for grant of any license/ permission/registration. The law should provide for penalties if an application is not disposed of within the stipulated period. ii. Applications should be processed only on a 'First in First out Basis'. All applications received and pending should be put on the licensing authority's website. iii. Selecting units for surprise inspection should not be left to the discretion of the inspecting officers. Each office should devise an objective procedure to randomly select units for inspection. Exceptions can be made in case of receipt of genuine complaints against any unit. The outcome of all inspections must be immediately put in the public domain. There should be an annual audit of the licensing and inspection system each year by an independent agency. All licensing authorities should evolve an accessible system for receipt of citizens' complaints.(28)	(b) Recommendation has been accepted.
<b>10. (Para 9.10.4) Special Institution Mechanisms</b>	(a). A common format for making complaints before various statutory Commissions should be devised in consultation with each other. This format should capture the details of the victims and complainants in such a way that it facilitates matching of data across different Commissions. In case of complaints filed without the use of the common format, the necessary fields may be filled up at the time of registration of cases itself by the Commission receiving the complaint. (29)  (b). As recommended in paragraph 6.3.9 of the Commission's Eleventh Report entitled 'Promoting e-Governance: the SMART Way Forward', each statutory Commission should create an electronic database prospectively and each database should be networked with each other to facilitate comparison of data.(30)	(a) to (d) Recommendations were not accepted as flexibility should be available for such statutory Commissions

Topic/Issue	Recommendations on Citizen-centric Administration (12 <sup>th</sup> Report)	Government's Decision
<b>10. (Para 9.10.4) Special Institution Mechanisms</b>	(c). The Human Rights Commission {as defined in Section 3(3), PHRA} should lay down norms to deal with complaints by the most appropriate Commission. The basic principle could be that the dominant grievance in a complaint should lead to its handling by the appropriate Commission. Nodal officers may be appointed in each Commission to identify and coordinate action over such cases. Internal mechanisms should be evolved within each statutory Commission to facilitate the handling of such cases in a coordinated manner. (31)	(a) to (d) Recommendations were not accepted as flexibility should be available for such statutory Commissions
	(d). The Union and State Governments should take proactive steps in dealing with serious offences like custodial deaths/rapes etc on priority so that their occurrence diminishes over the years. Help of NHRC may be taken to prepare an action plan for this purpose. (32)	
	(e). In the smaller States, a single 'multi-role' Commission may be constituted which would carry out the specific functions of all the constitutional and statutory Commissions at the State level. (33)	(e) Recommendation has been accepted.
	(f). A separate Standing Committee of Parliament may be constituted to look into Annual Reports submitted by these statutory Commissions.(34)	(f) Recommendation was not accepted
<b>11. (Para 10.1.9) Simplifying Internal Procedures</b>	(a). All Ministries/Departments should prepare a roadmap for carrying out a process simplification exercise. This should involve changes in Rules, Regulations and Laws wherever necessary. The entire exercise should be completed within two years. Similarly, the Ministries/Departments should instruct all organizations under their supervision to carry out this task. State Governments should also be advised accordingly. This elaborate exercise would involve the following steps for any organizations: <ul style="list-style-type: none"> <li>• Constitution of an in-house core team of persons well versed with internal procedures</li> <li>• Engaging external experts if necessary</li> <li>• Getting feedback from citizens</li> <li>• Analyzing all processes from the point of necessity, simplicity, rationality and citizen centricity</li> <li>• Redesigning processes and forms</li> <li>• Doing a pilot study and getting it evaluated. Once the pilot stabilizes, analyzing the changes required in the rules/statutes</li> <li>• Implementing the change. Creating an incentive mechanism for sustaining the change.(35)</li> </ul>	(a) & (b) Recommendations have been accepted.

Topic/Issue	Recommendations on Citizen-centric Administration (12 <sup>th</sup> Report)	Government's Decision
<b>11. (Para 10.1.9) Simplifying Internal Procedures</b>	(b). Structural change should be an integral part of any process simplification exercise.(36)	(a) & (b) Recommendations have been accepted.
<b>12. (Para 10.4.4) Monitoring and Evaluation</b>	(a). The feedback from citizens should be used to monitor the performance of government offices. (37)	(a) & (b) accepted Recommendations have been
	(b). Each government office which has public interface should have an external evaluation conducted annually in addition to those conducted by the organization itself.(38)	
<b>13. (Para 10.5.1.11) Rationalising Procedures – Issue of Driving Licenses</b>	(a). Ministry of Road Transport and Highways should constitute an expert group to devise practical and objective tests of competence for issue of driving licenses.(39)	(a) & (b) accepted. Recommendations have been
	(b). The conduct of these practical tests as well as the one prescribed for learner's license could be outsourced. Close monitoring over their processes, would however be required.(40)	
<b>14. (Para 10.5.2.9) Registration of Births and Deaths</b>	(a). The emphasis under the Registration of Births and Deaths Act should shift from compliance to prescribed procedures to achieving 100% registration. (41)	(a) to (f) Recommendations have been accepted.
	(b). Registrars would need to adopt a more proactive approach, and it would be necessary to cast a duty upon them to register each case of birth and death within their jurisdiction irrespective of the fact whether a formal application has been received by them. The Registration could be done based on information from any source or even suo-motu by the Registrar. (42)	
	(c). Sufficient number of public functionaries should be designated as Registrars so that each one is assigned a manageable jurisdiction. (43)	
	(d). Each Registrar would need to be empowered under the law to seek and obtain information from any person. For this purpose, the law should provide that the Registrar shall have the power to issue notice seeking information from any person, regarding births and deaths and that person shall be bound to provide such information. (44)	
	(e). In order to make the process of imposition of fines quick and deterrent, the powers to levy fines should be given to the District Registrar.(45)	
<b>14. (Para 10.5.2.9) Registration of Births and Deaths</b>	(f). There should be no fees for delayed registration. It should be provided that in case of delayed registration, a more elaborate enquiry would be required. The onus for conducting the enquiry should be on the Competent Authority. (46)	(a) to (f) Recommendations have been accepted.

Topic/Issue	Recommendations on Citizen-centric Administration (12 <sup>th</sup> Report)	Government's Decision
<b>15. (Para 10.5.3.7)</b> <b>Building Licenses and Completion Certificates</b>	(a). Simplified procedures for grant of building permits on the basis of self-certification by owners / registered architects should be adopted by all State Governments and local bodies. (47)	(a)to(d) accepted.
	(b). The JNNURM guidelines should be amended to make adoption of such procedures as a part of the mandatory reforms.(48)	
	(c). Similar simplification of procedures should be done in the issuance of completion certificates by local bodies. In case of completed buildings, a hundred per cent verification after the issue of completion certificates on the basis of self-certification would be necessary within a specified period of 90 days. The Rules should provide heavy penalties, including demolition, for violation of conditions as well as for negligence or collusion, if any, on the part of the prescribed verifying authority.(49)	
	(d). The capacity building of the enforcement wings of the local bodies should also be done alongside these initiatives to ensure compliance with local bye-laws. The help of local residents' associations may be enlisted for this purpose.(50)	



## Organisational Structure of Government of India

Topic/Issue	Recommendations on Organizational Structure of Government of India (13 <sup>th</sup> Report)	Government's Decision
<b>1. (Para 4.2) Core Principles of Reforming the Structure of Government</b>	(a) The core principles mentioned in paragraph 4.1 should govern the restructuring of Government of India (1)(i) The union Government should primarily focus on the following core areas: i. Defence, International Relations, National security, Justice and rule of law ii. Human development through access to good quality education and healthcare to every citizen iii. Infrastructure and sustainable natural resource development iv. social security and social justice v. Macro-economic management and national economic planningvi. National policies in respect of other sectors	(a) (i) The core principles mentioned by ARC about the structure of GOI could be accepted in principle. Ministries/Departments could be guided by these core principles while reviewing their functioning.
	(ii). The principle of subsidiarity should be followed to decentralise functions to state and local Governments.	ii. The recommendation was accepted.
	(iii) Subjects which are closely inter- related should be dealt with together: In any organization, functional division is inevitable but it should not be at the cost of an integrated approach towards organizational goals. It is therefore necessary that while structuring Government into Ministries and Departments, a golden mean between the need for functional specialization and the adoption of an integrated approach is adopted. This would involve an in-depth analysis of all the government functions followed by their grouping into certain key categories to be linked to a Ministry	iii. The recommendation was agreed to in principle. As the structure of Ministries/Departments is largely based on allocation of portfolios amongst Ministers, this objective could be achieved through the constitution of standing Inter-Ministerial Groups and Group of Ministers

Topic/Issue	Recommendations on Organizational Structure of Government of India (13 <sup>th</sup> Report)	Government's Decision
<b>1. (Para 4.2) Core Principles of Reforming the Structure of Government</b>	iv. Separation of policy making functions from execution: In any large organization, the imperative of efficient management requires that higher echelons concentrate more on strategic decisions and policy making whereas the lower echelons focus on operational decisions and implementation of policies. In the context of Government, this would require the Ministries to give greater emphasis to the policy making functions while delegating the implementation functions to the operational units or independent organizations/ agencies. This is all the more necessary because policy making today is a specialized function which requires a broader perspective, conceptual understanding of the domain and proper appreciation of the external environment. Implementation of the policies on the other hand require in- depth knowledge of the subject and managerial skills.	iv. The recommendation was accepted. Ministries would be requested to review their functioning to give greater emphasis to policy making functions while delegating implementation to operational units. The implementation model of Centrally sponsored Schemes like NREGS, NHRM & SSA should also be looked into.
	(v). Coordinated implementation: coordination is essential in implementation as in policy making. The proliferation of vertical departments makes this an impossible task except in cases where empowered commissions, statutory bodies, autonomous societies have been created. There is considerable scope for more of such inter-disciplinary bodies in important sectors. This should be pursued urgently. In cases where these already exist, the tendency to reduce their autonomy should be reversed.	v. Recommendation was accepted. Inter- ministerial groups could be formed to ensure convergence of objectives.
	(vi). Flatter structures - reducing the number of levels and encouraging team work: The structure of an organization including those in government should be tailor- made to suit the specific objectives it is supposed to achieve. The conventional approach in the Government of India has been to adopt uniform vertical hierarchies (as prescribed in the Manual for Office Procedure). There is a need to shift to flatter organizations with greater emphasis on team work.	vi. Accepted the recommendation. Instructions for reducing decision making levels could be made mandatory.
<b>1. (Para 4.2) Core Principles of Reforming the Structure of Government</b>	vii Well defined accountability: The present multi-layered organizational structure with fragmented decision making leads to a culture of alibis for non-performance. The tendency to have large number of on file consultations, often unnecessary, lead to diffused accountability. A clearer demarcation of organizational responsibilities would also have helped in developing a performance management system for individual functionaries.	(vii) & (viii) The recommendations were accepted. These principles would be considered while formulating guidelines for Performance Management

Topic/Issue	Recommendations on Organizational Structure of Government of India (13 <sup>th</sup> Report)	Government's Decision
	<p>(viii) . Appropriate delegation: A typical characteristic of a government organization is the tendency to centralize power and avoid delegation of authority to subordinate functionaries or units. However, this leads to delays, inefficiency and demoralization of the subordinate staff. The principle of subsidiarity should be followed to locate authority closer to the citizens.</p>	<p>System.</p>
	<p>(ix) Criticality of operational units: Government organizations have tended to become top-heavy coupled with fragmentation and lack of authority, manpower and resources at the operational levels that have a direct bearing on citizens' lives. Rationalization of Government staff pattern is necessary, commensurate with the requirements of the citizens.</p>	<p>(ix) The recommendation was accepted. Ministries/Departments would undertake the exercise to identify gaps in human resources and take appropriate action.</p>
<p><b>2.(Para 5.1.11) Rationalising the Functions of Government</b></p>	<p>(a) The Government of India should primarily focus on the core functions stated in paragraph 5.1.10(2)</p>	<p>(a) The core principles mentioned by ARC about the structure of Gol can be accepted in principle. Ministries/ Departments can be guided by these core principles while reviewing their functioning.</p>
	<p>(b) Government at all levels should be guided by the principle of subsidiarity.(3)</p>	<p>(b) Accepted the recommendation and decided that all proposals, EFC memos, Note for Cabinet Committee etc. should specifically state that the principle for subsidiarity is being followed.</p>

Topic/Issue	Recommendations on Organizational Structure of Government of India (13 <sup>th</sup> Report)	Government's Decision
<p><b>2.(Para 5.1.11)</b> <b>Rationalising the Functions of Government</b></p>	<p>(c) There is need to carry out a detailed analysis of the functions/activities in each Ministry/Department in the light of (a) and (b) above. This should be followed by restructuring which may be include decentralization/ delegation or hiving off activities(4)</p>	<p>(c) Agreed with the recommendation. Each ministry would carry out review of its activities in the light of suggestions made by ARC with the assistance of an expert organization to identify core &amp; non-core functions. This review would also help the ministries to prepare an action plan for delegating implementation activities &amp; non-core activities to attached &amp; subordinate offices. Performance Management Division of Cabinet Secretariat would prepare the indicative terms of reference and a common format which can be adapted by ministries.</p>
<p><b>3. (Para 5.3.11)</b> <b>Rationalizing and Reorganizing the Ministries and Departments</b></p>	<p>(a) The concept of a Ministry would have to be redefined. A Ministry would mean a group of departments whose functions and subjects are closely related and is assigned to a First or Coordinating Minister for the purpose of providing overall leadership and coordination. This concept of a Ministry and the Coordinating (or First) Minister may be explicitly laid down in the Allocation of Business Rules. Adequate delegation among the Ministers would have to laid down in the Transaction of Business Rules. As a consequence of this, rationalization of Secretary level posts wherever required may also need to be carried out.(5)</p>	<p>(a) to (c): The recommendations have not been accepted.</p>
<p><b>3. (Para 5.3.11)</b> <b>Rationalizing and</b></p>	<p>(b) Individual departments or any combination of these could be headed by the Coordinating (or First) Minister, other Cabinet Minister (s)/Minister(s) of State(6)</p>	<p>(a) to (c): The recommendations have not</p>

Topic/Issue	Recommendations on Organizational Structure of Government of India (13 <sup>th</sup> Report)	Government's Decision
<b>Reorganizing the Ministries and Departments</b>	(c)The structure of the Government of India should be rationalized by grouping together closely related subjects as illustrated in paragraph 5.3.10.5 in order to reduce the number of Ministries to 20- 25.(7)	been accepted.
<b>4. (Para 5.4.6) Recasting the Allocation of Business Rules</b>	(a) There is need to recast the Allocation of Business Rules to make them more focused on the goals and outcomes of each Ministry/Department in order to shift the emphasis from a detailed listing of activities/ subjects of each Ministry/ Department to a broader perspective.(8)	(a) to (c) The recommendations have been accepted.
	(b) The Allocation of Business Rules should first provide a Statement of the mission of the department followed by a list of subjects and functions(9)	
	(c) There is need to bring greater uniformity in the description of the roles and functions of various Ministries/Departments(10)	
	(d) Ministries/Departments should maintain a matter list of all laws pertaining to the subjects dealt with in that Ministry/Department instead of mentioning them in the Allocation of Business Rules. The underlying principle should be stated in the Rules that all laws relating to the subjects and functions allocated to a Ministry/Department would fall under its purview.(11)	(d) & (e): The recommendations have not been accepted.
	(e) Instead of naming the individual PSUs and autonomous organizations under each Ministry, the Rules should merely have a generic entry to the effect that all PSUs and Autonomous Organizations whose functioning is directly related to subject(s) of the concerned Ministry would be under its jurisdiction. However, in cases where activities of a PSU or an autonomous organization relates to more than one Ministry/Department then it may be advisable to list out such PSUs under a particular Ministry/ Department.(12)	
<b>5. (Para 5.5.2.7) Focus on Policy Analysis</b>	(a) In order to make them binding, the general principles to govern the extent of delegation from Departments to their attached and subordinate offices (executive agencies) may be incorporated in the Transaction of Business Rules. These principles may stipulate that the Ministries/Departments should concentrate on the following: Policy analysis, planning, policy making and strategic decisions Budgeting and Parliamentary work Monitoring of implementation through systems and procedures Appointments of key personnel Coordination Evaluation(13)	(a) & (b) The recommendations have been accepted. A review of the functions being performed by ministries along with its attached/subordinate

Topic/Issue	Recommendations on Organizational Structure of Government of India (13 <sup>th</sup> Report)	Government's Decision
	(b) Attached and subordinate offices should serve as the executive agencies of the ministries and concentrate on the implementation of government policies and programmes.(14)	offices could be undertaken by the Ministries. A clear demarcation of functions, roles, responsibilities and appropriate delegation would be worked out during this review. An expert organization can be involved to undertake this exercise, Performance Management Division of Cabinet Secretariat would prepare the indicative terms of reference and a common format which could be suitably adopted by ministries for this review.
<b>6. (Para 5.5.3.3) Policy Evaluation</b>	(a) Each Department should introduce a system of policy evaluation to be carried out at the end of prescribed periods. All relevant policies should be updated in the light of the findings of such evaluations. (15)	(a) The recommendation has been accepted.
<b>7. (Para 5.6.10)Creation of Effective Executive Agencies</b>	(a) Each Union Government Ministry should scrutinize the functions/activities of the ministry to confirm whether these activities/functions are critical to the mission of the Department and can only be carried out by government agencies. This should be done with reference to core areas mentioned by the Commission in para 4.1.1.a.(16)	(a) to (d) The recommendations have been accepted.
<b>7. (Para 5.6.10)Creation of Effective Executive Agencies</b>	(b) Only those functions/activities that are in line with the principles enunciated in paragraph 5.5.2.7 (a) should be carried out directly by the Department/Ministries. Other functions/activities should be carried out by the executive agencies of the department.(17)	(a) to (d) The recommendations have been accepted.

Topic/Issue	Recommendations on Organizational Structure of Government of India (13 <sup>th</sup> Report)	Government's Decision
	<p>(c) Each agency, whether a new body or an existing departmental undertaking/ agency/ board/special purpose body etc. that is to function as an executive agency, must be autonomous or semi-autonomous and professionally managed under a mandate. Such executive agencies could be structured as a department, board, commission, company, society etc.(18)</p> <p>(d) The right balance between autonomy and accountability needs to be struck while designing the institutional framework of executive agencies. This could be achieved through well designed performance agreements, Memorandum of Understanding (MoU), contracts etc. However, preparing and enforcing such performance contracts requires considerable upgradation of capacity in the concerned government departments.(19)</p>	
<p><b>8. (Para 5.9.7) Reorganisation of Ministries</b></p>	<p>(a) Each Department should lay down a detailed scheme of delegation at all levels so that the decision making takes place at the most appropriate level. It should be laid down in the Manual of Office Procedure that every Ministry should prescribe a detailed scheme of delegation for its officers. This delegation should be arrived at on the basis of an analysis of the activities and functions of the Ministry/ Department and the type of decisions that these entail which should be dovetailed with the decision making units identified in that Department.(20)</p>	<p>(a) to (e) Accepted the recommendations. There should be a mandatory scheme of delegation in each ministry which can be arrived at after the review of functions which is proposed to be undertaken. However, such schemes should take into account the requirements of Parliamentary accountability. CGAR also agreed that instructions about number of levels for decision making should not be more than 3 other than in exceptional cases. These instructions should be made mandatory to all ministries/departments. It was also decided that D/o Administrative Reforms &amp;</p>
	<p>(b) The scheme of delegation should be updated periodically and should also be 'audited' at regular intervals. The audit should ensure that the delegated authority is actually exercised by the delegate. The scheme of delegation should be placed in the public domain.(21)</p>	
<p><b>8. (Para 5.9.7) Reorganisation of Ministries</b></p>	<p>(c) The number of levels through which a file passes for a decision should not exceed three. i. In cases where the Minister's approval is required, the file should be initiated by the Deputy Secretary/Director concerned and should be moved through the Joint Secretary (or Additional Secretary/Special Secretary) and the Secretary (or Special Secretary) to the Minister. ii. Cases requiring approval of the Secretary should go through just two levels (e.g. either US and Director, US and JS or Director and JS) iii. Cases requiring approval of the JS/Director/DS should come through just one level. The exact combination of levels should be spelt out in the scheme of delegation of each Ministry/Department whereas the number of levels as suggested above should be prescribed in the Manual of office Procedure. iv. The Department dealing with administrative reforms in the Union Government should be entrusted with the task of ensuring compliance with this stipulation.(22)</p>	

Topic/Issue	Recommendations on Organizational Structure of Government of India (13 <sup>th</sup> Report)	Government's Decision
	<p>(d) For addressing cross cutting issues, the Secretary of the concerned Department should have the flexibility to create inter-disciplinary teams.(23)</p> <p>(e) The Manual of Office Procedure should be recast based on the principles stated in paragraph 5.9 : (i) Well defined delegation at all levels (ii) Minimizing levels to reduce delays (iii) Shift from process compliance to outcomes Innovative approaches to multi-disciplinary work teams Shift from an ad-hoc application of precedents to systematic classifications and transparent use of past records Shift from a reactive to a proactive approach.(24)</p> <p>(f) The Departments should build an electronic database of decisions that are likely to be used as precedents. Thereafter, such database should be periodically reviewed and where necessary, changes in rules introduced in order to codify them. There may also be precedents that may be the result of wrong or arbitrary decision making which the Department would prefer not to rely on for the future. In such cases the Department would have to appropriately change its policy/guidelines and if required even the rules to ensure that these precedents are not wrongly used.(25)</p>	<p>Public Grievances would ensure compliance of these guidelines. Progress in implementation of the government decisions made in respect of ARC recommendations would be brought before the CGAR and GoM.</p> <p>(f) Accepted the recommendation. As part of the e-Office DAR&amp;PG would prepare a knowledge management module which could be adopted by government ministries/departments.</p>
<p><b>9. (Para 5.12) Coordination Mechanisms</b></p>	<p>(a) There is need to ensure that the existing coordination mechanisms like the Group of Ministers and Committee of Secretaries function effectively and help in early resolution of issues as stated in para 5.10 Selective, but effective use of GOMs with clear mandate and prescribed time limits, would be helpful. (26)</p> <p>(b) Unresolved issues concerning States which require inter-Ministerial coordination in Government of India, should be placed before the Committee of Secretaries (COSs) and then to the Union Cabinet for resolution.(27)</p>	<p>(a) &amp; (b) Accepted the recommendations. The existing coordination mechanisms like Inter-Ministerial Group and Group of Ministers are already performing the functions suggested by ARC.</p>
<p><b>10.(6.4.8) Creating an Effective Regulatory</b></p>	<p>(a) Setting up of a Regulator should be preceded by a detailed review to decide whether the policy regime in the concerned sector is such that a Regulator would be better placed to deliver the policy objectives of the department concerned(28)</p>	<p>(a) to (j) Accepted the recommendations for creating an effective</p>



Topic/Issue	Recommendations on Organizational Structure of Government of India (13 <sup>th</sup> Report)	Government's Decision
<b>Framework</b>	(b) In addition to the statutory framework which underpins the interface between the government and the regulator, each Ministry/Department should evolve a 'Management Statement' outlining the objectives and roles of each regulator and the guidelines governing their interaction with the government. This would guide both the government department and the Regulator.(29)	regulatory framework. Planning Commission would assist the Department of Personnel & Training in preparing the draft guidelines in this regard. The recommendations made by 6th Pay Commission and ARC would be considered by DOPT in this exercise.
	(c) There is need for greater uniformity in the terms of appointment, tenure and removal of various regulatory authorities considering these have been set up with broadly similar objectives and functions and should enjoy the same degree of autonomy. The initial process of appointment of Chairman and Board Members should be transparent, credible and fair.(30)	
	(d) The appointment of the Chairman and Board Members for all such regulatory authorities should be done by the Union/State Governments after an initial screening and recommendation of a panel of names by a Selection Committee. The composition of the Selection Committee should be defined in the respective Acts and may broadly follow the pattern laid down in the Electricity Regulatory Commission Act.(31)	
	(e) The tenure of the Chairmen and Board Members could also be made uniform preferably three years or 65 years of age whichever is earlier.(32)	
<b>10.(6.4.8) Creating an Effective Regulatory Framework</b>	(f) Legal provisions regarding removal of Board Members should be made uniform while at the same time ensuring sufficient safeguards against arbitrary removal. This could be achieved by allowing removal by the Union Government only on fulfillment of certain conditions as laid down in Section 6 of the IRDA Act with the additional safeguard that a removal for abuse of power shall be preceded by an enquiry and consultation with UPSC.(33)	(a) to (j) Accepted the recommendations for creating an effective regulatory framework. Planning Commission would assist the Department of Personnel & Training in preparing the draft guidelines in this regard. The recommendations made by 6th Pay Commission and ARC would be considered by DOPT in this exercise.
	(g) Parliamentary oversight of regulators should be ensured through the respective Departmentally Related Standing Parliamentary Committees.(34)	
	(h) A body of reputed outside experts should propose guidelines for periodic evaluation of the independent Regulators. Based on these guidelines, government in consultation with respective Departmentally related Standing Committee of the parliament should fix the principles on which the Regulators should be evaluated. The annual reports of the regulators should include a report on their performance in the context of these principles. This report should be referred to the respective Parliamentary Committee for discussion.(35)	

Topic/Issue	Recommendations on Organizational Structure of Government of India (13 <sup>th</sup> Report)	Government's Decision
	<p>(i) Each statute creating a regulator should include a provision for an impact assessment periodically by an external agency. Once the objective of creating a level playing field is achieved, the intervention of the Regulators could be reduced in a phased manner ultimately leading either to their abolition or to convergence with other Regulators.(36)</p> <p>(j) There is need to achieve greater uniformity in the structure of Regulators. The existing coordination mechanisms such as the Committee of Secretaries/ Cabinet Committees, assisted by Secretary (Coordination) could easily ensure that the institutional framework for all Regulators follow, by and large, a uniform pattern. (37)</p>	

## Strengthening Financial Management Systems

Topic/Issue	Recommendations on Strengthening Financial Management Systems (14 <sup>th</sup> Report)	Government's Decision
<b>1. (Para 4.5.8) Unrealistic Budget Estimates</b>	<p>a. The assumptions made while formulating estimates must be realistic. At the end of each year the reasons for the gap between the 'estimates' and 'actuals' must be ascertained and efforts made to minimize them. These assumptions should also be subject to audit.(1)</p> <p>b. The method of formulation of the annual budget by getting details from different organizations/units/agencies and fitting them into a pre- determined aggregate amount leads to unrealistic budget estimates. This method should be given up along with the method of budgeting on the basis of 'analysis of trends'. This should be replaced by a 'top- down' method by indicating aggregate limits to expenditure to each organization/agency. (2)</p> <p>c. Internal capacity for making realistic estimates needs to be developed.(3)</p>	<p>(a) to (c): Accepted the recommendations of the ARC.</p>
<b>2. (Para 4.6.5) Delay in Implementation of Projects</b>	<p>a. Projects and schemes should be included in the budget only after detailed consideration. The norms for formulating the budget should be strictly adhered to in order to avoid making token provisions and spreading resources thinly over a large number of projects/schemes.(4)</p>	<p>(a) : Accepted the recommendation.</p>
<b>3. (Para 4.7.8) Skewed Expenditure Pattern – Rush of Expenditure towards the end of the Financial year</b>	<p>a. The Modified Cash Management System should be strictly adhered. This System should be extended to all Demands for Grants as soon as possible. (5)</p>	<p>(a) : Accepted the recommendation.</p>
<b>4. (Para 4.8.26) Inadequate Adherence to the Multi- year Perspective and Missing Line of Sight between Plan and Budget</b>	<p>a. A high Powered Committee may be constituted to examine and recommend on the need and ways for having medium-term expenditure limits for Ministries/ Departments through the Five year Plans and linking them to annual budgets with carry forward facility. (6)</p>	<p>(a) &amp; (b): Accepted the recommendation.</p>

Topic/Issue	Recommendations on Strengthening Financial Management Systems (14 <sup>th</sup> Report)	Government's Decision
<b>4. (Para 4.8.26) Inadequate Adherence to the Multi- year Perspective and Missing Line of Sight between Plan and Budget</b>	b. In order to bring about clarity, transparency and consolidation, the ways and means for implementing an 'alignment' project, similar to that in the UK, may also be examined by the high Powered Committee so constituted.(7)	(a) & (b): Accepted the recommendation.
<b>5. (Para 4.11.2) Adhoc Project Announcements</b>	a. The practice of announcing projects and schemes on an ad-hoc basis in budgets and on important National Days, and during visits of dignitaries functionaries to States needs to be stopped. Projects/schemes which are considered absolutely essential may be considered in the annual plans or at the time of mid-term appraisal.(8)	(a): Recommendation was not accepted.
<b>6. (Para 4.12.6) Emphasis on Meeting Budgetary Financial Targets rather than on Outputs and Outcomes</b>	a. Outcome budgeting is a complex process and a number of steps are involved before it can be attempted with any degree of usefulness. A beginning may be made with proper preparation and training in case of the Flagship Schemes and certain national priorities.(9)	(a): Accepted the recommendation.
<b>7. (Para 4.13.4) Irrational 'Plan – Non Plan' Distinction leads to Inefficiency in resource Utilization</b>	a. The Plan versus non-Plan distinction needs to be done away with.(10)	(a): Agreed in principle. A Task Force is already examining it.
<b>8. (Para 5.2.12) Flow of Funds relating to Centrally Sponsored Schemes</b>	a. The Controller General of Accounts, in consultation with the C&AG, should lay down the principles for implementing the system of flow of sanctions/approvals from the Union Ministries/ Departments to implementing agencies in the States to facilitate release of fund at the time of payment. After taking into account the available technology and infrastructure for electronic flow of information and funds, especially under the NeGP, and putting in place a new Chart of Accounts, the scheme should be implemented in a time bound manner.(11)	(a) : Accepted the recommendation.
<b>9. (Para 5.3.6) Development of Financial Information System,</b>	a. A robust financial information system, on the lines of SIAFI of Brazil, needs to be created in the government in a time bound manner. This system should also make accessible to the public, real time data on government expenditure at all levels.(12)	(a) : Accepted the recommendation.

Topic/Issue	Recommendations on Strengthening Financial Management Systems (14 <sup>th</sup> Report)	Government's Decision
<b>10. (Para 5.4.3) Capacity Building</b>	a. The capacity of individuals and institutions in government needs to be improved in order to implement reforms in financial management. To facilitate this, a proper programme of training needs to be devised and implemented in a time bound manner.(13)	(a): Accepted the recommendation.
<b>11. (Para 6.3) Accrual System of Accounting</b>	a. A Task Force should be set up to examine the costs and benefits of introducing the accrual system of accounting. This Task Force should also examine its applicability in case of the Appropriation Accounts and Finance Accounts.(14)	(a) to (e): Agreed in principle. Decision has already been taken to migrate to accrual system of accounting. M/o Finance with input from C&AG to work out road map for taking Accrual System further in the government.
b. Initially, a few departments/ organizations may be identified where tangible benefits could be shown to be derived within 2-3 years by implementing the accrual system of accounting, especially departmental 'commercial undertakings'. (15)		
c. The result of this initial implementation may be studied by a committee of experts which would recommend on its further implementation in all departments/ organizations at the Union/State level along with exclusions, if any. This may proceed in a phased manner.(16)		
d. Prior to its implementation, training and capacity building needs of the accounting personnel and all stake holders in the decision making process would have to be addressed and a meticulous schedule worked out in line with the road map of implementation.(17)		
e. Before the new system is adopted, alignment of the plan, budget and accounts, as recommended in this Report elsewhere, needs to be achieved and a viable financial information system needs to be put in place.(18)		
<b>12. (Para 7.5) Internal Audit</b>	a. An Office of the Chief Internal Auditor (CIA) should be established in select Ministries/ departments to carry out the functions related to internal audit. Its independence, duties, functions, mechanism of coordination with the CAG etc. should be provided by a statute.(19)	(a) to (h) Agreed with the recommendation. The need for strengthening internal control & audit is necessary. However, it was decided that creating an Office of Chief Internal Auditor is not desirable since the AS & FA is already
b. CIAs should be directly responsible to the Secretary of the Department.(20)		
c. In the initial stages, personnel may be inducted from existing accounts cadres. Norms for recruitment and utilizing private sector expertise in select tasks may also be devised. Capacity building needs for proper functioning of this Office should be identified in advance. (21)		

Topic/Issue	Recommendations on Strengthening Financial Management Systems (14 <sup>th</sup> Report)	Government's Decision
	<p>d. The modalities for ensuring non-duplication of work vis-à-vis the C&amp;AG should be formalized. This should be aimed at assisting the C&amp;AG in concentrating on carrying out specialized audit/tasks. (22)</p> <p>e. Standards for internal audit should be prescribed by the Office of the C&amp;AG. (23)</p> <p>f. The Accounting functions should be completely separated from Internal Audit.(24)</p> <p>g. The functioning and effectiveness of this new system may be examined after allowing a suitable period of operation. Based on the results of this examination, such offices may also be instituted in other Ministries/ departments/ organizations.(25)</p> <p>h. An Audit Committee should be constituted in each Ministry/ Department. It should consist of a Chairperson and two members to be appointed by the Minister in charge of that Ministry/ Department. The Chairperson should be a person of eminence in public life. The two members should be from outside the government. The Audit Committee should look after matters related to both internal and external audit including implementation of their recommendations and report annually to the respective Departmentally related Standing Committee of Parliament.(26)</p>	entrusted with the task.
<b>13. (Para 7.6.5) Integrated Financial Adviser</b>	a. The role of the Financial Adviser as the Chief Finance Officer of the Ministry who is responsible and accountable to the Secretary of the Ministry/Department should be recognized and the trend of dual accountability should be done away with.(27)	(a) Recommendation was not accepted.
<b>13. (Para 7.6.5) Integrated Financial Adviser</b>	b. Officers with sufficient training and experience in modern financial management systems should be posted as Financial Advisers in the Ministries/ Departments.(28)	(b): Accepted the recommendation.
<b>14.(Para 8.8.7) Accountability to Parliament</b>	a. In order to further strengthen the Parliamentary oversight mechanism, as many audit paras as possible need to be examined by Parliamentary Committees. To facilitate this, the PAC and COPU may decide in the beginning of the year itself, which paras would be examined by them and which by their sub-committees (to be constituted for the purpose). They may consider assigning other paras to the respective Departmentally related Standing Committees. The objective would be to complete the examination of all paras within one year. In exceptional cases, Chairman, PAC/COPU may authorize keeping a para alive for more than one year. If still some paras are pending, it is for the consideration of the PAC and COPU to refer these to the Departmental Audit Committees (recommended vide paragraph 7.5 of this Report).(29)	(a): M/o Parliamentary Affairs to examine and give views, and a final decision will be taken later.

Topic/Issue	Recommendations on Strengthening Financial Management Systems (14 <sup>th</sup> Report)	Government's Decision
<b>15. (Para 8.9.7) Relationship between Audit and the Government/ Government Agencies</b>	a. There is need for better understanding and synergy between the audit and auditees for enhanced public accountability and consequently better audit impact.(30)	(a) to (c): Accepted the recommendation.
	b. There should be balanced reporting by the audit. Audit reports should not focus on criticism alone but contain a fair assessment or evaluation, which would mean that good performance is also acknowledged.(31)	
	c. There is need for increasing interaction as well as coordination between the executive and the audit, including at senior levels. These should include regular and meaningful meetings where important issues could be discussed and conclusions reached on what needs to be done arising out of the recommendations made by the audit. There should also be quarterly communication from the Accountant General to Administrative Secretaries informing them about significant points and areas of improvement noted by Audit during their inspections.(32)	
<b>16. (Para 8.10.4) Timeliness of Audit</b>	a. External audit needs to be more timely in inspecting and reporting so that their reports can be used for timely corrective action. All audits for the year under review should be completed by 30th of September of the following year. To start with, all Audit Reports may be finalized by 31st December and this date may be gradually advanced.(33)	(a) to (c): Accepted the recommendation. Accepting the goalpost of 30th Sept. C&AG should work backward to fix other timelines for finalisation of internal accounts, etc.
	b. IT should be used increasingly and effectively for data collection and analysis.(34)	
	c. Government agencies also need to be more prompt in responding to audit observations and ensure that the remedial and corrective action not only settles the irregularities reported but also addresses the systemic deficiencies.(35)	
<b>17. (Para 8.11.5) Inadequate Response to Audit</b>	a. The pending audit paras should be monitored by having a database on them in each Ministry/Department. In case of persistent default in submitting replies to the audit paras a procedure should be laid down for action against the concerned officer.(36)	(a) Accepted the recommendation.

## State and District Administration

Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
<b>1. (Para 2.3.2.12) Size of the Council of Ministers</b>	a) The size of the Council of Ministers in the States needs to be reduced further considering the needs of an efficient government. For this purpose the maximum size of the Council of Ministers may be fixed in a range between 10% to 15% of the strength of their Legislative Assemblies. In the larger States (where membership of the Assembly is more than 200) such maximum percentage should be 10% where as in the medium (where the strength of the Assembly is between 80 and 200) and the smaller States (where the strength of the Assembly is below 80) it may be 12% and 15% respectively. This stipulation should however be subject to appropriate proviso to remove anomalies. It may be ensured that the maximum number of Ministers permissible for the medium sized States should not exceed the number prescribed for a large sized State having 200 legislators and similarly, the maximum number of Ministers permissible for the smaller States should not exceed the number prescribed for a medium sized State having 80 Legislators. There may not be any prescribed minimum.(1)	(a) & (b) Recommendations have been accepted in principle. The issue can be referred to Inter-State Council for consideration
	b) There is need to arrive at a national consensus on this issue through deliberations/discussions with the States at the Inter-State Council.(2)	
<b>2. (Para 2.3.3.11) Rationalizing the Number of Secretarial Departments</b>	a) The number of Secretariat Departments in the States should be further rationalized on the following basis: The existing departments covering inter- related subjects, activities and functions should be merged; Need for synergy between the activities of various departments; Devolution of a large number of functions to the PRIs/ULBs; Te role of Secretaries to be redefined; to be divested of non-essential responsibilities and executive work and larger delegation of power to the executive departments/agencies; and Need for streamlining the decision making process.(3)	(a) Recommendation has been accepted in principle. Objective of coordination could be achieved through the constitution of standing inter-departmental committees
<b>3. (Para 2.3.5.5) Executive Agencies</b>	a) The State Governments should scrutinize the functions/activities of each department to confirm whether these activities/ functions are critical to the mission of the department and can only be carried out by government agencies.(4)	(a) to (e) : Recommendations have been accepted.
<b>3. (Para 2.3.5.5) Executive Agencies</b>	b) Only those functions/ activities that have to be carried out by the government based on the principle enunciated in paragraph 2.3.4.6 should be carried out directly by the departments. Other functions/ activities should be carried out by Executive Agencies of the department.(5)	(a) to (e) : Recommendations have been accepted.



Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
	<p>c) Each Executive Agency, whether a new body or an existing departmental undertaking/ agency/ board/ special purpose body, etc. that is converted into an Executive Agency, must be semi-autonomous and professionally managed under a mandate. Such executive agencies could be structured as a department, board, commission, company, society, etc.(6)</p> <p>d) There is need for a right balance between autonomy and accountability while designing the institutional framework of executive agencies. This could be achieved through well designed performance agreements, Memorandum of Understanding (MoU), contracts, etc. However, preparing and enforcing such performance contracts requires considerable upgradation of capacity in the concerned governmental departments.(7)</p> <p>e) Agencies dealing with subjects where major functions and activities have devolved on local governments would need to concentrate on monitoring and supervision, ensuring of standards and quality, providing guidance to local governments on technical matters, training of personnel, giving feedback to the government on implementation and performance and advising on changes that are needed in plans and programmes – as stated in paragraph 2.3.5.4.(8)</p>	
<b>4. (Para 2.4.1.4) Civil Services Law</b>	(a) The Commission reiterates that the recommendations in its Tenth Report pertaining to the Civil Services Law and Civil Services Authority should be implemented by the State Governments both in letter and spirit.(9)	(a) & (b) While considering the 10th Report it was decided that Civil Services

Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
	<p>(b) In order to provide appropriate legislative backing to these reforms, each State Government should enact a Civil Services Law for all the personnel holding civil posts in the State (on the lines of the proposed Union Law). However, in order to evolve a national consensus and ensure a measure of uniformity among States, the matter may be taken up for deliberations at the Inter-State Council.<b>(10)</b></p>	<p>Performance Standard and Accountability Bill may be drafted by DoPT. The proposed Act would include (i) Vision for Civil Services, (ii) Code of Ethics for Civil Servants, (iii) Principles for Civil Services Management, (iv) Framework for Performance Management of civil services, Civil Services Management - Organisation, Structure and Functions and Implementation mechanism for the Act. It was also felt that there was a need for creating an organization which could assist the Government by providing advice and expertise in matters of Civil Services Management. This body can be created under this proposed Act and have an advisory and recommendatory role. State Govts. can be advised to take similar action after the proposed Act is passed by the Central Government.</p>

Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
<b>5. (Para 2.4.2.6) Appointment and Security of Tenure at the Senior Levels in the State Government</b>	(a). After enactment of the State Civil Services Law on the lines of the proposed Union enactment, the proposed State Civil Service Authority should deal with matters concerning appointment and tenure of senior officers of all ranks in the State Governments (including the Chief Secretary, Principal Secretaries, Engineer-in-Chiefs, other Agency Heads and Principal Chief Conservator of Forests).(11)	(a) & (b): Recommendations have not been accepted.
	(b) Till the time that such an Authority is constituted, the following mechanism may be adopted for appointment of the Chief Secretary and Principal Conservator of Forests in the States:- •There should be a collegiums to recommend a panel of names to the Chief Minister/ Cabinet for these two posts. For the post of Chief Secretary, this collegiums may consist of (a) a Minister nominated by the Chief Minister, (b) The Leader of the Opposition in the State Legislative Assembly and (c) the incumbent Chief Secretary. For the selection to the post of Principal Chief Conservator of Forests the collegiums may consist of The Minister In-charge of Forests, (b) the leader of Opposition in the State Legislative Assembly and (c) the Chief Secretary. •There should be a fixed tenure of at least two years for both these posts. •The selection for the post of Chief Secretary and Principal Chief Conservator of Forests should be widened to include all officers above a specified seniority (e.g. 30 years). All officers with a seniority higher than a prescribed limit should be eligible to be a part of the panel.(12)5. (Para 2.4.2.6) Appointment and Security of Tenure at the Senior Levels in the State Government	
	c) As regards the appointment and tenure of the Director General of Police, the recommendations made by the Commission in its Report on "Public Order" at para 5.2.3.7 should be implemented.(13)	(c) This issue is being monitored by Hon'ble Supreme Court of India
<b>6. (Para 2.4.3.9) Regional Level Administration</b>	a) In view of the emergence of District as the key unit of field administration - as the third tier of government - and with rapid advancement in physical and electronic connectivity between the State Headquarters and the Districts, there is no need to have an intermediate level of administration between the two units of government. (14)	(a) & (b) Recommendations have been accepted in principle and may be referred to State Governments.
<b>6. (Para 2.4.3.9) Regional Level Administration</b>	b) In order to take care of cadre management issues arising out of this step, suitable posts should be identified by respective departments, in the major districts and at the Headquarters to be manned by senior officers who are presently eligible to head the regional offices.(15)	(a) & (b) Recommendations have been accepted in principle and may be referred to State Governments.

Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
<b>7. (Para 2.4.5.2) Vigilance Commission/Vigilance Commissioner in the State</b>	a) The recommendations made by the Commission in its Fourth Report (on Ethics in Governance) and its Sixth Report (on Local Governance) for action by State Governments should be implemented expeditiously.(16)	(a) to (c) Recommendations have been accepted and may be referred to State Governments for consideration.
	b) The organization of the Vigilance Commission/ Commissioner in the State should be structured on the patterns of the Central Vigilance Commission. In larger States, the State Vigilance Commission should be a three Member Body with Members who have been experts in their respective fields. In smaller States, it may continue to be a single Member Body.(17)	
	c) The laws regarding the Lokayukta would need to be amended to incorporate the changes suggested in the Report on 'Ethics in Governance' .(18)	
<b>8. (Para 2.4.6.16) Human Resource Development, Capacity Building and Training</b>	a) The Commission reiterates its recommendations pertaining to capacity building and training made in the Report on "Refurbishing of Personnel Administration" (Tenth Report). (19)	(a) to (d) Recommendations have been accepted.
	b) Every State should formulate a comprehensive Human Resource Development Policy with training as an important component on the lines of the National Training Policy, 1996. Simultaneously, a suitable monitoring mechanism to supervise the implementation of such policy may also be setup.(20)	
<b>8. (Para 2.4.6.16) Human Resource Development, Capacity Building and Training</b>	c) In addition to the apex level training body called the Administrative Training Institute (ATI), adequate numbers of Regional Training Institutes should also be established at different places across the State. The Apex Institute should take care of the training needs of the Class I/Class II officers of the State services, whereas the Regional Training Institutes should deal with the mid-career training needs of Class II officers and induction training of Class III employees. Steps should also be taken to set-up district level training organizations which could take care of the mid-career training needs of Class III employees. The district centre should also have proper facilities for skill/behavioral training of Class IV recruits.(21)	(a) to (d) Recommendations have been accepted.
	d) In this arrangement, the apex body, the ATI should have an overall integrative and coordinating role for the entire training/orientation programme running in the State. It should act as the primary resource centre for Regional and District Training Institutes. It should also provide training to those who will work on their faculty. In course of time, the ATI can undertake projects of distance learning and become a virtual academy of training for the entire State.(22)	

Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
	e) The State Administrative Training Institutes (ATIs) should have embedded in them, Centers of Good Governance.(23)	(e) Recommendation has been accepted. ATIs should have a direct link with State Departments of Administrative Reforms and Personnel.
<b>9. (Para 2.5.8) State Public Service Commissions</b>	a) Steps should be taken to ensure that persons of high standing, intellectual ability and reputation are selected as Chairman/Members of the State Public Service Commissions. A limit should also be imposed on the strength of its membership.(24)	(a) Recommendation has been accepted. State Governments may be requested to take appropriate action.
	b) There is need to evolve national consensus among States on the issues of (i) appointment of Chairman/ Members and (ii) limit on the membership of the Commission, through discussions/ deliberations at the Inter- State Council.(25)	(b) Recommendation has been accepted and the matter may be referred to Inter- State Council for deliberation.
<b>10. (Para 2.5.9.4) Functions of the Public Service Commission; its Relationship with the Junior Recruiting Bodies</b>	a) The Public Service Commission should handle only (i) recruitment of candidates for higher level posts under the State Government (Class I and Class II positions of various State cadres), (ii) advising government on senior level promotions through the DPC and (iii) recruitment and promotions to teaching posts in government Colleges and fully funded units of the Universities.(26)	(a) & (b) Recommendations have been accepted and may be referred to State Governments for consideration.
	b) With regard to the appointment of junior level functionaries of the State Government, the role of the State Public Service Commission should be to lay down broad norms and standards. The recruiting organisations concerned such as the Subordinate Service Commission, the School Teachers Selection Commission and District Recruitment Boards should follow these norms and standards in their working. The State Public Service Commission would act as a watch dog.(27)	
<b>11. (Para 3.2.4.15) Redefining the Collector's Role</b>	a) There is need to realign the functions of the Deputy Commissioners/ District Collector so that he concentrates on the core functions such as land and revenue Administration, maintenance of law and order, disaster management, public distribution and civil supplies, excise, elections, transport, census, protocol, general administration, treasury management and Coordination with various agencies/ departments. (28)	(a) to (d) Recommendations have been accepted and referred to State Governments.

Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
	<p>b) The Commission reiterates its recommendations regarding the Land Title Management System made in its eleventh Report on e-Governance. It should be one of the primary duties of the District Collector to perform the task envisaged in the aforesaid recommendations. (29)</p> <p>c) There is need to strengthen the compliance machinery at the district level to enforce provisions of the RTI Act and to reduce the element of delay and subjectivity in the functioning of the lower level formations of the government. This should be done by creating a special RTI Cell in the office of the Collector, whose functions should be reviewed by the Collector a regular periodicity.(30)</p> <p>d) Officers may be posted as District Magistrates early in their career, but in complex and problem-prone districts an IAS officer should be posted a DM only on completion of 10-12 years of service.(31)</p>	
<b>11. (Para 3.2.4.15) Redefining the Collector's Role</b>	<p>e) Steps should be taken to ensure that the Collector plays an effective coordination role in activities and programmes of other departments a the district level.(32)</p>	<p>(e) Recommendation has been accepted.</p>
<b>12. (Para 3.2.4.16.5) Modernising the Office of the District Collector</b>	<p>a) The Commission reiterates its recommendations on the issues of personnel management, performance and outcome evaluation, effective citizen centric administration, use of information technology, process re-engineering etc. made in its earlier Reports on "Refurbishing of Personnel Administration", "Ethics in Governance", "Citizen Centric Administration", "Public Order", "Disaster Management", "Conflict Resolution" and "e-Governance". These recommendations should be expeditiously implemented where applicable to the district administration.(33)</p> <p>b. The following steps should be taken to modernize the office of the District Collector:-</p> <ul style="list-style-type: none"> <li>•Management Information System (MIS) should be set-up in the office of the Collector for effective monitoring and evaluation of programmes/ projects under his direct control.</li> <li>•A computerized District Grievance Cell should also be set up in the Collectorate.</li> <li>•An exclusiveVigilance Cell should be set up at the district level under overall supervision of the District Collector. This Cell should also maintain appropriate liaison with the office of the State Vigilance Commission/ Commissioner.</li> <li>•A forum should be established at the district level to interact with civil society groups and media on important public issues.</li> <li>•Immediate steps should be taken to introduce process re-engineering and increased use of information technology. The steps suggested at paragraph 3.2.4.16.3.4 in this regard may be initiated on priority.(34)</li> </ul>	<p>(a) to (c) Recommendations have been accepted. There should be a separate Plan provision for modernization of District Administration, similar to the scheme for modernization of Police Administration in MHA.</p>

Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
	c. Innovations and best practices initiated by officers should be documented adequately and institutionalized through changes in rules/laws wherever required.(35)	
<b>13. (Para 3.3.1.14) District Administration; Functional and Structural Reforms</b>	a) There should be an integrated governing structure at the district level in the form of the "District Council" with representation from both urban and rural areas. The Council will act as the "District Government".(36)	(a) to (c): Recommendations have not been accepted.
<b>13. (Para 3.3.1.14) District Administration; Functional and Structural Reforms</b>	b. The District Collector should have a dual role in this government structure. He should work as the Chief Officer of the District Council and should be fully accountable to the District Council on all local matters.(37)	(a) to (c): Recommendations have not been accepted.
	c. The District Officer would also be fully accountable to the State Government on all regulatory/other matters not delegated to the District Government.(38)	
<b>14. (Para 3.3.2.6) Line Departments of the State Government at the District/Sub- District Level</b>	a) District/sub-district offices, whose activities/functions coincide with the activities and functions transferred by the State Government to the PRIs/ULBs need not exist as separate entities at the district and sub- district levels. Functions funds and functionaries of such offices should be transferred to the appropriate local government institutions. (39)	(a) to (c): Recommendations have not been accepted. (a) to (c) Recommendations have been accepted in principle. Ministry of Home Affairs has recently issued a notification
	b) Line departments such as the Departments of Water Resources and PWD (Roads) or the Department of Health engaged in execution of State-wide projects need to maintain their separate offices at the district/sub-district level. On important issues, they will need to coordinate with the District Collector. They will also need to coordinate with the District Council to the extent their activities impinge on the powers and functions of the Council.(40)	
	c) The line departments and their Agency Heads should provide technical support and guidance to the District Councils in planning and monitoring implementation.(41)	

Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
<p><b>15.(Para4.2.6.16)</b>  <b>Roleofthe Government of NCT in Municipal Affairs - its Relationship with the Municipal Corporation of Delhi (MCD)</b></p>	<p>a) The Municipal Corporation of Delhi (MCD), including appointment of the Commissioner and other functionaries should lie in the domain of the Government of the National Capital Territory (GNCT). This can be done by way of a notification under Section 490A of the Act, issued by the Union Government. However, the appointment of the Commissioner should be made by the GNCT in consultation with the Union Government.(42)</p>	<p>(a) to (c):  Recommendations have not been accepted. (a) to (c) Recommendations have been accepted in principle. Ministry of Home Affairs has recently issued a notification giving more powers in these areas to the Government of National Capital Territory</p>
<p><b>15.(Para4.2.6.16)</b>  <b>Roleofthe Government of NCT in Municipal Affairs - its Relationship with the Municipal Corporation of Delhi (MCD)</b></p>	<p>b) In order that, the Union Government retains its overarching role over delivery of municipal services in the National Capital Territory, some provisions of the existing Act should remain unchanged. For example, Sections 487 to 490 of Chapter XXIV will need to be retained in their present form. Provisions dealing with building regulations should be kept intact in the domain of the Union Government (for example Section 347). Section 503 (dealing with exemptions to the diplomatic missions) and Section 508 (dealing with special provisions for the Red Fort area) should also vest with the Union Government.(43)</p> <p>c) The Union Government may appoint an Expert Committee which could work out the details of the required legal changes in a time bound manner.(44)</p>	<p>(a) to (c): Recommendations have not been accepted. (a) to (c) Recommendations have been accepted in principle. Ministry of Home Affairs has recently issued a notification giving more powers in these areas to the Government of National Capital Territory</p>
<p><b>16. (Para 4.2.6.17.7)</b>  <b>Empowerment of the Mayor</b></p>	<p>a) The Mayor of the MCD should be directly elected by popular mandate through a city-wide election. The term should be for five years.(45)</p> <p>b) The functions of chairing the Corporation and exercising executive authority should vest in the same functionary i.e. the Mayor. The Mayor should be the Chief Executive Authority of the MCD.(46)</p> <p>c) The Mayor should appoint a 'Cabinet'; choosing the members from amongst the elected corporators. The strength of this body should not exceed 10 per cent of the number of the elected Corporators or fifteen, whichever is higher. The "Cabinet" should exercise executive authority on matters entrusted to it by the Mayor, under his/her overall control and direction.(47)</p>	<p>(a) to (c) Recommendations have not been accepted.</p>



Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
<b>17. (Para 4.2.6.18.12)</b> <b>Issue of Splitting up the MCD</b>	(a) The municipal services in the entire National Capital Territory (NCT) may be under the jurisdiction of a single municipal body viz. the current Municipal Corporation of Delhi (MCD). (48)	a) to (d): Recommendations have not been accepted.
<b>17. (Para 4.2.6.18.12)</b> <b>Issue of Splitting up the MCD</b>	<p>(b) In order to provide efficient, responsive and citizen friendly services to the citizens, the MCD should be converted into a three tier institution with the Corporation at the apex. The middle tier i.e. the Zones should be adequately strengthened and empowered. The zonal body called Janpad Parishad/Zonal Council will primarily be a representative body consisting of elected Councillors (whose constituency falls majorly within the area of the Zone) and some nominated members. These Janpad Parishads/Zonal Councils should be given considerable financial and administrative autonomy. Each Zone should have a separate fund and all the taxes under Sections 113(1) and (2) of the DMC Act should be collected and retained by them. Their powers with regard to enforcement of regulations and bye-laws should also be enhanced appropriately. The third tier will consist of Ward Sabhas.(49)</p> <p>(c) The MCD should be at the apex level of the new structure. It will act as a kind of an Umbrella Organization – a Holding Entity, responsible for giving overall policy directions and high level conceptual technical and HRD support to the zones. This Apex body should not delve into the day-to-day functioning of the Zones. It should provide coordination among Zones &amp; make laws/bye-laws for the whole of Delhi. It should take up projects which run across multiple zones. It will be the duty of this apex body to ensure that standards of development and civic amenities remain uniform throughout the city.(50)</p> <p>(d) Substantial changes will need to be introduced in the provisions of the existing DMC Act, 1957 to implement these recommendations. The Expert Committee suggested earlier at paragraph 4.2.6.16(c) may be asked to carry out this task within a period of two months.(51)</p>	a) to (d): Recommendations have not been accepted.
<b>18. (Para 4.2.7.5)</b> <b>Distinction between Urban and Rural Areas in the NCT</b>	<p>a) There is no need to maintain the artificial distinction between urban and rural areas in the National Capital Territory. The entire geographical area falling into the NCT should be declared as “urban” under the meaning of Section 2(61) of the DMC Act.(52)</p> <p>b) The Municipal Corporation should realise the taxes, levies and other charges accordingly from the residents of these areas.(53)</p>	(a) & (b) Recommendations have been accepted in principle. Ministry of Home Affairs would take up this matter with Ministry of Panchayati Raj.

Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
<b>19. (Para 4.2.8.5) New Delhi Municipal Council</b>	a) There is no need to change the present governing structure of the New Delhi Municipal Council.(54)	(a) Recommendation has been accepted.
<b>20. (Para 4.2.10.15) Role of the Government of NCT in Spatial Planning and Land Development; Its Relationship with the Delhi Development Authority</b>	a) The composition of the DDA needs to be changed. The Chief Minister of Delhi should be the Chairperson of this body in place of the Lt. Governor. This should be done by amending Section 3(3) (a) of the DDA Act, 1957.(55)	(a) Recommendation has not been accepted.
	b) As stated in paragraph 4.2.10.12, other powers of the Union Government as mentioned in various sections of the DDA Act should remain.(56)	(b) & (c) Recommendations have been accepted in principle.
	c) Steps should be taken urgently to improve the internal functioning of the DDA on the lines recommended by the Ashok Pradhan Committee.(57)	
<b>21. (Para 4.2.11.8) Role of the Government of NCT - In Police, Law and Order</b>	a) The Union Government may retain control over the broader aspects of security and law and order whereas traffic, local policing and enforcement of the special laws could be handed over to the Delhi Government. In the long run some of these functions could be transferred to the Municipal Corporation. (58)	(a) & (b): Recommendations have not been accepted.
	b) As this will involve major restructuring of the present Delhi Police establishment, it may be advisable to constitute a Task Force with representatives of both the Union and the Delhi Government to study the matter in depth and suggest appropriate restructuring through legislative and administrative measures.(59)	
<b>22. (Para 4.2.12.6) The Government of the NCT - Power to Raise Public Debt</b>	a) The Government of the NCT needs to have access to greater funding; beyond its own revenues or the grants given to it by the Union Government. It should be allowed to have recourse to market borrowings. This could be done by introducing an amendment to Article 293 by replacing the word "State" with the words "State and UTs having a Legislature". Such borrowings would be subject to limitations imposed by Article 293(3) and 293 (4) of the Constitution.(60)	(a) Recommendation has been accepted.
<b>23. (Para 4.2.13.9) National Capital Region Planning Board</b>	a) The NCR Planning Board should remain a planning, monitoring and advisory body in charge of preparing the Master Plan for the NCR Region consisting of both regional and sub-regional Plans. It should have adequate financial resources at its disposal so that it could selectively provide financial assistance to a few schemes of importance.(61)	(a) to (d) Recommendations have been accepted.
<b>23. (Para 4.2.13.9) National Capital Region Planning Board</b>	b) The composition of the 21 member NCR Planning Board should be modified and only 6 Union Ministers and 3 Chief Ministers (Uttar Pradesh, Haryana and Rajasthan) may be members of the Board. (62)	(a) to (d) Recommendations have been accepted.

Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
	<p>c) There should be an Executive Committee under the chairmanship of Secretary in-charge of Urban Development in Government of India with Secretaries in-charge of Commerce and Industry, Industrial Policy and Promotion, Expenditure, Power, Secretary, Road Transport and Highways, Chairman, Railway Board (all from the Government of India), Chief Secretaries of the Governments of Uttar Pradesh, Rajasthan, Haryana, Principal Advisor (HUD), Planning Commission, and Vice Chairman, Delhi Development Authority as members. (63)</p> <p>d) Since the Chief Ministers of the three States are members of the Board, the decisions that are agreed to should be binding on the States concerned. The NCR approved regional plans/sub-plans should mandatorily be part of the Plans of State Governments. The NCR Planning Board Act should be amended accordingly. (64)</p>	
<b>24. (Para 4.3.7) Chandigarh</b>	<p>a) There is urgent need to revisit the Capital of Punjab (Development and Regulation) Act and the Punjab New Capital (Periphery Control) Act, 1952 and examine if and how they are to be aligned with the changed circumstances. This issue should to be examined urgently by the Ministry of Home Affairs and the UT Administration. (65)</p> <p>b) The Metropolitan Planning Committee should be constituted without further delay for comprehensive planning of the entire area covered under the jurisdiction of the Union Territory of Chandigarh. (66)</p> <p>c) The entire territory under the jurisdiction of the Union Territory of Chandigarh should be declared as urban area. However, in order to protect the interest of present villages in the process of development, Ward/Area Sabhas should be constituted as recommended by the Commission in its Report on Local Governance. Also, till such time that the infrastructure in these villages comes at par with the urban areas of Chandigarh, they may be given necessary (local) tax relief. (67)</p>	(a) to (e) Recommendations have been accepted in principle. The details regarding the implementation may be worked out by MHA in consultation with Department of Expenditure and Chandigarh Administration
<b>24. (Para 4.3.7) Chandigarh</b>	<p>d) The present Advisory Council to the Administrator should be substituted by a more compact and cohesive body comprising inter- alia of the Member of Parliament from Chandigarh, one MP each from Punjab and Haryana, the Mayor of Chandigarh and the Advisor to the Administrator. Such a compact body would be able to provide the necessary inputs to the Administrator and also be able to meet more frequently. (68)</p>	(a) to (e) Recommendations have been accepted in principle. The details regarding the implementation may be

Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
	e) The Union Government should suitably enhance the financial powers of the UT administration by notifying the delegation proposed in the Table 4.12. Within such delegated powers, the UT Administration must be given full administrative and functional autonomy. In addition, the UT of Chandigarh should also have powers to create certain categories of posts such as teachers, doctors and para-medical staff which are necessary for delivering vital services used by the people of the region. (69)	worked out by MHA in consultation with Department of Expenditure and Chandigarh Administration
<b>25. (Para 4.4.9) Puducherry</b>	a) There should be enhanced financial and administrative delegation of powers to the Government of Puducherry. The Council of Ministers should be free to discharge its functions effectively within such delegation. (70)	(a) Recommendation has been accepted in principle. Details may be worked out by MHA in coordination with Department of Expenditure.
	b) The delegation of powers should be made as suggested in Table No. 4.13 and revised once in five years. (71)	,(b) Recommendation has been accepted in principle. Details may be worked out by MHA in coordination with Department of Expenditure.
	c) Recommendations made by the Commission in its Report on "Local Governance" (6th Report) may be implemented on priority in order to strengthen and empower the PRIs in Puducherry. (72)	(c) Recommendation has been accepted.
<b>25. (Para 4.4.9) Puducherry</b>	d) The Puducherry Administration should be given the powers to raise public debt in order to finance its development projects and plans.(73)	(d) Recommendation has been accepted in principle. Details may be worked out by MHA in coordination with Department of Expenditure.
<b>26. (Para 4.5.7) Andaman and Nicobar Islands</b>	a) The Union Government should constitute an Advisory Council to the Administrator of Andaman & Nicobar Islands consisting of the local Member of Parliament, the Chief Secretary, Chairpersons of the Zila Parishad and Municipal Council and senior representatives from the Ministries of Home Affairs, Tribal Affairs, Environment, Forests and Defence and the Planning Commission to advise him on all important matters of administration. (74)	(a) ,(b),(c) Recommendations have been accepted. Details may be worked out by MHA in coordination with Department of Expenditure.

Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
	b) The Home Minister's Advisory Committee may be replaced by a Committee under the Chairmanship of the Home Secretary with officers of suitable seniority from the Ministries of Environment and Forests, Tribal Affairs, Finance, Defence, Shipping and Planning Commission to examine and give prima facie administrative approval to important proposals concerning this Territory. (75)	
	c) The IDA may be replaced by a multi- disciplinary task force under the Chairmanship of the Deputy Chairman, Planning Commission. This body should be responsible for laying down guidelines for preparing medium and long term perspective plans for the overall development of the islands and monitoring its implementations. (76)	
	d) Recommendations made by the Commission in its Report on Local Governance (Sixth Report) should be examined and implemented to the extent they are relevant to strengthening and empowering local government institutions in the Andaman & Nicobar Islands. (77)	(d) Recommendation has been accepted.
	e) The Union Government should enhance financial the powers of the UT administration by notifying delegation proposed in the Table No. 4.14. This should be revised once in five years. Within such delegated powers, the UT Administration must be given full administrative and functional autonomy. (78)	(e) Recommendation has been accepted. Details may be worked out by MHA in coordination with Department of Expenditure.
<b>27. (Para 4.6.5) Lakshadweep</b>	a) The Union Government should constitute an Advisory Council to the Administrator of Lakshadweep consisting of the local Member of Parliament, Chairman of the Zila Parishad and representatives of the Ministries of Home Affairs, Tribal Affairs, Environment and Forests and Defence and the Planning Commission to advise him on all important matters of administration. (79)	(a) to (e) Recommendations have been accepted.
	b) The Home Minister's Advisory Committee as existing today may be replaced by a Committee under the Chairmanship of the Home Secretary with officers of suitable seniority from the Ministries of Environment and Forests, Tribal Affairs, Finance, Defence, Shipping and Planning Commission to examine and give prima facie approval to important proposals concerning this territory. (80)	

Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
	<p>c) The multi-disciplinary task force under the Chairmanship of the Deputy Chairman, Planning Commission, recommended to be set up for the Andaman &amp; Nicobar Islands in place of the Island Development Authority should also include the Lakshadweep Islands. This Committee would be responsible for laying down guidelines for preparing medium and long term perspective plans for the over all development of the Islands and for monitoring its implementation. (81)</p> <p>d) Recommendations made by the Commission in its Report on Local Governance (Sixth Report) should be examined and implemented to the extent they are relevant to strengthening and empowering local government institutions in Lakshadweep Islands. (82)</p> <p>e) The Union Government should enhance the financial powers of the UT administration by notifying the delegation proposed in the Table No. 4.15. This could be reviewed once in five years. Within such delegated powers, the UT Administration should be given full administrative and functional autonomy. (83)</p>	
<b>28. (Para 4.7.6) Daman and Diu and Dadra &amp; Nagar Haveli</b>	a) The recommendations made by the Commission in its Report on 'Local Governance' should be implemented on priority by the Union Government in Daman & Diu and Dadra & Nagar Haveli. (84)	(a) to (c) Recommendations have been accepted.
<b>28. (Para 4.7.6) Daman and Diu and Dadra &amp; Nagar Haveli</b>	<p>b) The Union Government should immediately enhance financial powers of the UT administration by notifying delegation proposed at Table No. 4.16. This should be revised once in five years. Within such delegated powers, the UT Administration must be given full administrative and functional autonomy. (85)</p> <p>c) The Union Government should review the requirement of personnel at different levels in both the UTs. The operating levels should be adequately manned. At the same time, the Government should examine the issue of having so many senior level posts in Daman &amp; Diu, which has resulted in a top- heavy administration. (86)</p>	(a) to (c) Recommendations have been accepted.
<b>29. (Para 5.3.6) North Eastern Region: Ethnic Conflicts - in Places, Manifesting as Territorial Conflicts and</b>	a) In order to address the genuine and legitimate concerns of the local people, there is need to continue political dialogue among various stakeholders. Steps should be taken to upgrade the capacity and capability of the police forces of the States so that they are able to uphold the law. In order to control cross border movement of insurgents, in addition to other measures, diplomatic efforts should be stepped up. (87)	(a) Recommendation has been accepted.

Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
<b>Violence (Problem of Insurgency and Law and Order)</b>	b) The North-East Division of the Ministry of Home Affairs should be upgraded to a separate wing and put under the charge of an Additional/Special Secretary to handle the increased and complex workload pertaining to the region. (88)	(b) Recommendation has been accepted in principle. Details for augmenting resources would be worked out by MHA.
	c) To oversee the formulation and implementation of the plans for this region, a Standing Committee of the National Development Council should be constituted and may be headed by a Cabinet Minister. Te Committee should report to the Chairman, NDC twice a year to ensure both speedy resolution of any differences and coordinated action regarding development of the region. (89)	(c) Recommendation has not been accepted.
<b>30. (Para 5.4.8) Provisions of the Sixth Schedule of Constitutions with Respect to Assam, Meghalaya, Tripura and Mizoram</b>	a) The Government may undertake an exercise to incorporate provisions which currently occur as footnotes, in the main text of the Sixth Schedule. This will make the Schedule more accessible to members of the public. (90)	(a) Recommendation has been accepted.
<b>31. (Para 5.5.5) Adhoc Transfer of Subjects/Activities to Autonomous Councils</b>	a) The power of the Councils to make laws, as permitted by the Schedule, should be respected in its true spirit and draft legislations should not be stalled at the State level for years, while ensuring that they are not inconsistent with the provisions of the Constitution and relevant Union and State Laws. (91)	(a) Recommendation has been accepted.
	b) The States should undertake comprehensive activity mapping with regard to all the subjects mentioned in Para 3, 3A and 3B of the Sixth Schedule. This mapping should cover all aspects of the subjects viz planning, budgeting and provisioning of finances. This will necessitate full transfer of all government offices and institutions dealing with these activities to the control of the Councils. The State Government should set- up a Task Force to complete this work in a time span of one year. (92)	(b) Recommendation may be sent to State Government for their consideration.
	c) The Union Government should also take similar action with regard to Centrally Sponsored Schemes being implemented in these areas. (93)	(c) Recommendation has been accepted.

Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
<b>32. (Para 5.6.6) Predominance of non-elected Customary Heads/Bodies at the Village Level; Issue of Village Self Governance in the Sixth Schedule Areas</b>	a) Autonomous Councils should be encouraged to pass suitable legislation for establishment of elected bodies at the village level with well defined powers and a transparent system of allocation of resources. (94)	(a) to (c) Recommendations have been accepted.
<b>32. (Para 5.6.6) Predominance of non-elected Customary Heads/Bodies at the Village Level; Issue of Village Self Governance in the Sixth Schedule Areas</b>	<p>b) Suitable stipulations may be made in the procedure for release of grants to the Councils that a certain portion thereof will be disbursed only in the event of a Council passing and implementing the legislation referred at (a) above. (95)</p> <p>c) While an Autonomous District Council should be free to lay down a suitable framework for Village Councils under its jurisdiction, this freedom should be subject to certain general principles such as, the number of ex officio members/ traditional village functionaries should not be in a majority and the Village Council should be responsible for implementation of development schemes at the village level (including planning, monitoring and selection of beneficiaries). (96)</p>	(a) to (c) Recommendations have been accepted.
<b>33. (Para 5.7.3) Absence of Linkage between the Sixth Schedule and the 73rd Amendment</b>	a) Autonomous Districts/Councils in Sixth Schedule Areas should also be covered by the State Finance Commission and the State Election Commission. (97)	(a) Recommendation has been accepted in principle. The implementation mechanism may be determined by State Governments.
<b>34. (Para 5.8.6) Special Powers of the Governors of Assam, Meghalaya, Tripura and Mizoram with respect to Schedule 6 Areas</b>	<p>a) The Governors of Assam, Tripura and Mizoram should be empowered to exercise discretionary powers in respect of all the provisions pertaining to the Autonomous Councils under the Sixth Schedule in consultation with the Council of Ministers and if necessary, in consultation with these Councils. A Constitutional amendment will be required for this purpose. (98)</p> <p>b) Paragraph 14 of the Sixth Schedule should be suitably amended to enable the Union Government to appoint a common Commission to review the working of all autonomous districts of the North-East and to make recommendations as envisaged therein. A periodicity may also be provided for the Commission. (99)</p>	<p>(a) Recommendation has been accepted.</p> <p>(b) &amp; (c) Recommendations have been accepted in principle. However, it is suggested that Committees</p>



Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
	c) A high-level Review Committee headed by the Governor and consisting of representatives of both the State Government and the District Councils should be formed in each State to review the functioning of these bodies. This Committee should submit its report to the Union Government. (100)	may be formed for reviewing the working in place of the Commission.
<b>35. (Para 5.11.5) Issue of Tribal Areas Lying outside the Sixth Schedule</b>	a) For tribal areas which lie outside the Sixth Schedule as well as the Seventy Third Constitutional Amendment the State Government should take steps to create specially at the district level bodies which should consist of both elected as well as traditionally selected representatives. The States which show initiative and take a lead in this matter should be given incentives. (101)	(a) & (b): Recommendations have not been accepted.
	b) The District Rural Development Authority of the district should work as a body accountable to this District Level Body. (102)	
<b>36. (Para 5.12.6) Personnel Management and Capacity Building of Administration</b>	a) The North Eastern Council, in consultation with the Universities and other educational institutions of the region, should draw up programmes for coaching students for the Civil Services, and other competitive tests such as the Combined Defence Services Examination and the Engineering/ Medical Examinations. (103)	(a) Recommendation has been accepted.
<b>37. (Para 5.13.2) Issues of Recruitment in the Sixth Schedule Areas</b>	a) Immediate steps should be taken to constitute District cadres for all Groups 'C' and 'D' posts (Classes III and IV) for performance of all 'transferred functions' wherever such action has not been taken. (104)	(a) to (e): Recommendations have been accepted.
	b) Recruitment to Groups 'A' and 'B' posts (Classes I and II) by the Autonomous District Councils or analogous bodies particularly to positions requiring technical/ professional qualifications should ordinarily be left to the State level. (105)	
	c) State Governments and the Autonomous District Councils should jointly draw up norms for arriving at the number of technical and professional posts required in the tribal areas. Personnel for such posts should be made available on priority basis. (106)	
	d) Postings to the tribal areas should be for a fixed tenure and must be followed by, as far as practicable, to a posting at a place of the officer's choice. (107)	
	e) On satisfactory completion of tenure in such areas the incumbent should be entitled to benefits like deputation for higher professional qualifications, training abroad and higher weightage in Departmental promotions. (108)	
<b>38. (Para 5.14.4) Regional Institutes</b>	a) For improving delivery systems and development processes, emphasis ought to be given to capacity building of personnel and it should be a priority activity of the government. (109)	(a) & (b) Recommendations have been accepted.

Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
<b>38. (Para 5.14.4) Regional Institutes</b>	b) There should be comprehensive training programmes for all government employees working in the North-Eastern States. The programmes should consist of (i) a long duration induction module when he joins service, (ii) mid career training opportunities and (iii) officials should be encouraged to acquire higher professional qualifications/ skill sets in their respective branches and also in subjects such as Public Administration, Trade laws, project investment/ appraisal/ management and information technology applications. (110)	(a) & (b) Recommendations have been accepted.
	c) The North Eastern Council (NEC) should establish an apex Regional Academy for Human Resource Development as an autonomous body with academic and executive flexibility. The mandate of the Academy may extend to the entire range of services under the government. (111)	(c) Recommendation has been accepted has not been accepted
	d) The North-Eastern Council should be given the responsibility to undertake a review of various regional institutes under the Union Government/Ministries and come up with suitable recommendations for bringing improvements in their functioning whenever required. An officer/ member of the NEC should be placed on the governing body of these institutions. (112)	(d) to (f): Recommendations have been accepted.
	e) The NEC should take up monitoring and evaluation of these Institutes. The Commission in its Seventh Report has already recommended that the NEC should be suitably strengthened. Once this is done, it should be possible for the NEC to undertake these additional and important responsibilities. (113)	
	f) The North Eastern Hill University (NEHU) could provide the academic foundation for policy research on issues impinging on the entire region and which need to be addressed by State action. (114)	
<b>39. (Para 5.15.1.5) Assam</b>	a) All the three Sixth Schedule Autonomous Councils of Assam should be given parity with regard to legislative and executive powers. (115)	(a) Recommendation has not been accepted.
<b>39. (Para 5.15.1.5) Assam</b>	b) Adequate resources should be provided to the Autonomous Councils so that they are able to carry out their assigned responsibilities effectively. The allocation of funds to these bodies should be based on pre-settled norms (with reference to the minimum standards of service to be provided and their capacity to raise local resources). This exercise could be undertaken by the State Finance Commission. (116)	(b) Recommendation has been accepted.

Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
	c)The system of release of funds to the BTC throughasinglewindowssystemshouldbe further fine tuned to make it more effective and hassle free. Such a hassle free system of fund release should be adopted for the other two Councils also with adequate delegation of financial powers. (117)	(c) Recommendation may be referred to State Government for consideration.
<b>40. (Para 5.15.1.6.8) Tribe Specific Councils(Created under State Enactment) in Assam</b>	a) The Government of Assam should apportion functions between the tribe specific Councils/Village Councils and the Panchayati Raj Institutions in a manner that schemes involving individual tribal beneficiaries may be assigned to the 'Tribe Specific Councils' while area development schemes are assigned to the latter. (118)	(a) to (d) Recommendations have been accepted in principle and may be referred to State Government.
	b)The State Governmentsouldinitiatea system of meeting at least the establishmentcostsofthe'TribeSpecific Councils' from sources outside the tribal sub plan and build in these requirements in their projections to the next Finance Commission. (119)	
	c) The State Government should take steps to identify innovative initiatives which could be entrusted to the Tribe Specific Councils for the benefit of the concerned tribes withoutaffecting area development and local government concerns. (120)	
	d) Suitable guidelines may be drafted for preparation of District and sub-District plans in the relevant areas through joint efforts of the Tribe Specific Councils and the Panchayati Raj Institutions. (121)	
<b>41. (Para 5.15.2.5.5) Arunachal Pradesh</b>	a) The recommendations made in its Report on "Local Governance" for strengthening and empowering PRIs need to be implemented on priority. (122)	(a) to (d) Recommendations have been accepted.
	b) Some districts of Arunachal Pradesh are presently affected by insurgency from neighboring States. Firm steps should be taken by both the Union and the State Government to restore peace in the affected areas. (123)	
<b>41. (Para 5.15.2.5.5) Arunachal Pradesh</b>	c) Traditionally, land in Arunachal Pradesh is owned by the community. However, this system has gradually weakened primarily because community owned land is not a bankable collateral. This issue needs to be resolved in consultation with the Reserve Bank of India, banks and stake-holders in the land. (124)	(a) to (d) Recommendations have been accepted.
	d) Because of the gradual expansion of the formal judicial system in place of the traditional 'Kebang system', it would be necessary for the Ministry of Home Affairs to examine the Assam Frontier (Administration of Justice) Regulation Act 1945 in the State, to ensure a smooth transition to the formal judicial system. (125)	

Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
<b>42. (Para 5.15.3.7) Manipur</b>	a) Sincere, proactive measures should be taken to revive and activate the Hill District Councils in Manipur. It will be imperative to devolve a major domain of developmental activities to them. It will have to be done along with transfer of funds and functionaries. The local functionaries of the field offices/ departments of the State Governments and the parallel bodies which are currently handing these activities at the district level will also need to be placed at the disposal of the District Councils. (126)	(a) to (c) Recommendations have been accepted.
	b) All steps should be taken to put in place elected Village Councils in rural areas. Suitable incentives should be provided to the State for initiating proactive legislative measures in this direction having due regard to the local circumstances. (127)	
	c) As regards the PRIs the Commission has already made a number of recommendations for their strengthening and empowerment in its Report on "Local Governance" (sixth Report) which needs to be implemented on priority. (128)	
<b>43. (Para 5.15.3.8.5) Issue of Personnel Management in Manipur</b>	a) Initiatives of the Manipur Government in human resource management need to be sustained. Similar initiatives may also be considered by other States of the region. (129)	(a) Recommendations has been accepted.
<b>44. (Para 5.15.3.9.3) Special Powers to the Governor of Manipur under Article 371</b>	a) In view of the circumstances prevailing in Manipur, the Governor of Manipur should be given special powers/responsibility with respect to law and order on the lines of the powers vested in the Governors of Nagaland and Arunachal Pradesh under Articles 371A and 371H of the Constitution respectively. This could be done by inserting a suitable paragraph in Article 371C. (130)	(a) Recommendation has not been accepted.
<b>45. (Para 5.15.4.7) Meghalaya</b>	a) The fact of Autonomous District Councils should be accepted and the State should undertake comprehensive activity mapping with regard to all the matters mentioned in para 3 of the Sixth Schedule. This process should cover all aspects of the subjects viz planning, budgeting and provisioning of finances. This will necessitate full transfer of local functionaries of the field offices/ departments and bodies relating to these activities at the district level to the control of the Councils. The State Government should set-up a task force to complete this work in a time bound manner. (131)	(a) to (d) Recommendations have been accepted.
	b) Allocation of funds to the District Councils should be based on normative and transparent considerations. These allocations should be budgeted in detail and released in agreed installments during the financial year. (132)	

Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
	c) The Union Government would also need to take similar action with regard to Centrally Sponsored Schemes being implemented in these areas. (133)	
	d) Appropriate measures may be taken for capacity building in Autonomous Councils so that they are able to utilize the funds in a better way. (134)	
	e) Government of Meghalaya may take steps for extension of the experiment of elected village committees in the Garo Hills for implementing the National Employment Guarantee Act and for implementation of other rural development programmes as well. (135)	(e) Recommendation has been accepted in principle and referred to State Government for consideration.
	f) In the long run, directly elected village level representative bodies will need to be constituted and adequately empowered in autonomous Hill Councils areas of Meghalaya. (136)	(f) Recommendation has been accepted.
<b>46. (Para 5.15.5.5) Mizoram</b>	a) The State should undertake comprehensive activity mapping with regard to all the matters mentioned in para 3 of the Sixth Schedule. This process should cover all aspects of the subjects viz planning, budgeting and provisioning of finances. This will necessitate full transfer of functionaries of the field offices/ departments/bodies relating to these activities to the control of the Councils. The State Government should set- up a Task Force to complete this work in a time bound manner. (137)	(a) & (b) Recommendations have been accepted.
	b) The Union Government will also need to take similar action with regard to Centrally Sponsored Schemes being implemented in these areas. (138)	
<b>47. (Para 5.15.6.9) Nagaland</b>	a) The Commission would like to reiterate the following recommendation in this regard made in its Seventh Report:- Nagaland has made commendable efforts to usher in a paradigm of decentralized village self-governance through effective use of "Social Capital". The State has communitised a large number of service delivery schemes. The Ministry of Rural Development should formally recognize this arrangement for implementation of various development and poverty alleviation initiatives in this State. Its replication by other States should be pursued. (139)	(a) Recommendation has been accepted in principle and referred to State Governments for consideration.
<b>48. (Para 5.15.7.6) Sikkim</b>	a) The Commission has made a number of recommendations for strengthening and empowering PRIs in its Report on "Local Governance" which needs to be implemented on priority. (140)	(a) & (b) Recommendations have been accepted.
	b) There is need to rationalize the large cadre strength of various All India Services in the State, in accordance with actual requirements. (141)	

Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
49. (Para 5.15.8.8) Tripura	a) DPCs may be constituted in all the districts of Tripura with representation from both the TTADC and the District Administration as all the districts in Tripura comprise of both TTADC and part IX areas. The TTADC should also be involved in the planning process at the State level. (142)	(a) to (d) Recommendations have been accepted in principle and may be referred to State Government.
	b) Immediate steps should be taken to ensure that there is only one intermediate structure between the village and the district bodies of the TTAADC. (143)	
49. (Para 5.15.8.8) Tripura	c) The State Government should take steps to evolve a mechanism which could coordinate block level committees chaired by MLAs and zones and sub-zones which are headed by elected representatives of TTAADC. (144)	(a) to (d) Recommendations have been accepted in principle and may be referred to State Government.
	d) The State may also undertake comprehensive activity mapping exercise to delineate functions among various levels operating within the system such as the District Council, the Block committee and the Village Council. (145)	
50. (Para 6.5.1.3) Financial Delegation and Operational Flexibility – the IFA system	a) Based on the experience of the Union Government with regard to the IFA, States should take steps to introduce / strengthen the IFA system in the State administration. (146)	(a) Recommendation has been accepted.
51.(Para6.5.2.3)Avoiding Fiscal Profligacy	a) The State Governments need to take steps to ensure that projects and programmes are included in the budget only after well considered deliberations and processes. The practice of announcing projects and schemes on an ad-hoc basis needs to be done away with. (147)	(a) Recommendation has been accepted.
52. (Para 6.5.3.3) Expenditure Management	(a) The States should take priority steps to improve their expenditure profile by (a) finalizing the detailed project reports of schemes in the preceding year and (b) ensuring that the financial sanctions are given to the departments in the first two months of the current financial year. (148)	(a) & (b) Recommendations have been accepted.
	(b) The States should conduct a zero-base review of programmes and schemes which are more than five years old and which involve large sums of public money. (Say over 50 crores) (149)	
53. (Para 6.5.4.7) Prudent Budget formulation	a) There should be prudent and realistic economic assumptions in formulation of budget estimates. At the end of every financial year, the gap between the estimates and the actuals should be analyzed so that the underlying economic assumptions could be suitably calibrated for the future. (150)	(a) to (e) Recommendations have been accepted.

Topic/Issue	Recommendations on State & District Administration (15 <sup>th</sup> Report)	Government's Decision
<b>53. (Para 6.5.4.7) Prudent Budget formulation</b>	b) There should be interaction between the State Government and stakeholders including industry associations, think tanks etc. in budget formulation. In order to make such consultations effective and meaningful, steps should be taken to (a) provide information- access to citizens and (b) educate citizens and leaders of society on budget making and its implications. (151)	(a) to (e) Recommendations have been accepted.
	c) State Governments should shift to multi- year budgeting and give the estimates of revenue and expenditure for a period of four years in addition to the year which the budget pertains. This should be done on a roll-on basis. (152)	
	d) The States should follow the practice of preparation and implementation of the MTFP. (153)	
	e) In order to remove prejudice against non- plan expenditure, the State should take steps to provide for maintenance of the asset in the project cost itself and ensure its maintenance for at least five years after it is acquired. This action should go hand in hand with recovery of adequate user charges. (154)	
<b>54. (Para 6.5.5.2) Revenue Forecast and Need for a Tax Research Unit</b>	a) The State Governments should initiate steps to set up dedicated cell within its Finance Department to provide input on the revenue forecast with the reasons thereof. (155)	(a) Recommendation has been accepted.
<b>55. (Para 6.5.6.2) Mechanism for Internal Control</b>	a) The State Governments should take steps to set up internal audit committees in each of its departments. (156)	(a) Recommendation has been accepted.
<b>56. (Para 6.5.7.3) External Audit</b>	a) The State Governments should specify a time frame for the Departments for necessary follow up action on the recommendations of Audit and forwarding of the ATN after incorporating such action to Audit for vetting before their final submission to the State PAC/ COPU. All Departments should adhere to the prescribed time limits. (157)	(a) Recommendation has been accepted.
<b>57. (Para 6.5.8.3) Projectisation and Appraisal</b>	a) In order to deploy public funds prudentially, with inbuilt financial closure, the States should take steps to strengthen their project formulation and appraisal capacity. (158)	(a) Recommendation has been accepted.

## **Quiz on Second Administrative Reforms Commission**

**1) 2<sup>nd</sup> ARC has noted the following as important factors for poverty reduction**

- a) E-governance
- b) Good governance
- c) Control of terrorism
- d) None of the above
- e) All of the above

**2) Good governance includes**

- a) Citizen-centricity
- b) Rule of Law
- c) Transparency and Accountability
- d) None of the above
- e) All of the above

**3) Which of the following is identified as strength of Indian administration?**

- a) Democratic set up
- b) Self-sufficiency in food
- c) Election management
- d) None of the above
- e) All of the above



**4) Which of the following is identified as a weakness of Indian administration?**

- a) Insufficient accountability
- b) Abuse of authority
- c) Non-institutionalization of good/best practice
- d) None of the above
- e) All of the above

**5) What are the priority areas for reform identified by 2<sup>nd</sup> ARC?**

- a) Human development
- b) Infrastructure development
- c) Prevention of Corruption
- d) None of the above
- e) All of the above

**6) Key characteristics of Good Governance identified by 2<sup>nd</sup> ARC**

- a) Efficiency
- b) Citizen-centricity
- c) Value system
- d) None of the above
- e) All of the above

**7) Citizen-centricity means**

- a) Citizen participation in decision-making
- b) Convenience to citizen in availing interacting with public authorities
- c) Availability of choice in availing public services
- d) None of the above
- e) All of the above

**8) Rule of Law means**

- a) Unfettered powers to Judiciary
- b) Unfettered powers to Executive
- c) Unfettered powers to legislature
- d) Predictability in implementation of laws

**Answers to Quiz on Second Administrative Reforms Commission**

- 1) b
- 2) e
- 3) c
- 4) e
- 5) e
- 6) e
- 7) e
- 8) d

## **Case Study**

### **TQM (Total Quality Management) in Malaysia**

Malaysian government has made some innovative efforts in the implementation of Total Quality Management (TQM) since the issuance of Development Administration (DAC) 4/91 entitled "Guidelines for Strategies for Quality Improvement in Public Service". The sheer methodology of implementation has brought success in the way administrative systems are constantly refining and improving themselves. TQM is a strategy to strengthen organizations by bringing in qualitative improvements to meet expectations of its customers and stakeholders. It is an initiative to sustain administrative reforms undertaken in every other area of government. It is alert to the idea that public sector and the government departments must constantly adapt to change and transition taking place in the rest of the society. While the demands over a public organization keeps changing with changes in the society so does the characteristics of its employees, clients, managers, machinery and need for capacity.

#### **The Problem**

Most countries have been introducing administrative reforms in the new public management style since the 1990s. Most of these reforms fail to achieve their objectives and monitoring their implementation has remained fragmented and dispersed in a manner that the real picture is never revealed. What is lost sight of the fact is that there are multi-level governance strategies and many departments involved in the process. Adoption of TQM brings the totality of approach. Malaysian government has introduced many innovations in the TQM application which has made it more meaningful, relevant and change oriented. Malaysian government is a constitutional monarchy governed through a federal framework and a parliamentary democracy. However public organizations started taking interest in their 'qualitative enhancement' only after 1991. Concern for 'quality' emerged through the launching of the Excellent Work Culture Movement on 27th November 1989. Since 1996 departments are also required to implement quality management systems in line with MS ISO 9000. It is worthwhile to attend to the initiatives taken in countries other than Australia. USA has been attending to this problem since the competition with Japan started in the mid eighties. A 1992 survey of the US Federal government found that quality and customers occupied a priority high ranking in their organizational objectives. TQM has widened its scope during the globalizing times because of the increased need for public organizations to tackle economic problems with transparency and responsiveness. In USA a GAO 1992 survey found that 31 states were implementing TQM with 29 states implementing less than 25%, 2 states implementing more than 50% and 14 states never implemented TQM.

#### **The Initiative:**

When Malaysian government launched reforms of the public sector it was imperative that few missing links of implementing reforms were highlighted such as 'a customer-client-

administrator' relationship, 'dealing with political considerations without impinging upon rational implementation strategies' and 'result orientedness of organizations'. Thus TQM was launched to strengthen organizational efficiency, performance and sustainability in Malaysian government. The Malaysian Administrative Management and Modernization Unit (MAMPU) which is the Secretariat for the Prime Minister's Quality Awards has provided much of the information which helped in evaluating TQM in Malaysia since its formal launch in 1991 through a Development Administration Circular (DAC) Number 4/91 entitled "Guidelines for Strategies for Quality in the Public Service" issued to public organizations. It is interesting to find that the government has been using various methods to check the qualitative improvements of each organization competing for the Awards under MAMPU. The following methods have been used for TQM implementation;

1. There are awards for a National Quality Competition called the Prime Minister's Quality Award.
2. A manual serves the need for quality management and improvement in public service. The Prime Minister's Office regularly issues guidelines on quality improvements systems and requirements.
3. Specific categories are singled out for assessment such as quality circles, innovation, training, quality policies etc. These are discussed and debated in talks and seminars on qualitative management of organizations.
4. Some departments have to set up Quality Control Circles (QCC) which is a small group to discuss problems and come up with solutions to them) to implement quality management systems in line with MS ISO 9000.(Malaysian series of standards for quality management and quality assurance systems)
5. Redefinition of leadership styles

### **Why is it a best practice?**

TQM practice in Malaysia has adopted a multi-dimensional strategy which approaches the qualitative status of an adopted reform in more than one department. Its implementation in Malaysia is based upon a method which has high objectives yet simple implementation strategy minimizing political resistance to administrative reforms. It has replication potential and can be conveniently adopted in India. It also has features of administrative transformation towards capacity enhancement of civil servants which in turn facilitates the process of bureaucratic modernization and democratization. It has led to intellectual improvement of public organizations towards imaginative implementation by civil servants and managers in administration.

In short TQM has instilled a sense of responsibility amongst civil servants while at the same time integrating the whole administrative system towards a more accountable and participatory governance mechanism. It has also made every level of decision making so transparent that visible that the whole administrative chain explains the reform processes with a scientific rigor. Thus the practice is understandable to administrators and decision makers who are encouraged to adopt them with ease.

### **Sustainability and Replicability:**

The TQM applications are clear which can be easily adopted by other organizations which are not very well trained also. MAMPU has some classified sections which are indicators for quality evaluation;

1. Role of leadership such as departmental heads who have established systems of accountability, values, support for quality and responsiveness
2. Analysis and Use of Data in Quality Efforts which bring systematic working and appropriateness of results
3. Strategic Management systems which emphasize planning processes towards quality achievements
4. Utilization of Human Resources through creation of a system for taking suggestions and grievance redress, recognizing achievements and providing incentives
5. Quality Assurance covers quality output, audit systems, documentations and quality supply systems
6. Evidence of success in quality efforts have to be substantiated through cost-reduction, output increase, reduction in working time, customer satisfaction, quality projects and customer recognition
7. Innovativeness in terms of technology and human resource applications to achieve all the above criteria and maintain its competitiveness vis a vis its increased role in changing times.
8. Verification of Reports submitted through a Panel of experts headed by the MAMPU Director General and then submitted to a Panel of judges Chaired by the Chief Secretary

### **Lessons learnt**

TQM is a very complicated process and always takes a long time to generate any scientific evidence that the public organization is actually improving its quality of services and governance. However this has brought forth some very important lessons for Indian public sector aspiring to achieve innovations in TQM.

1. TQM has a long gestation period and thus qualitative improvement in organizational tasks and performance have to be systematically watched and cumulatively assessed. Caution should be observed in segregating the shirkers with the achievers in administrative organizations
2. Early adopters of TQM always benefit in achieving efficiency and sustainability in a stable manner but late adopters have to struggle despite the fact that they gain legitimacy and increased attention. Early adopters also gain in management systems

3. Many factors such as leadership and planning cannot be adopted effectively by new organizations despite the TQM. This is because TQM requires more innovative and young leadership in new organizations to leapfrog existing obstructions. These young employees had greater imagination, drive and risk undertaking capacity to innovate for quality. However in quality winners there were more of senior administrators even though this survey found that they were not too supportive of TQM

4. Environmental factors do not obstruct TQM in any big way if the manager is alert and has an established quality system in place

5. There is a complete blackout of TQM research in India leading to a hit and miss approach more frequently adopted than a scientific-rational one. TQM research should be undertaken by administrators in collaboration with Universities and feeder systems of government such as DARPG and DoPT.

#### **POINTS TO PONDER**

How does Malaysian Government ensure high quality of implementation of reforms?

What practices help in keeping a check on whether reform is leading to any benefits?

What can India learn from the practices adopted in Malaysia?

## **Chapter 3**

### **Good Governance**

## Good Governance

At the end of this chapter, readers should understand the importance of good governance in accelerating economic growth and development. They should know about the internationally accepted indicators of good governance and how India ranks on various indicators as compared to its peers.

The concept of good governance should not be seen as some esoteric concept which is meant only for arm-chair discussion. Participants should be able to relate the concept and its indicators to their day to day work and their experience of dealing with ordinary citizens and catering to their needs.

### World Bank's Definition of Good Governance

The World Bank set out its definition of good governance in the 1992 report titled "Governance and Development". Governance is defined as "the manner in which power is exercised in the management of a country's economic and social resources for development". World Bank has an interest in any country's governance because it is concerned with the sustainability of the projects it helps finance in that country. It takes the view that in any country sustainable development can take place only if a predictable and transparent framework of rules and institutions exists for the conduct of private and public business. The essence of good governance is described as predictable, open and enlightened policy, along with a bureaucracy imbued with a professional ethos and an executive arm of government accountable for its actions. All these elements are expected to be present in any country with a strong civil society participating in public affairs, and where all members of the society act under the rule of law.

In analyzing governance, the World Bank has drawn a clear distinction between the political and economic dimensions of good governance. It has identified three distinct aspects of governance: (a) the form of the political regime; (b) the process by which authority is exercised in the management of a country's economic and social resources for development; and (c) the capacity of governments to design, formulate and implement policies and discharge functions.

In its 1994 report entitled "Governance: The World Bank's Experience", the progress made by the Bank in this area is set out under four different aspects: (a) Public-sector management which includes changing the organizational structure of a sector agency to reflect new objectives, making budgets work better, sharpening civil-service objectives and placing public-enterprise managers under performance contracts; (b) Accountability, which means that governments and their employees should be held responsible for their actions; (c) Legal framework for development, which refers to appropriate legal systems that provide stability and predictability, which are the essential elements in creating an economic environment for business; and (d) Transparency and information, which pervade good governance and reinforce accountability because access to information is essential for the various stakeholders to understand government's decision-making process and respond effectively.



## UNESCO's Definition of Good Governance

UNESCO's definition of Good Governance is taken from an OECD e-book titled 'Citizens as Partners - Information, Consultation and Public Participation in Policy-Making.' According to this definition, Good governance has 8 major characteristics. It is participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. It assures that corruption is minimized, the views of minorities are taken into account and that the voices of the most vulnerable in society are heard in decision-making. These eight characteristics are explained briefly as under.

**Participation** by both men and women is a key cornerstone of good governance. Participation could be either direct or through legitimate intermediate institutions or representatives. It is important to point out that representative democracy does not necessarily mean that the concerns of the most vulnerable in society would be taken into consideration in decision making. Participation needs to be informed and organized. This means freedom of association and expression on the one hand and an organized civil society on the other hand.

**Transparency** means that decisions taken and their enforcement are done in a manner that follows rules and regulations. It also means that information is freely available and directly accessible to those who will be affected by such decisions and their enforcement. It also means that enough information is provided and that it is provided in easily understandable forms and media.

**Effectiveness and efficiency:** Good governance means that processes and institutions produce results that meet the needs of society while making the best use of resources at their disposal. The concept of efficiency in the context of good governance also covers the sustainable use of natural resources and the protection of the environment.

**Responsiveness:** Good governance requires that institutions and processes try to serve all stakeholders within a reasonable timeframe.

**Accountability** is a key requirement of good governance. Not only governmental institutions but also the private sector and civil society organizations must be accountable to the public and to their institutional stakeholders. Who is accountable to whom varies depending on whether decisions or actions taken are internal or external to an organization or institution. In general an organization or an institution is accountable to those who will be affected by its decisions or actions. Accountability cannot be enforced without transparency and the rule of law.

**Consensus oriented:** There are several actors and as many view points in a given society. Good governance requires mediation of the different interests in society to reach a broad consensus in society on what is in the best interest of the whole community and how this can be achieved. It also requires a broad and long-term perspective on what is needed for sustainable human development and how to achieve the goals of such development. This can only result from an understanding of the historical, cultural and social contexts of a given society or community.

## **Xth Five Year Plan Document Reference on Good Governance**

The Tenth Plan document identified good governance as the single most important factor in ensuring that the Plan objectives are achieved. Among other things, decentralization of power and citizens' empowerment, effective people's participation through state and non-state mechanisms, greater synergy and consolidation among various agencies and programmes of government, civil service reforms, transparency, rationalization of government schemes and mode of financial assistance to states, improved access to formal justice system to enforce rights, reforms and strengthening of land administration and harnessing the power of technology for governance have been identified as the key priorities. As per the Xth Five Year Plan document, a useful approach to examine the issues of governance is to view the process of intermediation as involving a continuous interplay of three elements, viz. **Institutions, Delivery Mechanism, and Supportive Framework of Rules and Procedures.**

Efficient governance requires efficient institutions. The efficiency and effectiveness of institutions, in turn, depends on their adopted delivery mechanism and the supportive framework of rules and procedures, each of which has to work in harmony with the other to discharge the functions for which the institutions have been created. Only then would one expect the institutions to fulfill their stated objectives and carry out their assigned responsibilities in managing the affairs of the society. More importantly, with the changing context – domestic as well as global – a change in the profile and requirements of society and development, there has to be a capacity for evolution, a continuous adaptation in each of these elements. Successful implementation of development programmes requires adequate funds, appropriate policy framework and effective institutional capacity to deliver. Past experience in the country has shown that availability of resources is not enough to tackle poverty, disparities and backwardness. It is a necessary, but not sufficient condition. The determining factor is the institutional capacity to formulate viable need-based schemes/projects, and implement efficient delivery systems to utilize the available resources optimally.

## **2nd ARC View of Good Governance**

Governance is the exercise of economic, political and administrative authority to manage a country's affairs at all levels. It consists of the mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences. Without good governance, no amount of developmental schemes can bring in improvements in the quality of life of the citizens. On the contrary, if the power of the state is abused, or exercised in weak or improper ways, those with the least power in the society – the poor- are most likely to suffer. In that sense, poor governance generates and reinforces poverty and subverts efforts to reduce it. Strengthening governance is an essential precondition to improving the lives of the poor.

## **India's Ranking on Good Governance**

Based on a long-standing research program of the World Bank, Worldwide Governance Indicators (WGIs) capture six key dimensions of governance (Voice & Accountability, Political Stability and Lack of Violence, Government Effectiveness, Regulatory Quality, Rule of Law, and Control of Corruption) between 1996 and present. They measure the

quality of governance in over 200 countries, based on close to 40 data sources produced by over 30 organizations worldwide and are updated annually since 2002.

WGIs offer a useful snapshot of some perceptions of a country's quality of governance. These indicators are a compilation of the perceptions of a very diverse group of respondents, collected in large number of surveys and other cross-country assessments of governance. Some of these instruments capture the views of firms, individuals, and public officials in the countries being assessed. Others reflect the views of NGOs and aid donors with considerable experience in the countries being assessed, while others are based on the assessments of commercial risk-rating agencies.

The snapshot provided by the WGIs, however has to be taken only as a very high level indication of a country's state of governance, as some researchers have pointed out methodological issues like over-complexity, likelihood of bias, pre-conceived notions, etc. in constructing these indicators.

### **Service Delivery Aspects**

In a diverse country like ours, governance issues are particularly diverse and one size can never fit all. Therefore implementation of good governance has to meet the requirements of different states, regions, districts, and even at times of communities. Currently there are serious reservations on efficiency of government services and the ability of administrations to actually create the impact that projects meant for citizens are intended to create. They need to enhance their capability and add value in accelerating the pace of reform in Government.

In terms of proposing a model that differentiates best practices in governance and separates the grain from the chaff three kinds of issues need to be kept in mind. First and foremost is the issue of relevance to the Indian context. This calls for a view that considers our national priorities in terms of economic growth and development and making the basic needs of food, shelter and clothing accessible to all. Secondly, we need to learn how better management can enhance the quality of service delivery in institutions that are closest to the common people. Finally, we must also consider how we measure up in comparison to global best practices prevalent in the developed world and older democracies.

In the context of our country, where large sections of the population still exist below the poverty line and are vulnerable to inequitable exploitation, good governance must have an urgent focus on ensuring access to basic needs and services and increasing the efficiency of service delivery. These two dimensions are the kernel within the overall context of internationally acknowledged indicators of good governance.

## Quiz on Good Governance

**1) Good Governance is a concept that is relevant for:**

- a) India
- b) Developing countries
- c) Developed countries
- d) European countries
- e) All of the above

**2) According to the Planning Commission, lack of good governance is considered to be the single largest factor responsible for India's:**

- a) Territorial disputes
- b) Poverty
- c) Gender bias
- d) High birth rate
- e) Low tax collection

**3) Xth Five Year Plan document considers the following to be important in determining the state of governance in India:**

- a) Form of political regime
- b) Regularity of Elections
- c) Framework of Rules and Laws
- d) Federal structure
- e) Extent of computerization

**4) According to 2nd ARC, which of the following is NOT included as a parameter of good governance?**

- a) Efficient
- b) Ethical
- c) Citizen-centric
- d) Rule of Law
- e) Inter-state dispute resolution

**5) According to World Bank Good Governance Indicators, India's best score of 2012 is on the following parameter:**

- a) Voice and Accountability
- b) Control of Corruption
- c) Political stability and absence of violence
- d) Regulatory Quality
- e) None of the above

**6) According to World Bank Good Governance Indicators, India's worst score of 2012 is on the following parameter:**

- a) Voice and Accountability
- b) Control of Corruption
- c) Political stability and absence of violence
- d) Regulatory Quality
- e) None of the above

### **Answers to Quiz on Good Governance**

- 1) e
- 2) b
- 3) c
- 4) e
- 5) a
- 6) c

## Case Study

<http://indiagovernance.gov.in/map.php>

## **Chapter 4**

### **Ethics in Governance**

## Ethics in Governance

At the end of this chapter, readers should understand the nature of corruption in Indian society and the factors that inhibit corruption by public servants.

Participants should appreciate that increasingly corrupt behaviour is getting identified and punished. While it may be true that there are examples where the corrupt have not been brought to book yet, this is not something that should be encouraged.

### 2nd ARC Terms of Reference

Terms of reference of the Administrative Reforms Commission pertaining to ethics in governance, covering the following aspects:

#### A. Vigilance and Corruption:

- Strengthening pro-active vigilance to eliminate corruption and harassment to honest civil servants including, wherever necessary, limiting executive discretion
- Addressing systemic deficiencies manifesting in reluctance to punish the corrupt.
- (a) Identify procedures, rules and regulations and factors which lead to corruption (b) suggest measures to combat corruption and arbitrary decision making, and (c) suggest a framework for their periodical review in consultation with the stakeholders.

#### B. Relationship between Political Executive and Permanent Civil Service:

- To suggest improvements in the institutional arrangements for smooth, efficient and harmonious relationship between civil service and the political executive.

#### C. Code of Conduct for different organs of Government:

- Political Executive, Civil Services, etc.

While the Commission has examined items A & C in considerable detail in this Report; item B is dealt with comprehensively in the ARC's report on Civil Services Reforms. The Commission has examined the relevant laws, codes and manuals, which deal with ethics and corruption. It has critically studied the institutional framework that investigates corruption and brings the corrupt to book. It has also looked at the corruption prone processes in government and examined the systems, rules and procedures, which govern these processes.

### 2nd ARC Definition of Ethics & Corruption

Ethics is a set of standards that society places on itself and which helps guide behaviour, choices and actions. The Commission is painfully aware that standards do not, by themselves, ensure ethical behaviour; that requires a robust culture of integrity. The crux of ethical behaviour does not lie in bold words and expressions enshrined as standards,



but in their adoption in action, in sanctions against their violations, in putting in place competent disciplinary bodies to investigate allegations of violations and impose sanctions quickly and in promoting a culture of integrity.

Corruption is an important manifestation of the failure of ethics. The word 'corrupt' is derived from the Latin word 'corruptus', meaning 'to break or destroy'. The word 'ethics' is from the original Greek term *ethikos*, meaning 'arising from habit'. It is unfortunate that corruption has, for many, become a matter of habit, ranging from grand corruption involving persons in high places to retail corruption touching the everyday life of common people.

Anti-corruption interventions so far made are seen to be ineffectual and there is widespread public cynicism about them. The interventions are seen as mere posturing without any real intention to bring the corrupt to book. They are also seen as handy weapons for partisan, political use to harass opponents. Corruption is so deeply entrenched in the system that most people regard corruption as inevitable and any effort to fight it as futile. This cynicism is spreading so fast that it bodes ill for our democratic system itself.

### **Factors Aggravating Corruption in India**

In our society, corruption and abuse of office has been aggravated by three factors.

First, there is a colonial legacy of unchallenged authority and propensity to exercise power arbitrarily. In a society which worships power, it is easy for public officials to deviate from ethical conduct

Second, there is enormous asymmetry of power in our society. Nearly 90% of our people are in the unorganized sector. Quite a number of them lead a precarious existence, depending on subsistence wages with no job security. And nearly 70% of the organized workers with job security and regular monthly wage are employed by the state directly or through public sector undertakings. Almost all these employees are 'educated' in a largely illiterate and semiliterate society and economically even the lowliest of public servants are better off than most people in the country. What is more, their employment in government comes with all the trappings of power. Such asymmetry of power reduces societal pressure to conform to ethical behaviour and makes it easy to indulge in corruption

Third, as a conscious choice, the Indian state in the early decades after Independence chose a set of policies whose unintended consequence was to put the citizen at the mercy of the State. Over regulation, severe restrictions on economic activity, excessive state control, near-monopoly of the government in many sectors and an economy of scarcity all created conditions conducive to unbridled corruption. In addition, many state subsidies and beneficiary-oriented programmes in a situation of asymmetry of power converted the public servant into patron and master and reduced most citizens into mendicants. This at once enhanced opportunities to indulge in corruption and reduced the citizens' capacity to resist extortionary demands.

The experience of the past six decades in our country and elsewhere offers us valuable lessons in curbing corruption. It is generally recognized that monopoly and discretion

increase the propensity to corruption while competition and transparency reduce corruption. This has been dramatically witnessed in India in the wake of economic liberalization. As competition came in and choice expanded, corruption plummeted. Telephones, steel, cement, sugar and even two-wheelers are among the many sectors, which have seen enhanced supply and choice, reducing or even eliminating corruption. Similarly, wherever technology and transparency have been introduced, corruption has been significantly contained. Computerization and access to information have made many services from railway reservation to issuing of driving licenses increasingly free from corruption.

A factor which increases corruption is over-centralization. The more remotely power is exercised from the people, the greater is the distance between authority and accountability. The large number of functionaries between the citizen and final decision-makers makes accountability diffused and the temptation to abuse authority strong. For a large democracy, India probably has the smallest number of final decision makers. Local Government is not allowed to take root and power has been concentrated both horizontally and vertically in a few hands. The net results are weakened citizenry and mounting corruption.

## **Viewpoints on Dealing with Corruption**

There are two, somewhat contrary, approaches in dealing with corruption and abuse of office.

The first is overemphasis on values and character. Many people lament the decline in values and the consequent rise in corruption. The implicit assumption is that until values are restored, nothing much can be done to improve the conduct of human beings

The second approach is based on the belief that most human beings are fundamentally decent and socially conscious, but there is always a small proportion of people, which cannot reconcile individual goals with the good of society. Such deviant people tend to pursue personal gain at the cost of public good and the purpose of organized government is to punish such deviant behaviour. If good behaviour is consistently rewarded and bad behaviour consistently punished, the bulk of the people follow the straight and narrow path. However, if good behaviour is not only not rewarded, but is actually fraught with difficulties and bad behaviour is not only not punished, but is often extravagantly rewarded, then the bulk of the people tend to stray from the honourable path.

## **2<sup>nd</sup> ARC's Viewpoint**

In the real world, both values and institutions matter.

Values are needed to serve as guiding stars, and they exist in abundance in our society. A sense of right and wrong is intrinsic to our culture and civilization. But values need to be sustained by institutions to be durable and to serve as an example to others. Values without institutional support will soon be weakened and dissipated.

Institutions provide the container, which gives shape and content to values. This is the basis of all statecraft and laws and institutions. While incentives and institutions matter for all people, they are critical in dealing with the army of public servants – elected or

appointed – endowed with authority to make decisions and impact on human lives and exercising the power to determine allocation of resources. Public office and control over public purse offer enormous temptation and opportunity to promote private gain at public cost. Therefore, creation of institutions and designing of incentives are of utmost importance in promoting ethical conduct of public servants.

## **Controlling Corruption**

It is well recognized that every democracy requires the empowerment of citizens in order to hold those in authority to account. Right to Information, effective citizens' charters, opportunity and incentives to promote proactive approach of citizens, stake-holders' involvement in delivery of public services, public consultation in decision making and social auditing are some of the instruments of accountability that dramatically curbed corruption and promoted integrity and quality of decision making.

In the ultimate analysis, the state and a system of laws exist in order to enforce compliance and promote desirable behaviour. Therefore, enforcement of rule of law and deterrent punishment against corruption are critical to build an ethically sound society. A detailed analysis of our anti-corruption mechanisms and the causes of their failure is necessary in order to strengthen the forces of law and deter the corrupt public servants.

Perhaps the most important determinant of the integrity of a society or the prevalence of corruption is the quality of politics. If politics attracts and rewards men and women of integrity, competence and passion for public good, then the society is safe and integrity is maintained. But if honesty is incompatible with survival in politics, and if public life attracts undesirable and corrupt elements seeking private gain, then abuse of authority and corruption become the norm. In such a political culture and climate, desirable initiatives will not yield adequate dividends. Competition and decentralization certainly reduce corruption in certain sectors. But if the demand for corruption is fuelled by inexhaustible appetite for illegitimate funds in politics, then other avenues of corruption will be forcibly opened up. As a result, even as corruption declines in certain areas, it shifts to other, sometimes more dangerous, areas in which competition cannot be introduced and the state exercises a natural monopoly. What is needed with liberalisation is corresponding political and governance reform to alter the incentives in politics and public office and to promote integrity and ethical conduct.

## **Forms of Corruption**

All forms of corruption are reprehensible and we need to promote a culture of zero tolerance of corruption. But some forms of corruption are much more pernicious than others and deserve closer attention. In a vast majority of cases of bribery, the citizen is a victim of extortion and is compelled to pay a bribe in order to get a service to which he is entitled. Experience has taught most citizens that there is a vicious cycle of corruption operating and they often end up losing much more by resisting corruption. Delays, harassment, lost opportunity, loss of precious time and wages, uncertainty and, at times, potential danger of loss of life or limb could result from resistance to corruption and non-compliance with demands. In such cases, the citizen is an unwilling victim of coercive corruption. But there are several cases of collusion between the bribe giver and corrupt public servant. In such cases of collusive corruption, both parties benefit at immense cost

to society. Awarding of contracts for public works and procurement of goods and services, recruitment of employees, evasion of taxes, substandard projects, collusive violation of regulations, adulteration of foods and drugs, obstruction of justice and concealing or doctoring evidence in investigation are all examples of such dangerous forms of corruption. As the economy is freed from state controls, extortionary corruption declines and collusive corruption tends to increase. We need to fashion strong and effective instruments to deal with this growing menace of collusive corruption, which is undermining the very foundations of our democracy and endangering society.

Corruption is a global phenomenon and has also become a serious global concern. The United Nations Convention against Corruption was adopted by the UN General Assembly in October 2003, providing an international instrument against corruption. The ADBOEC Anti-Corruption Action Plan, which has been signed by the Government of India, is a broad understanding to further the cause of inter-regional cooperation in the matter of prevention of corruption. The World Bank has also declared war against corruption by refusing to fund projects whose implementation is tainted by corrupt practices. At the annual meeting of the International Monetary Fund and the World Bank Group in Singapore in 2006, a joint statement was issued with major multilateral financial institutions agreeing on a framework for preventing and combating fraud and corruption in the activities and operations of their institutions.

### **Measures Already Taken**

In India, some recent anti-corruption initiatives have already been taken. The Supreme Court has ruled that candidates contesting elections should file details regarding their wealth, educational qualifications and criminal antecedents along with their nomination papers. The Right to Information Act, which has recently been enacted, is a potent weapon to fight corruption. The introduction of information communication technologies, e-governance initiatives and automation of corruption prone processes in administration have succeeded in reducing corruption.

Much more remains to be done however, and beyond the realm of existing regulation. The escalating levels of corruption in various segments of our economy resulting in large scale generation of black money, serious economic offences and fraud, and money laundering leading even to the funding of terrorist activities against the State, have created a grave situation which needs to be dealt with severely. Benami properties of corrupt public servants need to be forfeited, as also the assets illegally acquired from corrupt practices. Whistleblower legislation has to be put in place to protect informants against retribution. Also, we have to suitably strengthen the institutional framework for investigating corrupt practices and awarding exemplary punishment to the corrupt thereby raising the risk associated with corrupt behaviour.

### **Additional Measures Needed**

Ethics in governance, however, has a much wider import than what happens in the different arms of the government. An across-the-board effort is needed to fight deviations from ethical norms. Such an effort needs to include corporate ethics and ethics in business; in fact, there should be a paradigm shift from the pejorative 'business ethics' to 'ethics in business'. There is need for ethics in every profession, voluntary organization

and civil society structure as these entities are now vitally involved in the process of governance. Finally, there should be ethics in citizen behaviour because such behaviour impinges directly on ethics in government and administration.

### **Global Responses to Corruption**

Corruption is a global phenomenon and has also become a serious global concern. The United Nations Convention against Corruption was adopted by the UN General Assembly in October 2003, providing an international instrument against corruption. The ADBOECD Anti-Corruption Action Plan, which has been signed by the Government of India, is a broad understanding to further the cause of inter-regional cooperation in the matter of prevention of corruption. The World Bank has also declared war against corruption by refusing to fund projects whose implementation is tainted by corrupt practices. At the annual meeting of the International Monetary Fund and the World Bank Group in Singapore in 2006, a joint statement was issued with major multilateral financial institutions agreeing on a framework for preventing and combating fraud and corruption in the activities and operations of their institutions.

## **ARC Questionnaire on Ethics in Governance**

### **I-LEGAL FRAMEWORK**

1. Should there be a national policy for eradication of corruption? What should such a policy enunciate?
2. Is the definition of corruption as per the Prevention of Corruption Act, adequate? Is there a need to expand the definition in view of the UN convention to which India is a signatory? Should corruption in the private sector also get included in the definition?
3. Should India have a law similar to the U.S. False Claims Act?
4. Is India over regulated? Are there laws/rules which create a climate for which facilitates corruption?
5. Shortages of goods and services lead to creation. How can these shortages be eliminated?
6. Does the Constitution and laws give undue protection to the civil servants? Is there a case to revisit Article 311?
7. Should controlling officers be held answerable for misdemeanours of their subordinates for not exercising proper supervision?
8. Are new laws required, such as dealing with the wealth acquired through illegitimate means?

### **II-ETHICS INFRASTRUCTURE**

1. What specific measures are required to strengthen the ethical foundations of the fight against corruption?
2. What legal/institutional/administrative measures are required to effectively tame political corruption?
3. Should we have a Code of Conduct for Ministers? What should it include?
4. Should we have a Code of Conduct for elected members? What should it include?
5. What should be the necessary ingredients of a Code of Conduct for civil servants?
6. Should there be a Code of Conduct for professionals and professional bodies?

### **III-INSTITUTIONAL MECHANISM**

#### **AT THE GOVERNMENT OF INDIA**

1. Is the existing institutional mechanism, comprising the CVC and the CBI adequate to combat corruption?
2. Have controlling officers, over period of time been giving less attention to curb corruption among their subordinates? Would creation of institutions by itself eliminate corruption? Are external institutional mechanisms a substitute to internal vigilance? How to strengthen internal vigilance?
3. Is the procedure for obtaining vigilance clearance for officers before posting them in Government of India, effective? If not what measures should be taken to improve it?

4. What mechanism is required to ensure that only upright officers are posted to sensitive jobs?

#### **IV-INSTITUTIONAL MECHANISM**

##### **AT THE STATE GOVERNMENTS**

1. What should be the relation between the Lokayukta, the State Vigilance Commissioner and the Anti Corruption Bureaus?
2. The institution of Lokayukta differs from state to state. Can best features of each one of these be picked up to have a uniform framework in all states?
3. How to ensure autonomy for these institutions and at the same time holding them accountable?
4. Corruption at cutting edge levels hurts the common man. Are special measures required to combat this?
5. What needs to be done to transfer power closer to people so that the decision making power point is near to the people? Would this increase accountability?

#### **V-PROCEDURAL ISSUES**

1. How to ensure that persons with integrity are posted in sensitive posts?
2. Should there be a mechanism for keeping a watch over the integrity of civil servants? Which agency should be entrusted this task?
3. At present there is a system of getting vigilance clearance? How can this be improved?
4. What safeguards are required to protect honest officials from harassment? Does the existing provision of taking prior sanction of Government before registration of cases, necessary? How to ensure that this does not become a shield for corrupt officers?
5. Is the requirement of taking prior sanction of government before registering a case, a hindrance in fight against corruption? How does one safeguard honest official from harassment?
6. Would outsourcing of some functions by regulatory agencies lead to reduction in corruption? What functions could be outsourced?

#### **VI-PREVENTIVE MEASURES**

1. Introducing competition gives choice to users/consumers. How can competition be introduced in service delivery by governmental agencies?
2. Over-regulation increases scope for corruption. Which are the areas where regulation can be reduced?
3. Should mandatory pre-audit of all major procurements/contracts be carried out?
4. Systemic reforms can help in reducing scope for corruption. Which are the sectors which lend themselves for such systemic reforms?How can such systemic reforms be brought about?

5. Use of technology can help in reducing discretion and thus bring in objectivity? What are the obstacles in use of modern technology in governance? How can these be overcome?
6. Should there be a Whistle Blowers Act?
7. Is there a necessity to have 'Civil Service Values' spelt out in a separate Civil Services Law?

## **VII-CITIZENS INITIATIVES**

1. What mechanism is required to actively involve citizens in fight against corruption?
2. Could the 'sting operations' be given a legal backing?
3. How can the stakeholders be involved in monitoring corruption in service delivery organizations?
4. Should there be a system of evaluating and ranking offices based on corruption indices and then linking incentives to such evaluation.



## Quiz on Ethics in Governance

**1) Ethics in Governance can be brought about by:**

- a) Having a code of ethics or societal standards for behaviour
- b) Ensuring that the standards are implemented
- c) Investigating any violations reported
- d) Taking swift action against violators
- e) All of the above

**2) Among the factors considered to have aggravated corruption in India are:**

- a) Arbitrary exercise of power
- b) Huge scope for discretionary decision-making
- c) Over-regulation
- d) Subsidies and beneficiary-oriented programs
- e) All of the above

**3) According to the 2nd ARC, what measures are needed for combating corruption:**

- a) Moral Science education
- b) Salary increases
- c) Consistently rewarding honesty and punishing corruption
- d) All of the above
- e) None of the above

**4) According to 2nd ARC, which of the following are listed as instruments for corruption control:**

- a) Right to Information
- b) Citizen's Charters
- c) Social Auditing
- d) All of the above
- e) None of the above

**5) Coercive corruption has a seriously adverse impact on:**

- a) Society at large
- b) Ordinary citizens
- c) Politicians
- d) Industrialists
- e) Regulators

**6) Collusive corruption has a seriously adverse impact on:**

- a) Society at large
- b) Ordinary citizens
- c) Politicians
- d) Industrialists
- e) Regulators

### **Answers to Quiz on Ethics in Governance**

- 1) e
- 2) e
- 3) c
- 4) e
- 5) b
- 6) a

## **Case Study**

### **Two Initiatives linking e-Governance with Control of Corruption**

It is often said that the biggest problem in developing countries is not poverty; it is the lack of good governance that perpetuates poverty. It is common knowledge that only a small proportion of the funds expended on development, disaster relief, or rehabilitation eventually filters down to the intended recipients. Leakages occur at various points and for various reasons ranging from sheer wastage and middlemen's share to bribes extracted by dishonest government officials themselves.

The traditional anonymity associated with administrative positions represents the special feature of a government official as a civil servant. Roles and responsibilities are associated with positions, not with individuals; and the internal allocation of responsibilities is not open to public scrutiny. In theory, anonymity symbolizes the impartiality of administration. In practice, anonymity makes it difficult for the public to access "who is handling what" type of information while dealing with government offices. This opacity of administration leads to unequal information among government officials and the public. The inequality of information combined with concentration of power makes government structures vulnerable to dishonest exploitation and abuse of public power for personal gain. It is a phenomenon well known in public life. The layman's word for it is "Corruption".

Today "Control of Corruption" is recognized as a key indicator of good governance. Admittedly, corruption undermines the foundation of government and perpetuates poverty, especially among the weak and vulnerable sections of society. Because of the secrecy associated with corruption, it is difficult to collect evidence around overall impact of various measures taken by governments to control corruption. This paper summarizes contemporary understanding of how e-Governance initiatives are being used for controlling corruption, and some early empirical evidence linking e-Governance with control of corruption.

### **Role of e-Governance in reducing Information Inequalities**

For the purposes of this case study, e-Governance is interpreted as the application of Information and Communication Technology to Government working. e-Governance has changed the way in which Government can share information, engage communities, and deliver services to its citizens. For example, with the advent of the internet, it is possible to have a public website where information about every high value government transaction can be put up for citizens, public interest groups, and the media to peruse. Every transaction can be publicly watched, and every decision can be fiercely debated. From this perspective, e-Governance is not just about process automation and removal of inefficiencies. Rather, it is about the creation of new relationships between the government and the governed and reduction of inequality of information across government officials and the public.

The example given in the preceding paragraph illustrates control of corruption as an explicit objective of ICT application. However, there are other ways in which ICT application to government processes can lead to reduction of corruption opportunities as an incidental benefit. Here the role of e-governance as a corruption deterrent is subtle,

but can be highly effective if features that can lead to greater transparency and accountability are consciously built into the design. From this perspective, e-Governance is not just about creating forums to display and debate public expenditure decisions, but also about empowering the citizen with information about every day services. Citizens are often ignorant of procedures, and of their rights. They often need counseling or advice before they can choose their preferred option. Such advice, however, may not be made is often denied or made available only at a price. In e-governed societies, where citizens can access interactive help routines or video films to make better-informed decisions, there is no need to pay a price for basic advice or information. At the same time, it must be recognized that these benefits of e-Governance do not come in isolation. In general, e-governed societies will benefit the better-informed citizens, because even to search and access the right information requires a higher level of understanding about the world around and the power of ICT. Nevertheless, cases are cited from a number of Latin American countries and some states in our own country where petty corruption has been reduced by e-Governance e.g. Information System for Rural Development in Peru, and e-Seva Project in Andhra Pradesh.

### **Case Study: Seoul Municipality - South Korea**

The best known example of e-Governance being used for combating corruption is the OPEN system of South Korea. This system implemented by Seoul Municipality enables on-line tracking of individual applications for a variety of municipal licenses. Earlier, extensive municipal regulations, spurred by the expansion of the municipal bureaucracy, had created new opportunities for corruption. In 1998, the Mayor of the city declared an all-out war on corruption through preventive and punitive measures, increased transparency in administration, and enhanced public-private partnership. The decision making processes and actions of individual civil servants have now been made transparent to the public through this system.

The introduction of e-governance in Seoul Municipality was one element of a broad range of initiatives. The e-governance side of the war on corruption involved setting up a portal called OPEN-Online Procedures Enhancement for Civil Applications. The portal, in effect, performs the following functions:

- Explains to users the elements of the anticorruption drive
- Displays an anticorruption index (comparing five services most susceptible to corruption)
- Educates citizens on rules and procedures
- Enables real-time monitoring of progress of an application for a permit or license

As such, the administrative practices which were most vulnerable to corruption are made open and transparent. The OPEN system was extended to 54 government services. In the first 13 months of launching the system, civil applications published by each city department totalled 28,000, and the number of visits to the OPEN site reached 2 million by the end of year 2000. It must, however, be noted that although IT was used as the enabling tool, the focus of the anticorruption program was on:

- Simplification of regulations and procedures
- Re-engineering of work practices

- Transparency in procedures
- Effective communication with the citizens

### **Case Study: Electronic Graft Management - Kenya**

A different way to use e-Governance for corruption control was conceived of in Kenya. The Kenya Anti-Corruption Authority (KACA) was established in 1997 and had mainly been dealing with historical, large-scale corruption cases. In 2001, the Information Technology Standards Association (ITSA) of Kenya launched an **Electronic Graft Management (EGM)** pilot project, with the aim to increase public awareness and encourage public participation in fighting corrupt practices. ITSA's EGM project was conceived to offer a corruption reporting facility in six towns with existing Internet infrastructure, and two remote locations. Anonymity of users was ensured and reports were transmitted to EGM centres for analysis and follow-up with relevant authorities.

The EGM Centre was set up to monitor the volume of corruption reporting on a monthly basis. An increase in the volume of cases reported does not indicate increase in the incidence of corruption. Rather, it indicates that the number of people using this channel is increasing, which in turn implies increased public awareness, and trust in this channel. The EGM Centre would filter this information electronically and channelize it to the relevant authorities for action. It would also solicit statistical feedback from the implementing bodies on the actions taken, and make the feedback available to the public, and motivate them to continue using the channel. This was considered necessary because the greatest challenge facing the EGM project is to get the public to report genuine corruption voluntarily. ITSA had proposed to use highly motivated youth volunteers to inform the public in the selected areas about the availability of the online channel, and to back the youth's campaign through news media, door-to-door campaigning for offices, shops, and other such establishments. The target audience for the awareness campaign will target groups such as teachers and traders associations, NGOs, community-based organizations, churches and religious organizations, as well as private and public institutions.

----- End of Case Study -----

### **POINTS TO PONDER**

Among the lessons learnt from the South Korean initiative is the understanding reformers must look beyond individual instances of corrupt behavior and focus on the structural factors that allow corruption to flourish. The anti-corruption drive in Seoul was successful because of strong leadership, widespread citizen participation, and last but not the least, strategic use of technology.

The Kenya example is among the early known cases of a government agency soliciting information from the public on corruption incidents and following up on them. In subsequent years, a number of sites hosted by civil society groups and other interested parties have proliferated in several countries to expose instances of corruption and to provide information about assets owned by individuals holding public offices and their family members.

## **Chapter 5**

### **Efficiency in Government**

## Efficiency in Government

Efficiency has widely varying meanings in different disciplines. In general, it describes the extent to which time, effort or cost is well used for the intended task or purpose. In many cases, efficiency can be expressed as a percentage of what would ideally be expected. So if a task could have been completed in 10 days, but is actually done in 15, efficiency is 10/15, i.e. 66.67%.

### Efficiency and Effectiveness

A discussion on efficiency will be best appreciated if the distinction between efficiency and effectiveness is well understood. Very often the two terms are used interchangeably, but management science makes a clear conceptual distinction between the two. The difference between **efficient** and **effective** is that **efficiency** refers to how well you do something, whereas **effectiveness** refers to how useful it is.

For example, if a company is not doing well and in order to improve productivity, they decide to train their workforce on a new technology. The training goes really well - they train all their employees in record time and tests show they have absorbed the training well. But overall productivity doesn't improve. In this case the company's has been **efficient** but not **effective**. The reasons could be any one or both of the following or even something else:

1. Low productivity was caused by factors other than lack of employee skills in the new technology

OR

2. Even though low productivity was caused by lack of employee skills in the new technology, they were not able to use their newly acquired skills due to non-availability of new equipment required to use the new technology

The example shows while it is important to accomplish assigned tasks, it may even be more important to determine which task must be accomplished to achieve the desired outcome.

In general, Efficiency is a measurable concept, quantitatively determined by the ratio of output to input. Compared to Efficiency, **Effectiveness** is a relatively vague, difficult-to-quantify concept, mainly concerned with achieving objectives. **Effectiveness** is the capability of producing a desired result. When something is deemed effective, it has been successful in achieving the intended or expected outcome,

The following table summarizes the distinction.

	<b>Effectiveness</b>	<b>Efficiency</b>
<b>Definitions</b>	Doing the right thing	Doing things right
	Producing the intended result in a way that may or may not be the fastest or least expensive but is adequate to accomplish a purpose	Performing or functioning in the best possible manner with the least possible resources (time, effort, money, etc.)

	<b>Effectiveness</b>	<b>Efficiency</b>
<b>Meaning</b>	Effectiveness is about ensuring that the right tasks and activities are done AND the goals are achieved	Efficiency is about doing given tasks in an optimal way, for example doing them in the fastest or in the least expensive way. It may or may not result in achieving the final goal, but it was done optimally
<b>Effort needed</b>	To select the right tasks	To do the selected tasks
<b>Standardization</b>	May or may not help	Generally helps
<b>Focus</b>	Achieving Goals	Completing Tasks
<b>Time Saving</b>	May be	Certainly
<b>Money Saving</b>	May be	Certainly

### **Efficiency-Effectiveness –Not A Zero Sum Game**

Very often, effectiveness is considered to be a higher level accomplishment as compared to efficiency. In order to do something innovative and solve a long-standing problem, trial and error methods are needed to discover what will actually work. However, trial and error also leads to wastage of resources, thereby compromising on efficiency. On the other hand, in certain situations, it may just not be possible to find and implement a solution without trial and error. Therefore, when a repetitive task is to be done, doing it efficiently will be the top priority because the outcome is clear and has been achieved several times earlier. However, when something new is to be done to solve a long-standing problem, doing it effectively will be the top priority because it is more important to solve the problem rather than complete given tasks in the minimum possible time. Theoretically, efficiency and effectiveness could be positioned as a zero sum game but in practice, the luxury of doing one at the cost of the other is often not available. One has to be efficient, but if one isn't effective as well, the efficiency is of no use. In common parlance therefore, effectiveness is often subsumed in efficiency.

### **Efficiency in Government**

In the current Indian context, the government functioning is often blamed for being both inefficient and ineffective. While the debate over whether there is enough justification for the government functionaries to end up being ineffective and inefficient because of the constraints they face and the enormity of the work they need to accomplish goes on, it is difficult to debate that there is vast scope for improvement. This chapter looks at the issue from an improvement perspective and brings out the competencies required to become more efficient and effective. As per the Competency Dictionary for Civil Services released by Department of Personnel and Training, Government of India, the following twelve competencies are required for Efficiency:

- Result Orientation
- Conceptual Thinking
- Initiative and Drive
- Seeking information
- Planning and coordination
- Desire for knowledge
- Innovative thinking
- Problem solving
- Developing others
- Self-awareness and Self-Control
- Communication Skills
- Team-working



## **Result Orientation**

Result orientation means having a high drive for achieving targets and competing against a standard of excellence. Various levels of Result Orientation are listed below:

### **Level 1: Focuses on doing what is Expected**

Tries to do the job well and as expected

Works towards meeting timelines and expresses a desire to do better

Is mindful of waste, inefficiency and red-tapism while discharging duties

### **Level 2: Creates Own Measures of Better Results**

Keeps track of and measures outcomes against a higher standard of performance

Consistently ensures on-time delivery of quality work

Exhibits creative ways to meet Departmental goals and priorities

Makes suggestions on how work processes can be improved

### **Level 3: Consistently Improves Systems as well as Performance**

Regularly makes specific changes in the system or in own work methods to improve performance

Takes the initiative to ensure that key objectives are consistently achieved

Monitors efficiency of work practices and modifies them to provide better service

Works to achieve tasks better, faster, and more efficiently; and looks to improve quality, community satisfaction, and morale, without setting any specific goal

### **Level 4: Sets Challenging Goals for the Organisation and works to meet them**

Helps set stretched but achievable goals by the team

Benchmarks against standards of excellence and continually strives for superior performance

Motivates, encourages others to set higher benchmarks and strive for superior performance

Continually looks to adapt leading practices from other

Departments/organisations to improve performance

### **Level 5: Creates a Culture of Achieving Challenging Goals**

Uses a variety of methods to help team members to attain higher levels of performance

Recognises and rewards innovation, setting higher benchmarks to create a culture of high achievement

Encourages and rewards continuous review and improvement of work processes

Inspires individuals to consistently exceed performance targets

## **Conceptual Thinking**

Conceptual Thinking means understanding a situation or environment by putting the pieces together and identifying patterns that may not be obviously related. It means connecting the dots while resisting stereotyping. Various levels of Conceptual Thinking are listed below:

### **Level 1: Applies Basic Rules**

Applies basic rules, common sense, and past experiences to identify causal relations, patterns etc or their absence

Is able to recognise when a current situation is exactly the same as / similar to a past situation

### **Level 2: Recognises Patterns**

Quickly identifies key issues or patterns in day-to-day situations

Able to derive conscious rationale or its absence from recurring situations or events

Creates own hypothesis to current situation or problem

### **Level 3: Applies Learning**

Uses well-chosen analogies to illustrate an issue or a situation

Applies and modifies complex learned concepts appropriately

Considers how well situations are described by existing models

Reaches conclusions by identifying the similarities and differences between situations

Steps back in order to see the bigger picture

### **Level 4: Clarifies Complex Situations to Stakeholders**

Communicates the 'big picture' clearly to others

Makes complex ideas or situations clear, simple, and understandable

Breaks- down a complex issue into a useful model or illustration

Assembles ideas, issues, and observations into a clear and useful explanation

### **Level 5: Develops New Understanding /Meaning**

Develops new ideas that lead to greater efficiency and inclusiveness, for eg by analysing global best practices

Willing to experiment without being constrained by bias, stereotypes and traditional views

Proposes new approaches to the department and / or Civil Services

Proposes alternative, radical hypotheses and tests them / keeps them in play

Redefines the understanding of stakeholder and community needs

## **Initiative and Drive**

Initiative and Drive means contributing more than what is expected in the job, refusing to give up when faced with challenges and finding or creating new opportunities. Various levels of Initiative and Drive are listed below:

### **Level 1: Takes Actions on Immediate Priorities**

- Addresses present issues immediately without waiting to be told to act on them
- Is action-orientated and self-motivated towards his/her work
- Makes more than one attempt to resolve issues

### **Level 2: Identifies Opportunities and Responds Adequately**

- Spots opportunities and is quick to respond to them
- Overcomes obstacles to ensure completion of work
- Tries to predict clients' needs (internal and external) before they are voiced and addresses them
- Uses own judgement to escalate issues

### **Level 3: Creates Opportunities for the Short-Term**

- Proactively engages in new initiatives and partnerships with the objective of creating a future opportunity or bringing about an improvement
- Introduces process changes that alleviates pressure during busy periods
- Anticipates potential problems and keeps superiors informed about developments
- Acts quickly to seize an opportunity or address a crisis by drawing on required resources and similar experiences

### **Level 4: Anticipates and Acts for the Medium-Term**

- Takes initiative in creating solutions that would support organisation in future
- Acts proactively by planning ahead, and pursues specific opportunities
- Anticipates situations up to a year in advance, in order to plan action and build in contingencies
- Encourages others to take initiative

### **Level 5: Nurtures environment that is conducive to taking initiative**

- Plans for long term to anticipate and take action on possible opportunities or crises
- Creates an environment where individuals are willing and able to take initiative without fearing consequences of failure
- Persists at the problem to overcome obstacles
- Creates and supports environment that allows team members to make mistakes and learn from them
- Nurtures an environment of accepting mistakes and learn from them

## Seeking Information

Seeking information means an underlying curiosity to know more about things, people, or issue. This includes “digging” for exact information and keeping up-to-date with relevant knowledge. Various levels of Seeking Information are listed below:

### Level 1: Conducts Basic Search

- Uses available information in the organisation
- Asks direct questions from those who are directly involved in the situation
- Conducts basic search to obtain more information in books, journals and internet

### Level 2: Investigates Situation

- Investigates each situation beyond routine questioning
- Checks assumptions against facts by asking questions
- Identifies people who are related and investigates the situation further
- Connects all the information available and conducts field visits, if needed, to gain a comprehensive understanding of the situation

### Level 3: Digs Deeper

- Asks a series of probing questions to get at the root of a situation or a potential opportunity
- Consults with experts and practitioners to get their independent perspective, background information, experience, etc.
- Seeks to develop deeper understanding and get an in-depth perspective of the subject

### Level 4: Conducts Research

- Makes a systematic effort within limited time to obtain needed data or feedback
- Conducts in-depth investigation from different and a wide range of sources
- Studies best practices of other states, sectors, regions organisations etc
- Tries to obtain new insight or meaning by conducting or commissioning a formal research if required

### Level 5: Develops Own Sources of Direct Information

- Conducts field visits (if needed) to gain a comprehensive understanding of situation
- Identifies individuals or develops trusted sources to conduct regular information gathering
- Validates the veracity of informal information through other means and Resources

## **Planning and Coordination**

Planning and coordination means the ability to plan, organise and monitor work with effective utilization of resources such as time, money, and people. Various levels of Planning and Coordination are listed below:

### **Level 1: Organises and Schedules Own Work**

- Demonstrates good time management skills to meet short- and medium-term objectives

- Plans own work schedule and monitors progress against it optimally

- Uses available resources optimally to meet work objective

- Identifies and tries to solve bottlenecks in own area of work

### **Level 2: Monitoring Own Progress**

- Monitors progress periodically and revises work plans as required

- Keeps oneself up-to-date and makes necessary adjustments to timelines, work plan, and resource allocation as necessary

- Identifies risks and early warning signals and modifies work plan accordingly

### **Level 3: Considers Interrelated Activities**

- Produces an integrated plan taking into account inter-related activities to achieve the overall objectives

- Clearly prioritises multiple, interrelated tasks when working with others

- Considers a range of factors in the planning process (for example, costs, timing, public needs, resources available, etc.)

- Anticipates risks and incorporates mitigation plan into overall work plan

### **Level 4: Manages Competing Priorities**

- Steers planning and coordination of Department activities to achieve sustainable enabling environment in respective fields

- Manages resources to meet competing objectives

- Establishes alternative courses of action, organises people, and prioritises activities to achieve results more effectively

- Sets, communicates, and regularly assesses priorities

- Balances the priorities of different interest groups keeping in mind the bigger picture

### **Level 5: Long-Term Planning Focus**

- Creates a stable and predictable environment to enable organisation in reaching its full potential

- Incentivises to create a level playing field for citizens to be able to harness their capabilities

## **Desire for Knowledge**

Desire for knowledge means keeping up-to-date with relevant knowledge and technology, share latest developments with others, and advocating the application of acquired knowledge. Various levels of Desire for Knowledge are listed below:

### **Level 1: Maintains up-to-date Knowledge**

- Maintains up-to-date knowledge about practices and policies that assist in performing day-to-day work

- Keeps own policy and procedure binders (circulars, memorandums, OMs), working papers, and ensures that files are up-to-date

### **Level 2: Proactively Keeps Abreast of Change in Environment**

- Seeks to understand policies and procedures in the related work area,

- Proactively reads relevant literature to enhance knowledge of relevant practices

- Keeps abreast of changes in internal and external environment that impacts work area

- Identifies and utilises learning opportunities to improve knowledge (for example, courses, observation of others, assignments, etc.)

### **Level 3: Develops Broader Conceptual Knowledge**

- Draws opportunities for learning from day to day experience

- Seeks to enhance knowledge through interaction with experts and by reading articles and journals

- Consults closely with other Departments and relevant stake holders to develop broader conceptual understanding'

- Pursues challenging assignments to develop expertise

### **Level 4: Prepares for the Long Term**

- Develops an external orientation, by keeping up-to-date with professional bodies, trends, and new legislation

- Reads widely, such as policy documents, external reports, or professional and Government journals

- Explores best practices and identifies opportunities for implementation in the existing environment

- Encourages knowledge and experience sharing

- Looks beyond the short term and makes changes in systems and processes which focuses on long term knowledge enhancement (capacity development, planning, research etc)

### **Level 5: Seen as a Role Model**

- Is identified as a thought leader in own professional or technical field

- Encourages and facilitates the acquisition of knowledge in others

- Suggests strategies to develop Departments'/Civil Services' overall knowledge base

- Creates an environment for development of knowledge of self and others

## **Innovative Thinking**

Innovative thinking means openness to change, approaching issues differently, and offering alternate / out of box solutions and striving for efficiency by working smartly. Various levels of Innovative Thinking are listed below:

### **Level 1: Is Open to New Ideas and Change**

- Identifies possibilities of improvements in current areas of work

- Open to the possibilities of change and considers ways to implement and adapt change in current area of work

- Improvises in case of issues of urgent importance

### **Level 2: Suggests Innovative Ways of Solving Issues and Improving Current Ways of Working**

- Suggests ideas and feedback for improvements with others in a constructive manner

- Applies learning from experiences and observations and implements to improve efficiency in the area of work

- Conducts regular reviews of the progress and identifies possible areas of improvements

- Puts aside preconceptions and considers new ideas on their merits

### **Level 3: Proactively Seeks Opportunities to Initiate New Ideas / Change**

- Seeks improvement in public service delivery through multiple methods such as technology, efficient work practices etc

- Proactively engages with stakeholders for continuous improvement in service delivery

- Identifies bottlenecks and warning signs and initiates preventive action

- Prepared to meet the challenges of difficult change and encourages others in doing the same

- Challenges the status quo and looks for unconventional solutions

### **Level 4: Encourages Innovation**

- Encourages ideas, improvements and measured risk-taking to improve services

- Identifies & implements changes to transform flexibility, responsiveness, and quality of service

- Articulates and demonstrates the change messages, on possible occasions, to possible audience

- Creates comprehensive plans and redesigns control mechanisms to respond promptly to critical events and to manage change.

### **Level 5: Creates a Culture of Innovative Thinking and Ability to Handle Change**

- Critically Challenges decision making and allocation of resources

- Promotes innovative thinking and welcomes game changing ideas

- Tolerates genuine mistakes and measured risk taking to achieve transformation

- Rethinks systems and partnership approaches to achieve desired outcomes

- Creates a culture of innovation, flexibility and responsiveness, mobilising the Department to respond swiftly to changing priorities

## **Problem Solving**

Problem solving means understanding a situation by breaking it into small parts, organising information systematically and setting priorities. Various levels of Problem Solving are listed below:

### **Level 1: Breaks Down Problems**

- Breaks down complex issues into smaller parts for easier analysis
- Collects and analyses related information from a variety of sources
- Is able to effectively sift through information
- Identifies the links between situations and given information

### **Level 2: Identifies Basic Relationships**

- Identifies the cause-and-effect relationship between two aspects of a situation
- Develops an action plan based on causal relations and pros and cons
- Weighs pros and cons of different options

### **Level 3: Identifies Multiple Relationships**

- Able to diagnose multiple cause and effect relationships in a problem (ability to see several potential causes of an event or several events)
- Develops potential solutions and identifies risks involved

### **Level 4: Develops Solutions to Complex Problems**

- Ability to see the holistic picture
- Identifies interdependencies between various components
- Communicates complex problems in a simple manner
- Develops a solution that attempts to address the complexities at different
- Generates options to address the problem in its entirety
- Creates solutions that address not only immediate issues (quick fixes) but also takes steps for medium to long-term impact of the solutions



## Developing Others

Developing others means genuinely believing in others' capabilities to develop and take personal responsibility for their development, creating a positive environment for learning and providing developmental opportunities for individual and team. Various levels of Developing Others are listed below:

### Level 1: Expresses Positive Expectations of others

- Makes positive comments regarding others' future development, particularly those who may be perceived as not having high potential

- Believes that others want to and can learn to improve their performance

### Level 2: Provides Guidance and Detailed Instructions

- Explains how to do a task, with detailed instructions and demonstration

- Provides practical support with the aim of developing others depending on their needs

- Expresses positive expectations for the development of others

### Level 3: Ensures Learning and Development and Provides Specific Feedback

- Reviews work delivery and provide timely, constructive, and specific feedback in key strengths and areas for improvement

- Encourages team members to develop learning and career plans and follows up to guide their development and measure progress

- Values different personal needs of the team members and uses this understanding to promote inclusiveness

- Ensures diversified exposure for team members, for example, opportunities to work on stretched projects

### Level 4: Empowers for Long-Term Development

- Takes risks on others to enable them to grow, by delegating responsibility and decision-making

- Allows others to learn from mistakes in non-critical settings

- Provides mentoring support and direction to attain the team members' learning needs for the long-term development

- Creates an inclusive environment, from which all staff, including underrepresented groups, can develop

### Level 5: Develops Future Leaders

- Continuously assesses the talent requirements and proactively manages talent pipeline to ensure operational excellence

- Institutionalises mechanisms that support continuous learning and improvement

- Manages and develops teams with an acute awareness of inclusiveness, equality, and diversity

- Builds capacity-development strategies to support career development for all employees

## **Self-Awareness and Self-Control**

Self-awareness and Self-Control means identifying one's own emotional triggers and controls one's emotional responses, maintaining sense of professionalism and emotional restraint when provoked, faced with hostility or working under increased stress. It includes resilience and stamina despite prolonged adversities. Various levels of Self-Awareness and Self-Control are listed below:

### **Level 1: Is Aware of Self and Restrains Emotional Impulses**

- Aware of own feelings, strengths and weaknesses
- Aware of the connection between own feelings and their impact on own actions and performance
- Reads situations rationally
- Resists the temptation to act impulsively
- Remains calm in stressful situations and listens to others' point of view

### **Level 2: Responds Calmly**

- Aware of how one's emotions and actions impact others
- Conducts rationally even under strong internal emotions
- Knows what emotional 'hot buttons' he/she has and avoids situations that will cause emotional responses
- Acts calmly and respectfully towards others despite difficult situations
- Has an honest understanding of own weaknesses and strengths

### **Level 3: Manages Stress Effectively**

- Actively manages self-effectiveness in different situations by thoroughly understanding of one's own responses
- Uses stress management techniques to deal with stress and control responses
- Responds constructively and professionally to extreme challenges, provocation and/or professional disappointments
- Continues providing effective leadership in situations of stress or adversity

### **Level 4: Managing Self and Others Under High Stress or Adversity**

- Calms others during stressful situations (by remaining calm, listening attentively)
- Diffuses stressful situation and lightens the environment for example by humour, presenting analogies etc
- Coaches and mentors others on ways to manage stress
- Accepts negative feedback in a mature manner

### **Level 5: Nurtures a Culture of Rationality and Calm Behaviour**

- Able to maintain focus and stamina for self and others in prolonged adversity
- Nurtures a culture to identify and dissolve stressors by better planning and analyzing the past instances
- Creates and promotes culture of calm behavior in a large group or organization
- Improvises and innovates to out-manoeuvre stressful situations to attain expected results

## **Communication Skills**

Communication Skills means articulating information to others in language that is clear, concise, and easy to understand. It also includes the ability to listen and understand unspoken feelings and concerns of others. Various levels of Communication Skills are listed below:

### **Level 1: Listens Attentively and Presents Information Clearly**

- Listens actively and objectively without interrupting
- Checks own understanding of others' communication (e.g., repeats or paraphrases, asks additional questions)
- Is able to ask questions clearly to gather basic understanding of issues at hand
- Presents basic facts in a clear and concise manner, both orally and in writing
- Keeps superiors and other relevant stakeholders informed

### **Level 2: Fosters Two-Way Communication**

- Conveys information, opinions and arguments fluently and confidently in a manner that clearly explains the benefits of one's proposition on different people in the society
- Elicits feedback on what has been said
- Is able to ask leading and open-ended questions to allow for deeper thoughts to surface during communication
- Understands complex non-verbal cues and incorporates the understanding to achieve better two-way communication of ideas
- Maintains an open communication channel with others
- Communicate information likely to be perceived negatively with sensitivity and tact
- Supports messages with relevant data and examples to create better impact and to enhance understanding
- Is able to write complex ideas in an easy to read, coherent, accurate manner devoid of jargon

### **Level 3: Adapts Communication to Others**

- Adapts communication style to suit the situation
- Takes others' perspectives into account during communication,
- Times communication effectively keeping in mind the overall context and public opinion
- Anticipates the response to messages and adapts communications accordingly
- Is able to understand the non-verbal cues of the speaker

### **Level 4: Communicates Complex Messages Clearly and Credibly**

- Does not bluff, acknowledges lack of information, acts tactfully and follows up response in agreed time
- Communicates complex issues clearly and credibly, to widely varied audiences
- Shares the idea with opinion makers, before "voicing" it
- Uses varied communication methodologies to promote dialogue and shared understanding through interesting examples (stories, myths, cases, best practices etc)

### **Level 5: Communicates Strategically**

- Uses different forums, media vehicles, tailors messages accordingly to achieve optimum results

## **Team-Working**

Team-Working means working together as a unit for the common goal and building teams through mutual trust, respect and cooperation. Various levels of Team-Working are listed below:

### **Level 1: Cooperates with Others**

Willingly complies with the team decisions, is a good team player, does his or her share of the work

Willingly gives support to co-workers and works collaboratively rather than competitively

Shares all relevant information with the team members, provides ideas, inputs and suggestions

Deals honestly and fairly with others, showing consideration and respect

### **Level 2: Appreciates Positive Attitudes and Expresses Positive Expectations of Team**

Has a positive attitude towards team members

Communicates their expectations towards others positively, in terms of their abilities, expected contributions, etc.

Acknowledges the work of others

Speaks positively about the team members , when either communicating with them directly or to a third party

Shares experiences, knowledge, and best practices with team members

Assumes responsibility for own work activities and coordinating efforts

### **Level 3: Solicits Inputs**

Solicits ideas and opinions to help form specific decisions or plans

Displays willingness to learn from others, including subordinates and peers

Genuinely values others' expertise

Incorporates others' suggestions into planning and decision making

### **Level 4: Encourages Others**

Publicly and formally credits others who have performed well

Encourages and empowers others, making them feel strong and important

Builds relationships with team members and with other inter- / intra- Department work units

Encourages others to share experience, knowledge and best practices with the team

### **Level 5: Works to Build Team Commitment**

Promotes good working relationships rising above the bias

Collaborates with other Departments to work towards a larger goal

Capitalises on opportunities and efficiently utilises diverse talents of the team members

Works towards building positive team environment and addresses descriptive behavior such as threats, insults, stereotyping or exaggerations

## Quiz on Efficiency in Government

### 1) Efficiency means:

- a) Being Innovative
- b) Being Confident
- c) Being Sympathetic
- d) Being Productive (correct answer)
- e) All of the above

### 2) Effectiveness means:

- a) Doing the right things (correct answer)
- b) Doing things right
- c) Working very hard
- d) Documenting neatly
- e) None of the above

### 3) In real life, Efficiency and Effectiveness:

- a) Can be distinguished in a clear-cut way
- b) Can always be done together
- c) Can never be done together
- d) Are equally important
- e) None of the above (correct answer)

### 4) According to the Competency Dictionary released by DoPT, number of competencies under Efficiency is:

- a) 6
- b) 8
- c) 10
- d) 12
- e) 14

**5) According to the Competency Dictionary released by DoPT, which of the following is a Competency for Efficiency:**

- a) Result Orientation
- b) Conceptual Thinking
- c) Initiative and Drive
- d) Seeking information
- e) All of the above (correct answer)

**6) According to the Competency Dictionary released by DoPT, which of the following is a Competency for Efficiency:**

- a) Planning and coordination
- b) Desire for knowledge
- c) Innovative thinking
- d) Problem solving
- e) All of the above (correct answer)

**7) According to the Competency Dictionary released by DoPT, which of the following is a Competency for Efficiency:**

- a) Developing others
- b) Self-awareness and Self-Control
- c) Communication Skills
- d) Team-working
- e) All of the above (correct answer)

### **Answers to Quiz on Efficiency in Government**

- 1) d
- 2) a
- 3) e
- 4) d
- 5) e
- 6) e
- 7) e

## Case Study

<http://indiagovernance.gov.in/map.php>

**Chapter 6**  
**Citizen's Charter**



## Citizen's Charter

The Citizen's Charter is a written declaration by a Government department that highlights the standards of service delivery that it subscribes to, availability of choice for consumers, avenues for grievance redress and other related information. In other words, it is a set of commitments made by a department regarding the services which it delivers. The Citizen's Charter is intended to empower citizens and clients so that they can demand committed standards of service and avail remedies in case of non-compliance by service provider organizations. The basic thrust of the Citizen's Charter is to render public services citizen centric by making them demand driven rather than supply driven.

Citizen's Charters have been a familiar phrase in the lexicon of public service delivery for quite some time now<sup>1</sup>. In theory they are a potent tool for citizen empowerment through proactive and prominently displayed information on services to be rendered by government agencies, including service standards and the process for laying down these standards. Proper implementation of the Charter concept automatically ensures transparency, openness and access to relevant information in the public service delivery domain.

In India there have been several attempts by successive governments to bring about greater accountability and transparency across the governance machinery and particularly, in service delivery. However, despite far-reaching changes in the country's governance structure, government has largely been seen as dictating its own terms, neither offering good service, nor providing enough information to citizens that would enable them to understand how they can get better service. While on the one hand, the government took concrete steps towards greater openness in service delivery by mandating the introduction of Citizen's Charters; on the other, this remained a theoretical exercise with little impact on service delivery to vulnerable sections that were in dire need of change. It has been widely accepted that the journey is arduous and there is much that remains to be done.

The Conference of Chief Ministers that was addressed by the Prime Minister in May 1997 mandated introduction of Citizen's Charters both in the central and state government departments to publicly declare their obligations of service delivery. Thereafter, different organizations came up with their Citizen's Charters, though the progress across the country was not uniform. Many times the exercise remained on paper and there were innumerable instances where organizations formulated their Charters in response to government guidelines without really understanding the logic of these guidelines.

### Implementation Assessment

After the introduction of Citizen's Charters in 1997, several review exercises have been conducted to gauge the effectiveness of Charters as a tool to improve service delivery by empowering citizens through better information. The following table summarizes the more well-known studies conducted.

---

<sup>1</sup> Called Service Charters in many countries

Year	Participant/s	Reviewer
1998	Delhi Government Organizations	NGO - Consumer Co-ordination Council
2000	Three Banks	Training Institute - National Institute of Bank Management
2002	Delhi Government Organizations	NGO- Transparency International
2003	Five Central Government Organisations and 15 Departments/ Organisations (Andhra Pradesh, Maharashtra, Uttar Pradesh)	Professional Consultants

#### Citizen's Charter: Assessment Studies 1998-2003 (India)

The results of these studies, though encouraging from the viewpoint of a nascent initiative, nevertheless throw up several areas for improvement, especially on implementation realities. It is clear that many organizations formulated Charters more in letter rather than spirit. Many a time, high degree of cynicism was prevalent on the ground over the efficacy of such an initiative. In general, it was found that the improvements were few and far between and there was no established mechanism within the government to guard against poor service delivery or to ensure minimum standards in all sectors and progressively match those standards with citizen's expectations. Citizens still continue to experience and perceive government agencies as largely inaccessible, inscrutable, unsympathetic and unfair. In many forums, it was observed that without a mechanism to assess implementation of Charters with reference to certain standards, the Citizen's Charter initiative would lose steam and fail to deliver the desired benefits.

### 2nd ARC view on Citizen's Charters

Citizen's Charter is based on the premise that the Citizen is "King" and government organizations exist not to rule but to serve the Citizens. In order to ensure that both the service providers as well as Citizens realize that public agencies are meant to provide service, each organization should spell out the services it has to perform and then specify the standards/norms for these services. Thus, Citizen's Charter is a set of commitments made by an organization regarding the standards of service which it delivers, seeking to make an organization transparent, accountable and citizen friendly.

Citizens' Charters should be made effective by adopting the following principles:

- One size does not fit all
- Citizens' Charter should be prepared for each independent unit under the overall umbrella of the organisations' charter
- Wide consultation which include Civil Society in the process
- Firm commitments to be made

- Internal processes and structure should be reformed to meet the commitments given in the Charter
- Redressal mechanism in case of default
- Periodic evaluation of Citizens' Charters
- Benchmark using end-user feedback
- Hold officers accountable for results.

## Guidelines on Citizen's Charters in India

The last guidelines on formulation of Citizen's Charters were issued by Department of Administrative Reforms and Public Grievances in 2011 and disseminated through four workshops covering all central and state government departments during September-November 2011. The guidelines provide as under:

### Format of Citizen's Charter

The Citizen's Charter should contain the following nine sections:

- Cover Page
- Vision
- Mission
- Service Standards
- Grievance Redress Mechanism
- Stakeholders / Clients
- Responsibility Centers
- Indicative expectations from service recipients'
- Month and Year for next review of the charter

- Cover Page** - To ensure instant recognition and user-friendliness, it is important that all Citizen's/Client's Charters have a uniform cover page as under:

<p><b><u>National</u></b> <b><u>Emblem</u></b></p> <p><b><u>Logo (if any) CITIZEN'S / CLIENT'S</u></b> <b><u>CHARTER</u></b></p> <p><b>NAME OF THE MINISTRY /DEPARTMENT</b></p> <p><b>Address with website ID</b></p> <p><b>Month and Year of Issue</b></p>
---

- Vision**

### iii. Mission

**iv. Service Standards** - The information in this section should be presented in the following format:

SERVICE STANDARDS				
S No.	Main Services*	Timelines*	Officer responsible for delivery of service	Contact details of the officer

\* Main Services include services that are being provided on a regular basis, services rendered occasionally under exceptional or extraordinary circumstances should not be a part of Main Services. Main services should also have supporting grievance redress processes.

\* Timelines are the most common form of service standard

**v. Grievance Redress Mechanism** - This section should contain information relating to the following items:

- a. Name and contact details of Public Grievance Officer
- b. Helpline number/Website URL to lodge grievance
- c. Response to be expected by person lodging the grievance
- d. Timelines for redress

**vi. Stakeholders / Clients** - This section should contain the list of stakeholders / clients who have been consulted for setting service standards. The stakeholder consultations done for the Strategy development process may be used for the purpose of setting standards as well.

**vii. Responsibility centers and Subordinate organizations** - This section should contain a list of the Responsibility Centers and Subordinate Organizations under the administrative control of the Ministry/Department. Information in this section should include reference to the service standards of the Responsibility Centers and Subordinate Organizations, how to lodge a grievance against them, and the role of the Ministry/Department in ensuring that they have set standards for service and are delivering services accordingly.

**viii. Indicative expectations from service recipients** - This section should contain responsibilities of the Citizens / Clients if they are to avail efficient service delivery at the standards stated in the Charter. Examples of this would include submitting completed application forms along with all the required enclosures, duly attested where required; cross-checking for information or the latest position on a matter on the Department's website before raising a query or a grievance etc.

**ix. Month and Year for the next review of the Charter** - This section should indicate the month and year for the next review of the Charter. This allows the citizens to be patient till the next major revision. The next date of review should not be too distant. Upper time limit of once in a year or once in two years may be prescribed.

While the Citizen’s Charter is generally considered to be non-enforceable in a court of law, over the last two years, guarantee of time-bound delivery of services by government agencies is gaining acceptance as a legal right of citizens in India. Till date 17 States have enacted legislation to this effect; and a Central Bill has also been on the anvil. Although there are differences across States on how this is being implemented; in general those services are chosen where pre-requisites for providing the service are not complex and it is possible to make the internal departmental process transparent to applicants. The following table shows a compilation of Service Guarantee Acts passed by various Indian States as on February 28, 2013.

<b>Table 1: States with Legislation on Time Bound Services to Citizens</b>		
<b>#</b>	<b>State</b>	<b>Act Name &amp; Date</b>
1	Assam	Right to Public Services Act
2	Bihar	Right to Public Services Act
3	Chhattisgarh	Lok Seva Gurantee Adhiniyam
4	Delhi	Right of Citizen to Time Bound Delivery of Services Act
5	Goa	Right of Citizens to Time-Bound. Delivery of Public Services Bill
6	Gujarat	Right of Citizens to Public Services Bill
7	Himachal Pradesh	Lok Seva Guarantee Adhiniyam
8	Jammu & Kashmir	Public Services Guarantee Act
9	Jharkhand	Rajya Seva Dene Ki Guarantee Vidheyak
10	Karnataka	KarnatakaSAKALA Services Act
11	Kerala	Government Service Assurance Bill
12	Madhya Pradesh	Lok Sewaon ke Pradan ki Guarantee Adhiniyam
13	Orissa	Right to Public Services Act
14	Punjab	Right to Service Ordinance
15	Rajasthan	Lok Sevaon Ke Pradan Ki Guarantee Adhiniyam
16	Uttar Pradesh	Janhit Guarantee Adhiniyam
17	Uttarakhand	Right to Services Act



## Quiz on Citizen's Charter

**1) Citizen's Charters were introduced in India in:**

- a) 1990
- b) 1997
- c) 2005
- d) 2011
- e) None of the above

**2) The real purpose of having a Citizen's Charter is to:**

- a) Get publicity for government departments
- b) Make a list of work done by the department
- c) Empower citizens through precise information about departmental services
- d) Comply with government instructions
- e) All of the above

**3) According to the reviews conducted till 2005 by Department of Administrative Reforms & Public Grievances, Government of India, it was found that Citizen's Charters had:**

- a) Improved service delivery
- b) Been highly appreciated by civil society
- c) Clearly laid down service standards
- d) Been conducted largely as exercises on paper
- e) All of the above

**4) According to 2nd ARC, Citizen's Charters can be made effective by adopting the following:**

- a) Preparing separate Charter for each independent unit
- b) Conducting periodic evaluation of their effectiveness
- c) Holding officers accountable for results
- d) Changing internal processes to ensure commitments made in the Charters are fulfilled
- e) All of the above

**5) According to guidelines issued Department of Administrative Reforms & Public Grievances, Government of India in 2011, number of sections in the Citizen's Charter should be:**

- a) 3
- b) 5
- c) 7
- d) 9
- e) 11

**6) The following clauses are mandatory to include in a Citizen's Charter:**

- a) List of Services without service standards
- b) List of Services with service standards
- c) Month and Year of next review of the Charter
- d) a & c
- e) b & c

### **Answers to Quiz on Citizen's Charter**

- 1) b
- 2) c
- 3) d
- 4) e
- 5) d
- 6) e



## Case Study

### **Excellence in Citizen Centric Administration – Evolving Sevottam Compliant Citizen’s / Client’s Charter and Computerized Customer Care System (CCC)/ Grievance Redress Mechanism (GRM) in the Department of Posts**

The Citizen Centric Administration – Evolving Sevottam Compliant Citizen’s / Client’s Charter and Sevottam Compliant web based Computerized Customer Care System (CCC) Grievance Redress Mechanism (GRM) in the Department of Posts was launched to redress, monitor and prevent public complaints, as mandated by RFD 2011-12.

With an idea to bring a change in public service delivery, the up gradation process ensured transparency, easier access to public and intense dynamic monitoring in the organization through Sevottam Compliance. The following steps were taken by the Department to implement the new process.

- Assessment of the network, infrastructure, HR related bottlenecks and logistics for creation of a Sevottam compliant Public Grievance Redressal system for the Department of Posts
- Providing a documented procedure for systematic complaint handling uniquely identifying and recording relevant details of complaint, remedy requested, due date of redress and immediate action to be taken
- Categorization of the complaint based on the severity ☐ Prompt acknowledgement of each complaint indicating the complaint number, redress time expected and the name, designation and telephone number of the contact person
- Investigation of the complaint for immediate resolution and information to the complainant, if delayed
- Communication of the decision to the complainant and getting feedback
- Nomination of Ombudsman who could be approached if normal service delivery mechanism fails to respond
- Compliance for quality of processes of Citizen’s Charter, Grievance Redressal and Service delivery
- Formation of a core team involving the software development experts of the Department and senior officers of the PG Division, DOP to rigorously test the GRM in a closed system for accuracy and continual successful operation of the features before its release in the public domain

Through this initiative, the Department has been able to achieve the following.

- With the Citizens/Clients component extending to all the 1,54,866 post offices in the country, the CCC GRM component extends to 24,969 computerized post offices, which include 19,890 post offices with internet connectivity. The complaints are grouped into 13 categories for 24 major services.
- The Sevottam Compliant Citizen’s/ Client’s Charter and the CCC GRM have been formulated into a standardized module for a post office, through ‘Project Arrow’ through which more than 15,000 post offices have been covered.

- The daily log in status reports generated by the CCC GRM system have facilitated for better monitoring in the system, which have increased the efficiency of service delivery
- The classification of the complaints as critical, major, minor and pending has resulted in increased transparency and effective service delivery. The automatic generation of replies, acknowledgements to complaints and the revised GRM has significantly reduced the number of customer complaints
- The simplification of the processes and the dissemination of revised processes through training at all the levels have ensured efficiency of service delivery to the customers

The Citizen's Charter of the Department figured in the six finest Charters available in Government of India as determined by the Performance Monitoring Division of Cabinet Secretariat and a trophy of Excellence was conferred on the Department on 15<sup>th</sup> March 2012 for evolving and implementing the present version. Extracts from the Department's Charter are shown below.

#### Service Standards of services provided by the Department of Posts (DOP)

S.No.	Services/Transaction	Success Indicators	Service Standards	Unit
<b>A</b> Service Standards of various services for Departmental Post Offices				
1	Mails	Time from posting / booking to delivery	<ul style="list-style-type: none"> <li>• Excludes day of posting, holidays and Sundays.</li> <li>• Maximum time</li> <li>• Articles posted before out off time.</li> </ul>	Unit in Days /Minutes etc.
1.2	Delivery of First class mail i.e. letters, postcards, inland letter cards, etc.	Local* and between Metro Cities** * Local – within Municipal City limits ** Metro- Delhi, Mumbai, Kolkata, Chennai, Hyderabad and Bengaluru.	2	Days
		Rest of India	4 - 6	
1.3	Delivery of : • Registered / Insured articles, • Express Parcel Post • Second Class Mails i.e. Parcels, Book Packets, Registered Newspapers, etc.	Local* and between Metro Cities** * Local – within Municipal City limits ** Metro- Delhi, Mumbai, Kolkata, Chennai, Hyderabad and Bengaluru.	3	Days
		Rest of India	5-7	

<b>D</b>	<b>Miscellaneous</b>
D.1	Expectations from Service Recipients
1.	Mails
1.1	<ul style="list-style-type: none"> <li>• Address of addressee and sender should contain House Number, Name of Street, City, District, State and Pin Code.</li> <li>• Name of village of addressee and the name of the delivery Branch Post Office of the addressee.</li> <li>• Phone number of the sender and addressee (optional).</li> </ul>
1.2	To conform to packing, size and content requirements for registered and Insured articles and parcels. <a href="http://www.indiapost.gov.in/Mail_Prohibited_Articles.aspx">http://www.indiapost.gov.in/Mail_Prohibited_Articles.aspx</a>
1.3	To comply with instructions for articles prohibited by Post. <a href="http://www.indiapost.gov.in/Mail_Prohibited_Articles.aspx">http://www.indiapost.gov.in/Mail_Prohibited_Articles.aspx</a>
1.4	To affix correct amount of postage on mail articles.
1.5	To provide Mail Box on the ground floor for each address in the multi storied building.
1.6	To notify the delivery post office of the change of address and provide the forwarding address.
1.7	To give proper authorization to his/her representative for receiving delivery of registered, insured, money orders and Speed Post etc. in his/her absence.
2	Money Order/Mails Services
2.1	To cooperate by producing ID on demand by Postmen or at the counter.
2.2	To insist on obtaining receipts for articles and money orders booked.
3	Savings Bank / Cash Certificate Services
3.1	To provide Know Your Customer (KYC) documents as prescribed.

24.08.12 Citizen's Charter of DOP

----- End of Case Study -----

## **POINTS TO PONDER**

What is special about the Charter that it has been considered one among the best Charters in Government of India?

What is the significance of putting the date of issue of Charter at the end of each page?

What was the process followed by the Department to ensure that the norms laid down in the Charter are actually met?

## **Chapter 6**

### **Public Service Delivery**

## Public Service Delivery

The 2nd ARC recognizes that a Citizens' Charter cannot be an end in itself; it is rather a means to an end - a tool to ensure that the citizen is always at the heart of any service delivery mechanism. The Commission is of the view that any attempt to make administration citizen centric should be easy to understand both by the citizens and the organizations. Since the maximum interaction of citizens takes place with field formations, it is necessary that reforms for enshrining a citizens' centric administration take place at that level rather than following a trickle down approach by concentrating on reforms at the apex level.

During its visit to various States and organizations, the Commission met citizens who observed that the large number of reforms carried out at Headquarters do not trickle down to the cutting edge level and therefore the real benefits do not flow down to large number of citizens. Examples most often cited, pertain to lack of citizen centric reforms at the village level because of which Patwaris and other officials, continue to be indifferent and corrupt. The same approach is also necessary for Citizens' Charter. Today, most of the field formations either do not have a Citizens' Charter or they adopt a generic one provided by the Headquarters.

### **2<sup>nd</sup> ARC's 7-Step Model for Citizen Centricity**

This model draws from the principles of the IS 15700:2005, the Sevottam model and the Customer Service Excellence Model of the UK. Each organization should follow a step by step approach which would help it in becoming increasingly more citizen centric. This approach should be followed not only by the top management but also by each unit of the organization that has a public interface. The top management has the dual responsibility of setting standards for itself as well as guiding the subordinate offices in setting their own standards. Besides, all supervisory levels should ensure that the standards set by the subordinate offices are realistic and are in synergy with the broad organizational goals. Thus, though each office would have the autonomy to set standards, these would have to be in consonance with the organizational policies.

- a. Define all services which you provide and identify your clients.
- b. Set standards and norms for each service.
- c. Develop capability to meet the set standards.
- d. Perform to achieve the standards
- e. Monitor performance against the set standards.
- f. Evaluate the impact through an independent mechanism.
- g. Continuous improvement based on monitoring and evaluation results.

## **Step 1**

### **Define Services**

All organizational units should clearly identify the services they provide. Here the term service should have a broad connotation. Enforcement departments may think that enforcement is not a service. But this view is not correct. Even the task of enforcement of regulations has many elements of service delivery like issue of licenses, courteous behaviour etc. Normally, any legitimate expectation by a citizen should be included in the term 'service'. Defining the services would help the staff in an organization in understanding the links between what they do and the mission of the organization. In addition, the unit should also identify its clients and if the number of clients is too large it should categorize them into groups. It would be the first step in developing an insight into citizens' needs.

## **Step 2**

### **Set Standards**

It has been well said that 'what cannot be measured never gets done'. Once the various services have been identified and defined, the next logical and perhaps the most important step is to set standards for each one of these services. A good starting point would be getting an input from the clients as to what their expectations are about each one of the identified services. Thereafter, based on their capability, the organization's overall goals and of course the citizens' expectations, the unit should set standards to which they could commit. It is very important that these standards are realistic and achievable. Complaints redressal mechanism should form an integral part of this exercise. These standards should then form an integral part of the Citizens' Charter.

## **Step 3:**

### **Develop Capacity**

Merely defining the services and setting standards for them would not suffice unless each unit has the capability for achieving them. Moreover since the standards are to be upgraded periodically, it is necessary that capacity building also becomes a continuous process. Capacity building would include conventional training but also imbibing the right values, developing a customer centric culture within the organization and raising the motivation and morale of the staff.

## **Step 4:**

### **Perform as per Standards**

Having defined the standards as well as developed the organizational capacity, internal mechanisms have to be evolved to ensure that each individual and unit in the organization performs to achieve the standards. Having a sound performance

management system would enable the organizations to guide individuals' performance towards organizational goals.

### **Step 5:**

#### **Monitor Performance**

Well articulated standards of performance would be meaningful only if they are adhered to. Each organization should develop a monitoring mechanism to ensure that the commitments made regarding the quality of service are kept. Since all commitments have to form a part of the Citizens' Charter, it would be desirable that an automatic mechanism is provided which signals any breach of committed standard. This would involve taking corrective measures continuously till the system stabilizes. Compliance to standards would be better if it is backed up by a system of rewards and punishments.

### **Step 6**

#### **Evaluate Performance and Standards**

It is necessary that there is an evaluation of the extent of customer satisfaction by an external agency. - is evaluation could be through random surveys, citizens' report cards, obtaining feedback from citizens during periodic interactions or even an assessment by a professional body. Such an evaluation would bring out the degree to which the unit is citizen centric or otherwise. It would also highlight the areas wherein there have been improvements and those which require further improvement. This would become an input in the continuous review of the system.

### **Step 7:**

#### **Continuous Improvement**

Improvement in the quality of services is a continuous process. With rising aspirations of the citizens, new services would have to be introduced, based on the monitoring and evaluation, standards would have to be revised and even the internal capability and systems would require continuous up gradation.

The Commission is of the view that the approach outlined in the model described is quite simple and there should be no difficulty for any organization or any of its units to adopt this approach and make it citizen centric. The Commission would like to recommend that the Union Government as well as State Governments should make this model mandatory for all public service organizations.

## Quiz on Public Service Delivery

**1) According to the 2nd ARC, reforms for public service delivery must be concentrated at:**

- a) Central Ministry level
- b) State Secretariat level
- c) Country level
- d) City level
- e) Field Office level(correct answer)

**2) Number of Steps in 2nd ARC's citizen-centric service delivery are:**

- a) 3
- b) 5
- c) 7 (correct answer)
- d) 9
- e) 11

**3) The first step in 2nd ARC's citizen-centric service delivery model is:**

- a) Identification of Services (correct answer)
- b) Reducing time taken in service delivery
- c) Providing drinking water facility for citizens in the office
- d) Formulating a Citizen's Charter
- e) None of the above

**4) The last step in 2nd ARC's citizen-centric service delivery model is:**

- a) Display of Citizen Charter at a prominent place
- b) Matching Charter commitments with actual delivery
- c) Providing training to employees on Citizen's Charter
- d) Continuous improvement in service standards based on monitoring and evaluation results (correct answer)



**5) According to 2nd ARC's citizen-centric service delivery model Monitoring performance against the set standards requires:**

- a) Providing avenues for citizens to lodge complaints
- b) Mechanism to signal any breach of committed standard (correct answer)
- c) Ensuring punctuality in office
- d) Setting up Information and Facilitation counter
- e) None of the above

**6) According to 2nd ARC's 7-step citizen-centric service delivery model should be:**

- a) Used for trainings in State ATIs
- b) Made mandatory only in Central Government organizations
- c) Only in State Government organizations
- d) In both State and Central Government organizations (correct answer)
- e) None of the above

### **Answers to Quiz on Public Service Delivery**

- 1) e
- 2) c
- 3) a
- 4) d
- 5) b
- 6) d

## Case Study

### **SAKALA-Karnataka Guarantee of Services to Citizens Act**

This case study describes how e-Governance has been used to implement one of the most momentous initiatives on good governance in India's recent history; viz. the legislation guaranteeing time bound delivery of services to citizens by government departments. As we write, there are 15 Indian States that have enacted such legislation, and an overarching Central Act is also on the anvil. Today the legislative framework for right of citizens to receive time-bound services is well-established, but it will be premature to draw any inferences about its effective implementation. Wherever positive results are seen, they are more about honest efforts, intermediate progress and limited gains. Large-scale beneficial outcomes for citizens, especially the weaker sections are yet to catch the eye.

While it is too early in the day to assess how effectively the Acts already promulgated are delivering results, some insights are clearly visible even now. As a general rule, legislation alone is seldom effective in achieving the desired results. In the present context, time-bound services to citizens will not get delivered only by legislating penalties for delays. While the provision for penalty will make frontline employees accord higher priority to time-bound service, actual delivery on time will happen when legislation is accompanied by complementary governance reforms that build systems and capability for timely delivery as a matter of routine. The capability needs multiple interventions like simplification and standardization of delivery process, use of e-Governance solutions, adequate and efficient support infrastructure, capacity building and attitudinal change among front-line staff. If adequate attention is not paid to these enabling interventions, energies of government employees will be directed towards planning on 'how to escape consequences of delay when a citizen complains', instead of 'how to ensure timely service so that citizens don't have to complain.'

While we pride ourselves in being the largest democracy in the world, we are still far away from having a "government of the people, by the people, for the people". Our attempts at making India a welfare state have been hindered by bureaucratic delays, red tape, and lack of transparency and accountability in the system. More than six decades after Independence, the distance between the government and its citizens is not only continues, but in certain aspects it is growing. Barring some exceptions, getting routine services from government departments in this country is associated with running from pillar to post and paying bribes to get 'work done'. The need for making multiple visits to government offices for finding out the status of one's application or request is taken for granted.

In October 2011, during one of his "Janatha Darshan" interactions with citizens, the then Chief Minister of Karnataka found that many citizens approaching him were asking for routine services that should have been provided by some or the other department in the normal course. He directed the Chief Secretary (CS) to Government of Karnataka (GoK) to examine this issue and come up with a legislation to guarantee some basic services being provided to citizens within stipulated time norms. Pursuant to this, Secretary, Department of Personnel and Administrative Reforms (DPAR), GoK was entrusted with the

responsibility of seeing this legislation through. In two States, Madhya Pradesh and Bihar, such Acts had already been passed more than a year ago and a team of GoK officers visited Bihar to understand the modalities.

By December 2011, the Karnataka Guarantee of Services to Citizens Act (KGSCA) was passed and Rules were notified in January 2012. Briefings for Secretariat officers were conducted from February 13 to 16, 2012 as per schedule shown in Annexure 1. Initially four districts viz. Udupi, Mangalore, Bidar and Dharwad were identified as pilots to commence implementation from March 07, 2012 and two-day workshops for implementing officers in each of these districts were conducted within February itself. Subsequently, there were some changes in the districts selected for pilot, but eventually the two-day workshop agenda was formally structured and scheduled for delivery to all districts as shown in Annexure 2. Implementation of the Act across all districts in Karnataka was announced from April 02, 2012. Such prompt action is attributable to strong political will with the Act being passed unanimously by the Legislative Assembly and Council, and the Law Minister being appointed as the Nodal Minister. Despite political developments leading to change in Chief Ministerial incumbency, the establishment remains committed to making this experiment successful.

## MIS and Analytics

*“Anything that is measured and watched improves”*

As a result of data capture on an individual service request basis, a phenomenal amount of data can be accessed through the portal. This includes applications received, accepted, returned, disposed in time, disposed with delays, and pending. Data on individual applications can be sorted by district, Taluk, department, and service. The portal is thus able to provide the functionality of a Decision Support System (DSS) and the SAKALA Mission has been using it as such. Table 2 shows examples of specific decision support use of data available through the portal.

<b>Data</b>	<b>Decision/Action</b>
Offices/services for which applications received are negligible	Determine if it is actually zero receipts, or bypass of the portal due to manual processing of applications
Offices that are delivering at a faster pace than others	Determine whether the process followed by them can be used as a benchmark
Offices that are continuous defaulters	Guidance for reducing/removing default
Application disposal trends	Continuous process improvement methodologies to adapt to smarter ways of working and service delivery
Application rejection/return trends	Corrective action (e.g. where information deficiency among citizens waste return or rejection of service requests led to setting up of 194 helpdesk across the state and bringing down rejections
Time series data	Distinguish issues that stand resolved from those that still need corrective action
Performance Ranking across Taluks	To foster a spirit of competition to vie for the top spot in monthly performance. reviews
Analytics	Discovered that officials/citizens do not enter their mobile

	numbers while applying, this was rectified and a jump from 22% to 35% in mobile numbers being entered was seen between January and February, 2013
--	---

### **SAKALA Mission**

The State government has set up a SAKALA Mission which is assigned exclusively to oversee implementation of the Act. In addition, 31 District IT consultants are appointed by the Mission on contract basis to assist the Deputy Commissioners, who are the Nodal officers for managing and monitoring SAKALA for all departments.

### **SAKALA Branding**

*“No more delays, we deliver on time”*

The caption, logo and name of the Act were selected through a campaign inviting citizens to send in their entries and win cash prizes. After filtering through thousands of entries, the name SAKALA was selected which in Kannada means ‘in-time’ or ‘good-time’, and the slogan selected is ‘No more delays, we deliver on time’. The logo shows a clock for time consciousness with the hammer to indicate justice.



**Figure 9: SAKALA Logo**

### **Communication Strategy**

It is a well-accepted fact of life that effective communication with various stakeholders is critical to the success of any initiative. If stakeholders do not understand the logic or the provisions of the initiative, it will remain under-utilized or may even be misused. In the case of SAKALA, it is extremely critical for citizens to know and understand what the government is doing for their benefit so that they can use the new mechanisms in the right way and get the benefit that is due to them. Communication about SAKALA to citizens has been done through various means and channels as described below.

In February 2012, citizens were invited to participate in a contest to come up with a logo and slogan for SAKALA and a cash prize of ₹1.00 lac was offered to the winner. Inviting citizens to participate in the contest and the publicity around it has served as an initial communication to spread awareness about the initiative among the public.

A media plan was drawn up jointly by the SAKALA Mission and the Information Department which includes use of radio (All India Radio), television (Chandana TV of DD, Suvarna TV, TV9, Janasri & Udaya TV), newspapers (Deccan Herald, Times of India, The Hindu, India Express among English dailies and Vijay Karnataka and Prajavaani among Local dailies), posters and hoardings (placed at important junctions of public congregations like alongside the bridge on the way to the Airport, high traffic signal points), facebook posts, and street plays (known as *beedhi nataka* in local language) in villages for widespread citizen awareness. With a budget of ₹ 1.35 lacs per district and ₹ 2,500 per play, 1620 plays were planned in rural areas of all 30 districts of the state. A formal workshop was conducted in March 2012 to set the expectations for the plays and training were organized for the teams in Mysore, Belgaum, Gulbarga, Bengaluru Urban, and Bengaluru Rural. The plays were conducted as per plan with 54 of them being done in each district. Annexure 5 shows sample content of one such Beedhi Natak conducted at Yadgir in August 2012.

Regular seminars and workshops are conducted by various organizations like Resident Welfare Associations, Women Self Help Groups, Consumer Forums, NGOs where SAKALA Mission officers and speakers from ISEC, IIM are invited to deliver talks on SAKALA. SAKALA Mission is using the interaction platforms at such seminars to receive suggestions and feedback for making further improvements in the system.

Innovative methods of awareness generation through students are also being used. The Education Department runs a program called 'Prathiba Karanji' under which school children participate in contests such as mono-acting, essay writing, debates, and dramas. Under this program, children are encouraged to take up SAKALA as a topic for the contests. Under another initiative by the SAKALA Mission, students from the Jain Group of Institutions were asked to develop a facebook account for SAKALA. A third initiative has students from the Aditi Mallya school educating themselves and also spreading awareness about SAKALA. Aditi Mallya is a premiere educational institution providing all-round education to its wards in Bengaluru. As part of its curriculum, students are required to develop a working knowledge of government set up that provides citizen services. The faculty at the school were looking for ways to fulfill this requirement. Incidentally that was also the time when Government of Karnataka came up with the SAKALA Act, which was making the headlines. Aditi Mallya School has chosen SAKALA as the case study for its students and sent a group of students to Information Department (which is a nodal agency for the publicity work of SAKALA). This group of students then went on to spread awareness about SAKALA in the Yelahanka region of Bangalore.

### **Employee Training**

*"The wisest mind has something yet to learn."*

In order to enable frontline employees understand the implications of the Act without being unduly alarmed, training became a key intervention. It wasn't enough to just train, but also to pay attention to the content of training and what messages participants went back with. Initial SAKALA trainings were used as opportunities for participants to understand the provisions of the Act and to develop drawing board model processes which could lead to compliance with the time norms laid down in the Act. These drawing board models later graduated into standardized workflow steps which are currently accessible to one and all, including the public, through the SAKALA portal. Modules for

training were drawn which included clear demarcated days for SAKALA training as well as attitudinal aspects. Extensive use of SATCOM to train employees *online* has resulted in much wider coverage though with some compromises on the power attributable to interactive training.

### **Awards and Accolades**

The SAKALA project is among the four projects that won the Google Innovation award at the Google and Karnataka State Innovation Council (KSINC) event in March 2013 announcing the 'Innovation Karnataka' initiative. Erich Schmidt, Executive Chairman of Google exclaimed, "What USA could not do - you have done; converging government departments and disciplining the work force!" The Mission Director dedicated the award to NIC for taking SAKALA this far and said that the brand image of the government needs to change from a lethargic, inefficient, non-transparent, un-accountable, corrupt lot to just the reverse. To an extent it has changed over the past 11 months, and will further improve in the coming days as SAKALA implementation will go online through cyber cafes and booking centres as well. Any vendor with a working computer, scanner and a fast internet connection could be a government service provider. The Mission's commitment was to simplify the process and provide access to such an extent that citizens can freely take advantage of information technology.

Reference letters appreciating the work done under SAKALA have been issued by well-known organizations including Department of Administrative Reforms and Public Grievances (Government of India), Institute for Social and Economic Change, Lal Bahadur Shastri National Academy of Administration, Zachman International, and World Bank. Annexure 6 shows a compilation of the appreciation letters.

### **Citizen Feedback**

Citizen feedback received by SAKALA Mission indicates that in general citizens are pleased with the professional approach of SAKALA Mission officials and the intervention of SAKALA Mission has helped them in getting the work done which was otherwise held up. Citizens have also given feedback on the working of a specific department (Revenue) and asked for the procedures to be simplified and made citizen-friendly. Annexure 7 quotes citizen communications received at SAKALA Mission.

### **Project Benefits**

- History is being made in the country with public servants actually becoming 'servants of the public', albeit at the routine service level
- Credibility of government is being restored by promising something and then seeing to it that the promise is kept consistently
- Recorded data has replaced anecdotal information on service requests and their disposal to support decision-making. Between April 2, 2012 and March 13, 2013 a total of 2,09,26,391 applications were routed through the SAKALA software of which 97.85% are recorded as disposed

- Reduction in hidden costs borne by citizens on making repeated visits or paying bribes only to find out procedure and status of application
- Anytime anywhere access points in addition to usual office locations accessible during office hours
- Citizen contact information available in 35% cases (as on January 2013)
- Improvement in turnaround times:
  - Passport verification (1.94 lakhs applications so far) initially required 90 days. After 4 months of SAKALA Act it has been brought down to 20 days only. Backlog of over 60,000 applications was successfully cleared in the process)
  - Rejections have come down from 7.65% to 3.67%
  - Disposal rates have improved from the last quarter from 97.35% in November 2012 to 97.85% in February 2013 for over 2 crore applications
- Reduction in number of complaints received for seven specific services after their inclusion under SAKALA
- Reduction in government revenue leakages is expected as every application for service is now being entered in the system.
- Specific initiatives by certain districts to simplify procedures and reduce time taken for delivery of services. A case in point is the initiative of Deputy Commissioner, Dharwad. While time limit under Land Revenue Act for conversion from agriculture to non-agricultural purposes is 120 days, process has been simplified for reducing time taken to 45 days.

----- End of Case Study -----

## **POINTS TO PONDER**

How is SAKALA implementation different from the way similar Acts are being implemented in other States?

What are the success factors behind progress made in service delivery to citizens after passing of SAKALA?

What areas do you think are still in need of improvement?