

# Department of Administrative Reforms

## 1. Introduction

Administrative Reforms (AR) are emerging as the buzzword in India. With the economic reforms taking off in the early years of the nineties, there is an emerging consensus that the government needs to now overhaul its functioning with a rapid emphasis on a transparent bureaucracy, efficiency in its working and procedures and above all an overall shift in the mindset which will improve delivery in governance.

This chapter inquires how a reform comes into existence in terms of who proposes it, where is it discussed and how is it implemented. To understand this, the paper reviews the functioning of the Administrative Reforms Department. Remedial measures and some policy recommendations are made to speed up the functioning of the department.

## 2. Department of Administrative Reforms:<sup>1</sup> A Reality Check

### a. Information Dissemination

#### *i. Manuals*

The RTI Act 2005, under Section 4(1)(b) makes it mandatory for all the public authorities or institutions to make certain minimum information available *suo motu* or voluntarily for the general public and it should be put in the public domain.

The Department of Administrative Reforms has put up the following 17 information manuals which are present on the Delhi Government's website. These 17 manuals are dealing with various aspects of the Department which aim at providing the basic information to any concerned citizen about the structure and functioning of the Department. The list of manuals available is on particulars of the organization, power and duties of officers/employees, procedure for decision making, norms for discharge of functions, rules and regulations for discharge of functions, statement of categories of records, details of consultative committees and other bodies, list of boards, councils, committees and other bodies, directory of officers/employees, monthly remuneration of officers/employees, budget allocated to each

agency, execution of subsidy program, particulars of recipients of concessions, permits, information available in an electronic form, facilities available for obtaining information, particulars of PIOs and other information prescribed.

*Suo motu* or 'proactive disclosure' of the aforementioned manuals pertaining to the Administrative Reforms Department was not available on its website; one has to go through the RTI website to find these manuals.

Each manual is evaluated in terms of information provided and what information could have been provided or has not been provided. The latter is arrived at by analyzing the manuals of other departments of the Delhi Government and other state governments and cross-checking information provided in this Department. This evaluation had led to the conclusion that while routine information has been provided in most of the manuals, in the case of some of them, important information is missing or no information is provided.

## ***ii. Personal Interactions***

This section is a view from the eyes of an ordinary person. It answers the questions on how one gets information on a personal visit and how well the Department receives you. We analyze this section on the basis of the following parameters:

- Officer interacted with
- Class/Position
- Outcome

The Department has been given as an additional charge which clearly shows the seriousness of the Government in concern with this Department. The Principal Secretary (AR) was not available during our visits and hence we had to meet the subordinates. Out of the five officers that we interacted with, four were Class 1 officers (one Advisor and three Assistant Directors) and one was a Class 2 officer (Research Investigator).

The interaction with most of the officers was not very fruitful. It was observed that the level of awareness about reforms happening in other states was not there. The Department did not want to take initiative in understanding the reform process and hence recommending reforms seemed to be a distant dream. The officers were willing to help us with information and came up with new ideas but lacked the will to implement them.

## **b. Structure and Functions of the Department**

### ***i. Nodal Agency for RTI***

The Department has been assigned as the nodal agency for the implementation of the RTI Act (2005). Under this ambit, the Department compiles all the RTIs received by the various departments of the Delhi Government. As the nodal agency, any RTIs filed with the Administrative Reforms Department are forwarded to the concerned department. So the Administrative Reforms Department has twin functions, that of data compilation and of being the nodal agency for the implementation of the RTI Act.

### ***ii. Lokayukta***

The Department is to perform secretariat functions for the *Lokayukta*, a relatively recent venture of the Government. It is one of the strongest anti-malpractice cells in the State. The Department's involvement is minimal, and it functions independently to a large extent. Only some appointments, submission of reports and demand-based functions are routed through the Department.

### ***iii. Public Grievances Commission***

Covered under separate chapter, the Department's role is to perform the secretariat functions for the Public Grievance Commission.

### ***iv. Award Schemes***

There is a cash award of up to Rs. 5000/- for officers or staff members whose recommendations are accepted by the Standing Committee on Administrative Reforms, under different heads such as cutting down delays, reducing paperwork and simplifying processes and procedures.

Under this section on the website, there is a noteworthy initiative undertaken whereby there is a link titled "Your Suggestions" which opens a suggestion form for the general public. However, the usage of this is minimal and it was a surprise to find this feature, showing the lack of publicity that it has received.

### ***v. Citizen Charter***

The Citizen Charter acts as an interface between the people and

the government, seeking to improve the quality of the interaction of the two. The basic objective is to empower the citizen, improve public service delivery and accountability. The Department is the nodal agency to get the citizen's charters prepared of various departments/organizations. The website claims that all Departments have responded favorably to the innovation to prepare these charters, but a survey found that of the departments of the Delhi government, with a sample size of 98, only 45 charters have been uploaded on the web, of which only 29 are functional. Autonomous bodies were not covered under the survey.

#### ***vi. Punctuality Drives***

Details of punctuality drives conducted in the past were not available. The purpose of the duty itself was questioned by a high level officer in the Department. It was felt that there should be adaptability in timings and if people are asked to work overtime on some days, they should be allowed to come late other days. Also unavailable was a record of punishing regular late-comers, a lacuna in the Department's functioning.

#### ***vii. Organization and Method Instruction***

Organization and Method Instruction was the earlier Administrative Reforms Department. As the name suggests it was to concentrate on the administrative processes and systems in the secretariat. However, this portion of functioning has started becoming inactive over the years. The last record of this work dates back to 2002. Letters were sent by the Department to the different departments as given on the website on annual inspections (dated 9 May 2002), on weeding out of records (dated 3 June 2002) and on the spot training (dated 28 February 2003). However, it is unclear as to whether any of these were carried out.

#### ***viii. Manual of Office Procedure Test***

The Manual of Office Procedure governs protocol to be followed in day-to-day work of departments. The Department conducts annual tests with rewards based on the performance of an individual in the test. On visits to the secretariat, it was found that notices are up as to when the test is to be conducted, but information on who has registered, as well as past results could not be obtained.

***ix. Plan Scheme (Strengthening of Department)***

There has been an approved outlay for 'Strengthening the Administrative Reforms Department' each year in the demand for grants for the past three years (available with the Planning Department). The outcome budget states that the deliverable output for the same is preparation of reform reports, distribution of prize money for various competitions on reforms and reform studies, with the objective of improving efficiency in governance.

However, an analysis of the real expenditure incurred by the Department indicates that the heads, under which this money was spent, was to a large extent on miscellaneous expenditure rather than strengthening or carrying out reform study, with a few exceptions. The different heads of expenditure in this as listed by the Department include arrears due to Pay Commission, bonus pay of officials, reimbursement of tuition fees of employees and ex-employees, payment towards temporary posts, manual of Office Procedure Test, buying of computers, tables, Citizen Information Guide (Compilation of Citizen Charters), Mission Convergence and social audit of the Department.

Thus, one sees that the expenditures do not pursue the deliverable output of preparing reports on reforms, leaving this duty out of the spectrum of the Department.

***x. Post Creation***

We have given this duty a separate head because of the prominence it has in the day-to-day functioning of the Department. On inspection of the file movement records of the Department we found that a majority of the subjects of the files received by the Department were for allocation of new posts to different departments, hospitals etc. For example: security guards.

The process includes filing of demand being received by the Administrative Reforms Department from a particular department, study teams analyzing the demand and its practicality, making recommendations, which could be different from the demand, based on studies and sending back the file to that particular department. Taking up of these recommendations and moving the file along to the Lt. Governor for implementation is entirely up to that the particular department.

Thus, it is clear that the department does not have any recommendatory authority over the other departments. While this

is justifiable there is also no feedback mechanism for the department, which means that whether or not something has been taken up is not known to the department itself, let alone the public. For example, a suggestion to downsize a particular department will most likely fall on deaf ears with no knowledge of what happened to the idea. This is a clear disincentive for any kind of suggestion to be made.

### **3. A Framework for Reform**

Every year, the Department of Administrative Reforms and Public Grievances (DARPG) awards best governance practices in the country. The list of awardees has not seen a Delhi-based project for innumerable years. It is inexplicable for Delhi to stay far behind in terms of efficiency not just globally but within the country as well. In this section, we concentrate on providing a framework for developing and implementing reforms in the bureaucracy through actions of the main stakeholders, i.e. the executive, the bureaucracy and the public.

#### **a. Understanding the Role of the Bureaucracy**

The traditional view of the role of the government is a 'servant of the people', with its duty being to serve whatever interests the people demand in the most efficient manner possible, while in actuality it has become a perversion in many places with peoples' actions being governed by the nature of the bureaucracy and its processes.

By virtue of being a singular body, functioning on the ideal of service causes the functioning to run into problems. It is important when one speaks of provision of services, especially relating to people interaction that there is competition, with people having the choice to go to the better serving agency. Needless to say, it is not possible to have multiple bureaucracies. One possible framework in this regard is for privatizing the service provision, that is, the interaction of the citizen with the government through private agencies, as is done with the visa systems of some countries. The sole aim of this agency being provision of quality service, that brings an improvement to government-citizen relationship. Further, this service obviously needs to be backed by efficient functioning in the bureaucracy. A private service provider would create pressure on the system's process to be carried out better, since the service provider's work is also dependent on the department.

### **b. Demand-Driven Vs Supply-Driven Reform**

The ideal system of governance would be instantly adaptable to change and developments in a multitude of factors, such as demands, technology, political class etc. Changes herein would be demand-driven, to attain functional efficiency. That is a system towards which we should try and move.

The agency of reform has to be supply-based or differently put, come through a higher authority. The change in the current inefficient and non-transparent functioning of the bureaucracy would be a forced change often going against majority of opinion within the setup due to personal harm, which is by no means easy to put aside. Yet this does not take away from the essentiality of making that change for better processes.

### **c. Authority Vs Discussion**

Political apathy is a major deterrent to any change. At the same time the need for change has been well established. The agency for change in this case has to come through a balance of authority and sensitivity to opinions and personal interests.

Change must be discussion-based with people of the department in which the change is suggested. It is important to guard against the attitude that everything done by the government is wrong, and one should base demands sensibly. Easily feasible is a regular, periodic meeting of the secretaries of all the departments to discuss required change and commit to implementing change. Regularity would ensure that undertaken change is taken forward since the topic would be up for discussion amongst all colleagues again and again. One could draw an analogy with a corporate house strategy think-tank, putting in place strategies for the way forward given the consumer base. This can be initiated by the Chief Minister and her Council of Ministers who can attend the meetings being the elected representatives of the people.

Another opening that needs to be provided is attention to the public demands. While registering of grievances of the public is one matter, citizens' ideas for introducing change also need to be given due regard. There should be a public forum for discussion involving civil society, citizens, students, the agenda of which should be put up and analyzed in the same regular meetings.

#### **d. Transparency Equals Efficiency**

A way to achieve the outlined ideals of efficiency is through transparency. It is important not to misunderstand this concept as scrutinising the process of every decision made. A person works in a department with a certain period of training, which needs to be respected. The meaning of transparency simply is that data on the process that has been carried out, and the time in which it has been done is easily available in the public domain. This information being visible to everyone implies that if any malpractice occurs it will immediately be caught on to. The risk of corrupt practices or holding up of files on arbitrary grounds gets drastically increased. For this, a centralized computerized system is worth considering as it enables everyone to track file movement in the government.

There is a step-wise process to this. First is the move towards computerization of the department from manual filing systems and then moving this system online for access over the internet. It is the first move that is the hardest; the marginal cost of the second is minimal.

#### **e. Business Process Reengineering/Simplification**

Alongside improving the functioning and efficiency of currently established processes and ways of working, it is also important to review these practices. Currently, if a file has to move through 5 levels in one department, and 5 departments for the final clearance, it makes sense to question whether passing through so many people is required for that decision to be made. Similarly for allocations, complaints etc, while there may not be a single-window answer to everything, as due diligence is required for thorough analysis, the current procedures stand very complicated and thus study needs to be undertaken to change this. Such a study was undertaken by the Income Tax Department in 2007. The jury is still out on the success of the project, but the effort is commendable, with studying of best practices globally, discussions with employees and tax payers, all factored in.

On similar lines these processes need to be encouraged to come up within departments through some channel. This push can come from the elected government, but it has been seen to usually come from a small segment of reform-driven officials. One such initiative is the award scheme put in place both at the central and state level. This scheme needs to be restructured since an award of Rs. 5000 on acceptance of reform is not enough of an incentive to recommend a change that could lead to a degree of unpopularity among peers.

#### **4. Conclusion and Recommendations for the Department and Government**

The Department of Administrative Reforms was set up as a concretization of the Organization and Methods Instruction aimed at improving government systems and processes. Two Administrative Reforms Commissions, under Morarji Desai and Veerappa Moily have further pushed the case for reform, and an improvement in the interaction between the citizen and the government. The Department under NCT, Delhi since getting the status of a fully functional department in 2005 has deviated from its original functions due to structural and incentive problems. Towards moving in the right directions, some recommendations are as follows-

- a. Monthly meeting of Chief Minister, Chief Secretary and Principal Secretaries for discussion of what reforms are to be made, as well as evaluation of current progress on previous discussions. The Administrative Reforms Department can be the facilitator of such a process and can act as the nodal agency for building upon the same.
- b. Computerization of departments as a first step towards having online database, supplemented with training on computers for personnel. All files moving in and out of the departments must be put online on a Local Area Network (LAN) that is accessible to the general public as well. The government is also contemplating punitive action against officers who delay file movement. This system should be implemented in the Delhi State Secretariat which will bring more transparency and also better governance model for other states to follow.
- c. Review of Award Scheme, with increased amount of cash prize to incentivise a push towards reform from within departments.
- d. Public Forum for reform discussion to be sensitive to demands of public administration.

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#### **Endnotes**

<sup>1</sup> <http://delhigovt.nic.in/RTI/default.asp>. Accessed on 16 June 2009.

## Moily tough talk on corruption

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Corrupt civil servants could be in trouble if the government walks the talk.

The day after Chief Justice of India K.G. Balakrishnan called for seizing illegal properties of officials convicted for corruption, Law Minister M. Veerappa Moily called for constitutional amendments to make it easier for the government to dismiss corrupt bureaucrats.

The law minister, however, did not stop at that and said there should be no need for prior approval to prosecute corrupt officials and there should be laws to set up a Lokpal, end benami transactions and protect whistleblowers.

As head of the Administrative Reforms Commission, Moily had recommended many of the suggestions that he spoke about at the conference on 'Fighting Crimes Related to Corruption' on Sunday.

The government, however, has already junked quite a few of them, including the one that asked the government to lift the shield of sanction for corrupt officials caught taking bribes. And shoved some others under the carpet like the proposal to set up a Lokpal in Delhi that could investigate Union ministers and Members of Parliament.

The law minister's suggestion to revisit Article 311 of the constitution — that protects civil servants from motivated proceedings to help honest officials to stand straight — has also been made by earlier panels. And rejected.