

BEST PRACTICE IN CITIZEN-CENTRIC GOVERNANCE

BIHAR RIGHT TO PUBLIC GRIEVANCE REDRESSAL ACT 2015



SUMMARY

CITIZEN-CENTRIC GOVERNANCE: The nature of grievances and their number make effective public grievance redressal a critical part of good governance. Past processes were satisfied with 'disposal' of the case; they satisfied more the authority than the citizen. It was not unusual for the citizen to file the same grievance again, and again. The focus on processes to produce 'redressal' as desired by citizens is one of the most significant changes that BRPGRA has brought about. Its coverage -the entire 110 million population without discrimination or targeting- and its scope - 478 schemes/programmes/services - make BRPGRA one of the most citizen-centric reforms of any government.

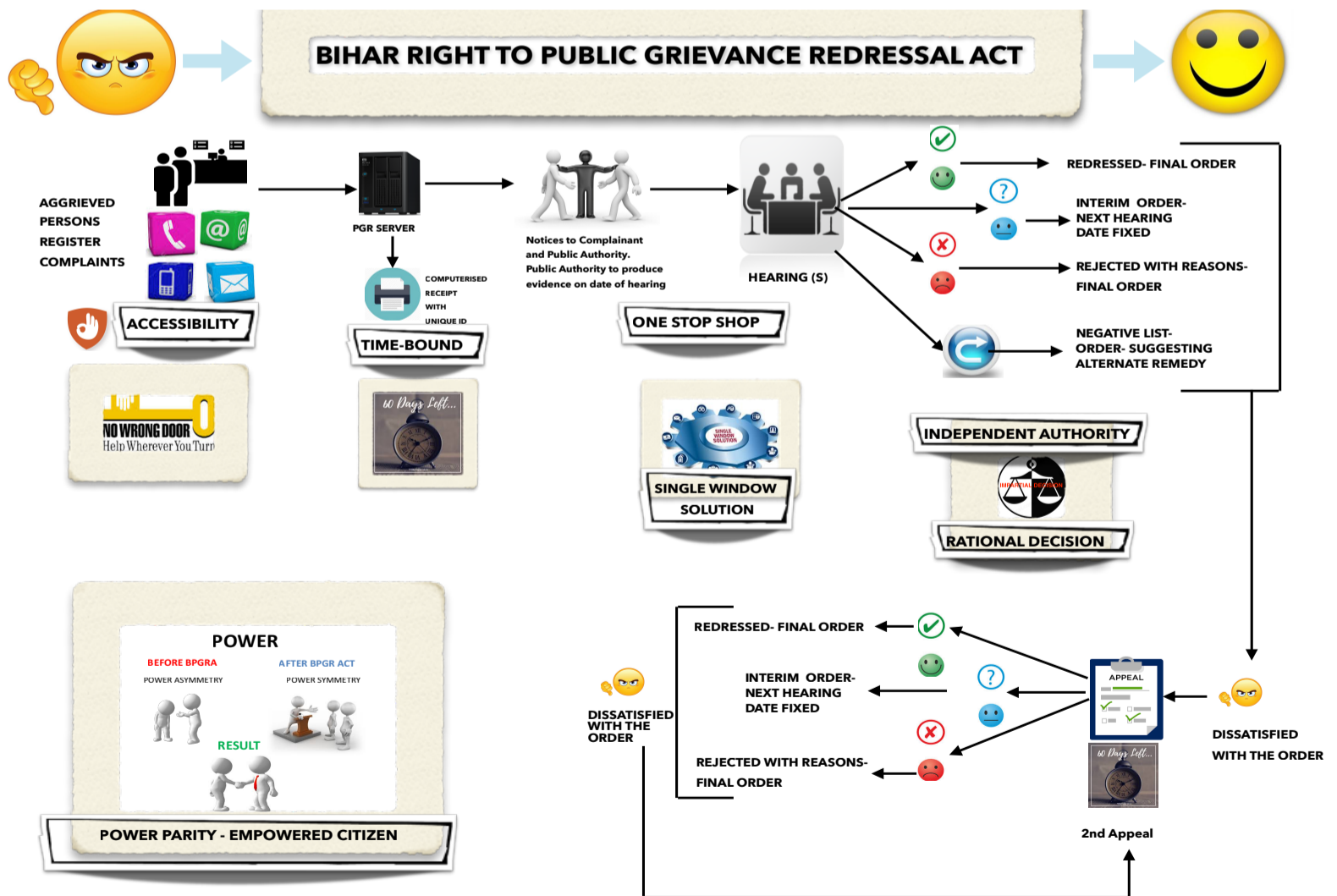
THE INNOVATION: The Bihar Right to Public Grievance Redressal (BRPGR) Act 2015 is a text book case of Business Process Re-engineering (BPR). It is **fundamental** because it is the first and only law that provides a legal right to grievance redressal; it is **radical** because an independent quasi-judicial authority decides on the redressal - not the department or agency involved in the grievance; it has a 'no wrong door' policy by introducing a single system that covers all departments; it is **dramatic** in that its scope is comprehensive and is a "single window system"; and finally, it is a **redesign** of processes to achieve what the citizens want: redressal not just disposal of the case. Winning the Kalam Innovation in Governance Award 2018 and being shortlisted for the National E-Governance Awards 2018 establishes the credential for innovation introduced by BRPGRA. The Lal Bahadur Shastri National Academy for Administration uses BRPGRA as a best in class case in its training programmes.

OUTCOME: 'Redressal' of the grievances through power parity is seen as the priority by the Government. Long-pending grievances have been redressed, the record being a 30-year old case. Over 270,000 citizens have benefitted from the implementation and monitoring of the BRPGRA. Efficiency (Disposal of cases) stands at 99.2% and Effectiveness (Redressal of Grievances) stands at about 80% in the first instance at PGRO level; if cases that are satisfactorily settled at the 1st Appeal level are added to this figure it goes up to 91%. Grievances are redressed in a time bound, effective and citizen-friendly manner.

A SNAP SHOT PICTURE OF THE KEY FEATURES OF THE BRPGR ACT 2015



HIGH LEVEL PROCESS FLOW OF PUBLIC GRIEVANCE REDRESSAL UNDER BRPGR





RATIONALE

Citizen-centric governance in a democracy demands that more and more power is devolved to the people. Understanding this key dimension of an elected polity, since the beginning of this millennium a human rights approach has been taken by the central and state governments on more and more areas of citizens' concerns. Beginning with the Right to Information Act 2005 governments have passed legislation using a right-based approach.

Three important areas form the anchors for good governance. These are an open government (free flow of information), public services (transparent, accountable and time-bound delivery) and redressal of grievances (accountable, time-bound, and easy access).



Information as a legal right has been in existence since 2005 across the country. About 20 states have passed legislation on guaranteed public services delivery, more popularly known as RTPS (Right to Public Services) Acts. Public Grievance Redressal has been the area of neglect: the central and state governments had believed that what was required was a tightening of the administration and use of information technology to address the problems. Since grievances arise in many forms and might often not be legitimate, there has been hesitation on the part of governments to confer a right to redressal of grievances.



OBJECTIVES

The principal objective of the BRPGR Act is **to ensure that all redressable grievances are indeed redressed**, not just 'disposed' on the file. To ensure this other major objectives were introduced: no applicant would need to 'qualify' by providing documents of identity or proof of grievance and hence **all applications would be received**; every application would be issued an **acknowledgement receipt with a unique ID** that would constitute the **only requirement for accessing all information related to the case**; the applicant **needs only one access point for all grievances** related to 44 departments and 478 schemes / programmes / services of the Government of Bihar: physical counter or e-mail or portal or mobile app or post or minister; there is no need to go to different offices or departmental portals for registering a grievances.

KEY STAKEHOLDERS

The key stakeholders in the implementation of this Act are the citizens themselves, all the departments of the Government of Bihar and all agencies, institutions and corporations under their aegis; the Public Grievance Redressal Officers of the general Administration Department; the designated Public Authorities of the departments in charge of specific areas for grievance redressal; the Appellate Authorities; the Bihar Prashasanik Sudhar Mission Society (BPSMS), General Administration Department, and the Cabinet headed by the Chief Minister himself.

IMPLEMENTATION

- 1. SUPERORDINATE GOAL:** No discrimination and pre-requisites to file a grievance. All eligible grievances to be redressed not just disposed.
- 2. STRATEGY:** Business process reengineering of the entire process from the point of view of citizens. Accessibility, non-discrimination, written acknowledgement, and independent decision would be the hall marks of the process.
- 3. STRUCTURE:** An independent administrative structure created with quasi-judicial powers. The offices would be at the sub-divisional (101), district headquarters (38) and the state capital (22).
- 4. SYSTEM:** The system is quasi-judicial. Evidence can be sought using the relevant sections of the Code of Civil Procedure. The orders issued by the PGROs are binding. Any non-compliance by a public authority is liable to be penalised and/or lead to disciplinary action
- 5. STAFF:** A separate administrative structure with dedicated staff has been mandated under the Act. The Public Grievance Redressal Officers created under the Act wield the quasi-judicial powers. They are placed at the subdivision, district and state capital. Apart from the PGROs a dedicated team of IT professionals have been placed at each of the offices.
- 6. SKILLS:** The process of selection of the PGROs was intensive. Bihar Administrative Service officers who had experience in handling quasi-judicial processes and whose personal records were impeccable were alone selected.
- 7. STYLE:** Despite the grievance redressal procedure being quasi-judicial, the PGROs have been given training and instructions to conduct the process in the most citizen-friendly manner, and as like a judicial court. Problems are to be resolved by having discussions across the table.

THE 7 STEPS IN IMPLEMENTATION



The first point in the implementation strategy was to provide a legal right to citizens and entirely re-engineer the process of grievance redressal. The Government of Bihar hence passed the Bihar Right to Public Grievance Redressal Act 2015. The re-engineering of the process was looked at from the point of view of citizens and hence the Act has the following key elements:

1. No application would be rejected
2. Every application would be acknowledged with a unique 18-digit ID that is the single 'key' required to access all information about a case
3. The redressal process would be time bound: 60 working days
4. Even where a grievance redressal is delayed or has to be rejected, the government would provide in writing the reasons for the same
5. An independent structure with quasi-judicial officers (Public Grievance Redressal Officers - PGROs) was created to hear the grievances, weigh the evidence from both the complainant and the Public Authority, and take impartial decisions. Power parity between the citizen and the public authority is thereby ensured.
6. PGROs have the power to summon the public authorities and seek evidence as per powers provided under the relevant sections of the Civil Procedure Court
7. Both PGROs and Public Authorities are liable to penalties and departmental action where they are found lacking in following the mandated processes laid down by the law, rules, notifications and instructions issued to them from time to time
8. Intensive monitoring and evaluation at all levels: by the PGROs, Appellate Authorities, Nodal Officers at the District, Division, Department, general Administration Department through the BPSMS, and the State Cabinet.
9. Specially selected officers from the Bihar Administrative Service were placed as PGROs. At every receipt and facilitation centre, IT staff were deployed to assist the PGROs.
10. New infrastructure created for receipt-cum-facilitation centres across 101 subdivisions and 38 districts that ensured that the process would be citizen friendly.
11. New features ensured easy access for the disabled, women and the aged; contained drinking water and sanitation facilities; and a waiting room with comfortable seating arrangements. Illiterate persons were to be assisted by the PGRO staff.
12. A dedicated new software was created to ensure all data and information, including evidence - both oral and hard copies - would be digitally captured and stored. All orders are also available on-line along with associated documents of the case.

RESOURCE UTILIZATION:

The Government of Bihar was keen that implementation of the Act should begin only after all the seven steps above were in place. It concentrated on three important areas: Infrastructure, Human Resources and Information Technology. The following sections briefly describe the implementation steps adopted in each of the above three areas.

INFRASTRUCTURE

(i) Comprehensiveness of reach of Delivery Centres

One of the key components of the government process re-engineering of implementation of BRPGR Act 2015 was to combine Receipt-cum-Delivery Centres. Thus, the Public Grievance Redressal Receipt Centres also deliver the final product in the form of quasi-judicial orders of the PGROs.

All information relating to the Bihar Right to Public Grievance Redressal Act 2015 and its implementation and monitoring including, the Order for Redressal and documents related to actual redressal are available on the website <http://lokshikayat.bihar.gov.in> b) there are 185 Physical centres spread across the state.

(ii) Number of Delivery Centres

The Delivery Centres are both electronic and physical. Together they are very comprehensive and can be accessed by all residents of Bihar. There are 185 Physical centres from where the same can be collected; these are the Sub-Divisional (101), District (38) and State Level (46)

The reach of e-Centres is comprehensive and can be accessed anywhere from the world. 'e-Centres' are three fold:

- Telephone;
- Website: <http://lokshikayat.bihar.gov.in> and
- Mobile Application

Apart from these grievances can also be sent through ministers or through post.

(iii) Geographical Coverage

State Level: all 38 Districts

(iv) Demographic spread (percentage of population covered)

One hundred (100) per cent



Waiting Area



Hearing Room



Separate Toilets



Drinking Water

HUMAN RESOURCE

Independent administrative structure in which posts of PGROs for all 101 Sub-Divisions, 38 Districts and 44 Department have been created and postings have been done. EACH PGRO selected after an intensive selection process

For these offices 1233 posts have been created for Support Staff and recruitments are being done

In the process of grievance redressal different authorities - District Magistrates, Divisional Commissioners, Secretary /Principal Secretary at Department level and Departmental Inquiry/Investigation Commissioner - have been included and given important responsibilities

The PGROs have requisite skills for dealing with complex administrative, procedural and legal issues. These

PGROs have been sourced from an experienced group of the BAS cadre. In addition, they have been imparted intense training on the spirit and essence of the law and rules before the implementation began.

The support staff, recruited for their IT skills, have been imparted training on facilitation skills, a key element in the first stage of the process, i.e., receipt of complaints.

Intensive training in BIPARD given to all officers / staff involved in the implementation of the Act.

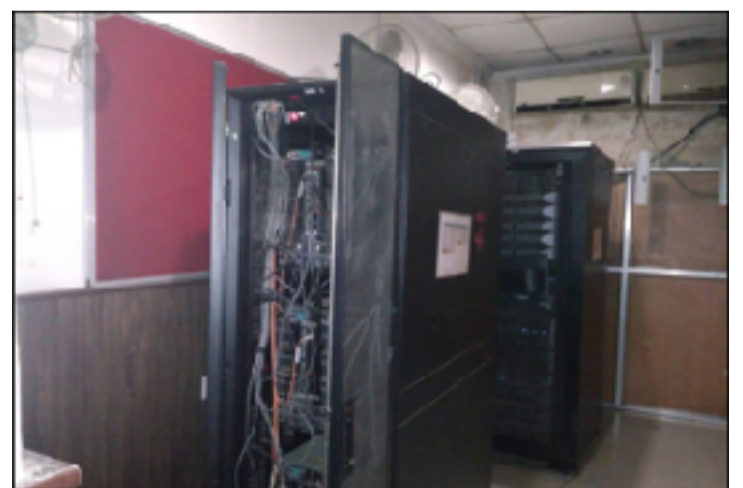
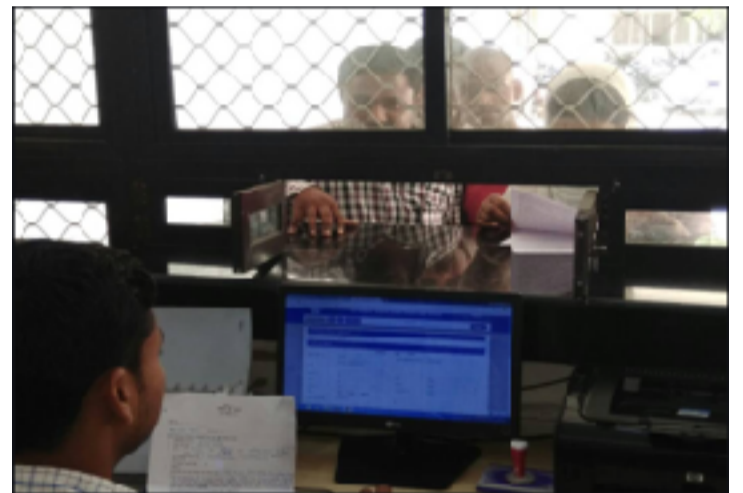
Training programmes have been held for the Public Authorities as well who had been nominated for the grievance redressal so that all are clear about their responsibilities and can timely and positively redress the grievances



Training / Workshops are held from time to time for PGROs and IT staff as well

ICT SUPPORTED IMPLEMENTATION

1. The Nodal organisation for ensuring implementation and monitoring is the Bihar Prashasanik Sudhar Mission Society (BPSMS), an organisation that focuses exclusively on administrative reforms.
2. Every Sub-Division, District and Department was provided with new infrastructure, Hard and Software, and IT Executives to handle both the needs of the process as also those of complainants
3. A strong IT infrastructure that connects all PGROs (at the sub-division, district and departmental levels), key public authorities, appellate and reviewing authorities.
4. A team of about 5 IT professionals have been provided to each PGRO.
5. Every application is registered and classified (Positive List, Negative List, Others)
6. The entire proceedings from registration to redressal are digitised. Every hearing is recorded and interim and final orders passed. Digital copies of all documents are available on-line; paper copies of interim and final orders are handed over to complainants.
7. BPSMS monitors all orders and their classifications (Accepted, Alternate Remedy, and Rejected) for quality control.
8. The IT system enables BPSM to assess performance of individual PGROs, Sub-Divisions, Districts, and Departments.
9. The IT system also ensures that necessary corrective actions are communicated on-line and best performers recognized for their good work.



COST

The details of the cost break-up for the current system are as follows:

One-time cost: 90.2675 million

Annual Recurring Costs: 381.98 million

Medium Term Contract Costs: 10.521 million

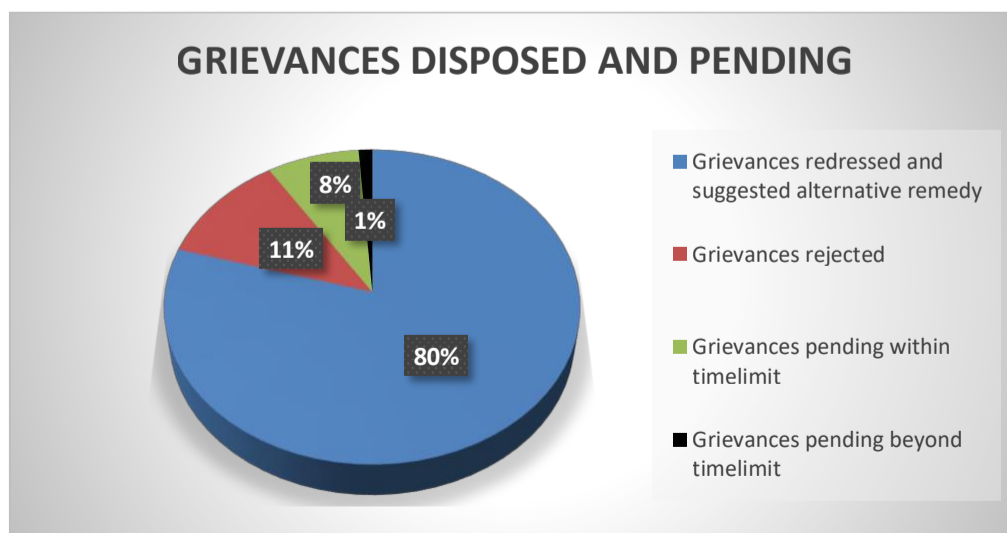
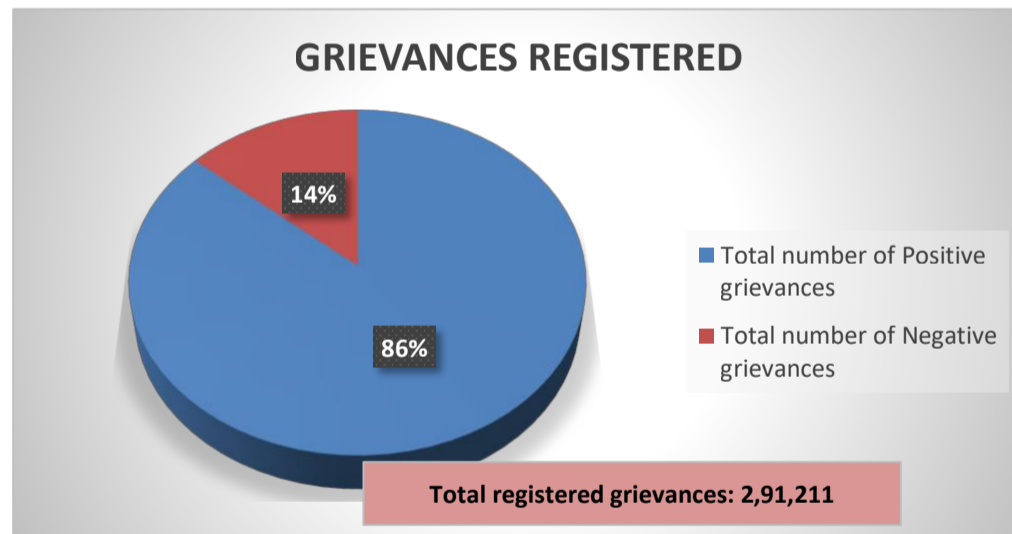
Exact figures are not available for the past, as accounting was not done for the time spent by several hundred public servants in public hearings. However, the cost would surely have far exceeded the current one.

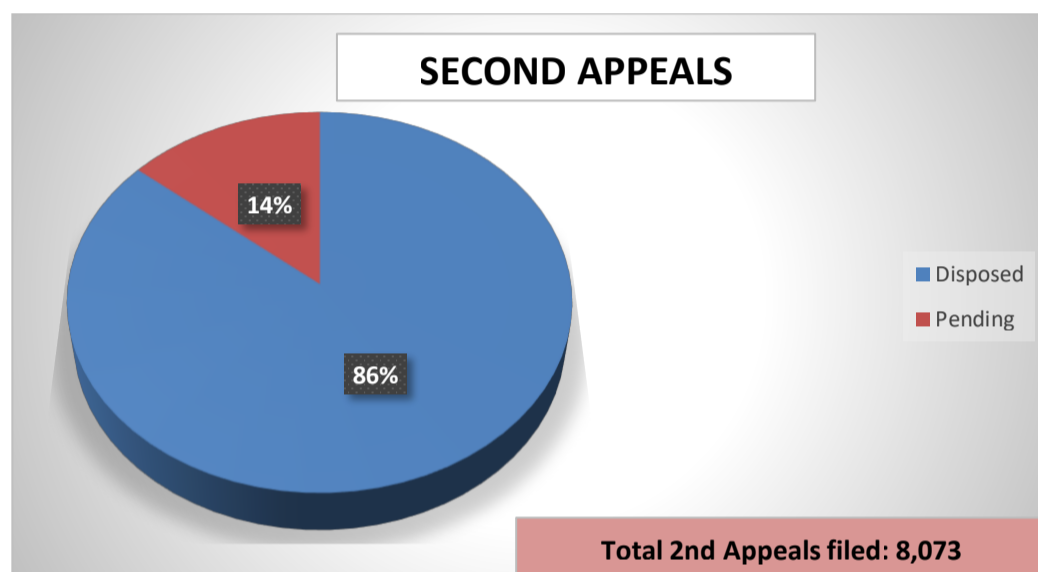
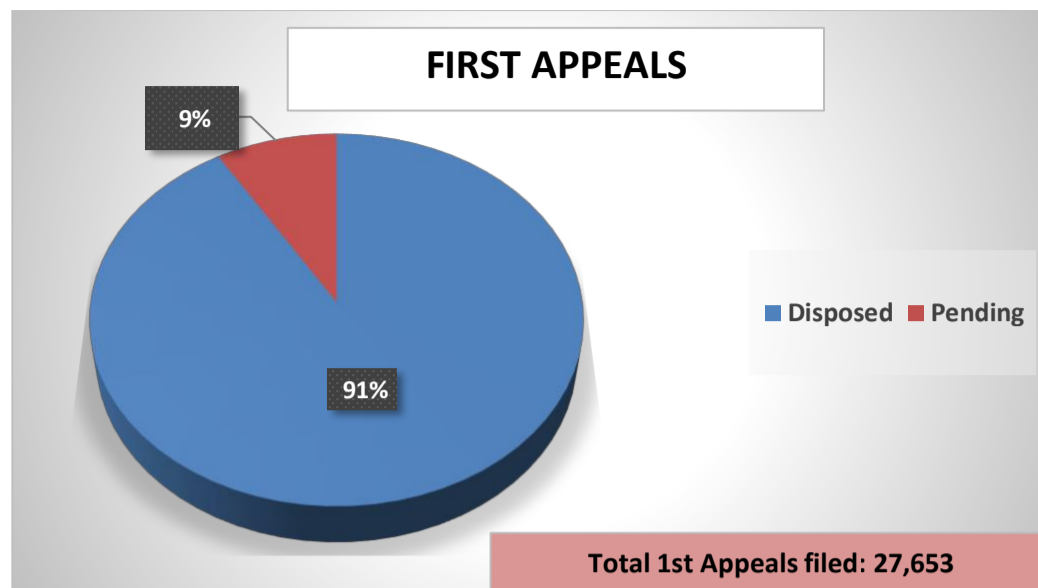
IMPACT

Performance Metrics

Efficiency = GRIEVANCES DISPOSED = 99.2% (Orders Issued till data as a % of Applications - No. of applications pending within the deadline)

Effectiveness = GRIEVANCES REDRESSED IN THE FIRST INSTANCE AT THE PGRO LEVEL = 84.86% (Orders against which 1st Appeals have not been filed as a % of total Orders Issued)





OUTCOMES

- a. Over 299,000 grievances have been registered in just 22 months of implementation of the BRPGR Act and more than 235,000 have been redressed.
- b. Several years old complaints have been redressed, the record being a 36-year-old case for land revenue receipt.
- c. Economic benefits such as housing and sanitary loans, scholarships, pensions, and compensation on account of land acquisition, death, disaster, etc. have accrued to citizens in an expeditious manner.
- d. Complicated issues involving law & order such as land encroachment and abduction have also been resolved in a time bound manner.
- e. Complainants have not had the necessity to express their grievance more than once. The burden of repeat complaints to both complainants and the administration has been fully eliminated.
- f. The departments are getting greater clarity on the nature and details of public grievances and how they could be disposed.
- g. Pareto analysis has helped the government focus on the top issues. This would help reform public service delivery and reduce the incidence and frequency of grievances.
- h. Public authorities have improved their service delivery knowing well that any slippage could come under the independent scrutiny of a PGRO.

Citizen Centricity:

A short comparison of the past system with the present shows reduced time, effort and cost for the applicant:

S. No.	Past	Present
1.	Application Stage: Physical Visit or later on through on-line BPGRS	Physical Visit or through on-line BPGRA system including Telephone Call; e-mail and Mobile Application
2.	At least one-day in the Janata Durbar	No necessity for physical presence
3.	In many cases, multiple rounds/visits to check status and directly deal with the public authority concerned	No need as PGRO's Office provides status updates on-line and in the counters. Informs the applicant of the hearing date. On an average if Physically present 2-3 visits
4.	Rs. 3,000/-. At least 10 days on an average @ Rs.300/- day in foregone wages. If the grievance was 'Disposed' but not redressed the same process once again; hence another Rs. 3,000/- Travel Cost: About Rs. 20-30/- per visit.	Can be as low as no cost. Telephonic, web-based, mobile registration; no need for physical presence; download the PGRO's Order. In case the grievance not redressed visit to the PGRO or Appellate Authorities Office: One visit, About Rs.200/-
5.	Overall time required about 10 days	Even if physically present, approximately 4 days
6.	No fee	No Fee

Citizen Satisfaction:

a. Based on a recent introduction of seeking feedback at the time of the issue of Orders at the time of the last hearing, about 90% of those complainants present in the hearings expressed satisfaction.

Success stories can be accessed at:

[b. http://lokshikayat.bihar.gov.in/Book/001.pdf](http://lokshikayat.bihar.gov.in/Book/001.pdf)

[c. http://lokshikayat.bihar.gov.in/Book/002.pdf](http://lokshikayat.bihar.gov.in/Book/002.pdf)

SPECIAL MENTION:

The Bihar Prashasanik Sudhar Mission society is the proud winner of the Kalam Innovation in Governance Award 2018. It was also shortlisted for a spot study for the National e-Governance Award 2018 in the category of Business Process re-engineering.



KEY CHALLENGES

The system is robust and faces challenges only of a minor nature. Continuous improvements are what being attempted now and these are listed below:

- ¥ PGRO orders have to be more systematically studied for patterns of nonconformity to instructions issued by the Government of Bihar
- ¥ While a pareto analysis has been done identifying the top services and departments that contribute to more than 80% of the grievances, a study should be conducted to identify the root causes of the grievances. This would help in Departments taking proactive steps to eliminate a number of minor and frivolous grievances.
- ¥ To further strengthen M&E, a review cell with competent skilled personnel in public service delivery and grievance redressal could be created.

REPLICABILITY AND SUSTAINABILITY

The initiative is already operational at full scale in Bihar. The state government might have to think about opening Grievance Receipt cum Facilitation Counters in the 534 Blocks of Bihar.

Further scaling could be thought of in terms of replication in other States and Union Territories. The initiative is driven on the basis of a paradigm shift in the way grievances are being addressed. To scale the initiative nation-wide other states and the national government would have to adapt and adopt such legislation. This is a condition really, and not a restriction. And given history, such as in information and public service delivery, guarantees of grievances redressal are easily possible if there is political will.

Sl. No.	Item	Details
1	Implementing Agency	Bihar Prashasanik Sudhar Mission Society
2	Geographical Coverage of the Act	Entire State of Bihar
3	Target Groups	No Target Groups; entire population eligible to register grievances
4	Years of Implementation	Two Years
5	Contact Details	Bihar Prashasanik Sudhar Mission Society, Sinchai Barrack 1, Harding Road, Patna - 800015. Ph: +91 612 2215904 e-mail: bpsms1@gmail.com