Implementation   of "Jammu and Kashmir Public Service Guarantee Act, 2011": A Case of Revenue Service delivery in office of Deputy Commissioner, Jammu

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ABSTRACT

In a rapidly changing context where efficiency, effectiveness and competence of state institutions are being questioned, it is imperative for the state agencies to strive for improvement in performance. With the globalization of new techniques of administrative reforms, New Public Management and Good Governance agendas have been spread all over the world. John Major's introduction of the Citizen Charter (CC) in 1991 was intended to mark a revolution in the provision of public service delivery in the United Kingdom by promoting the objectives of responsive and accountable governance. Public Service Guarantee Act (PSGA) is regarded as a tool of good governance. The essence of PSGA was to empower citizens by mentioning their rights, privileges and duties; to make the administration less bureaucratic-dominated and more citizen-led. Hence the service delivery mechanism would be improved through the use of PSGA. It has attracted international attention as it has resulted in significant improvements in public service delivery in many countries. After the enactment of Jammu and Kashmir Public Service Guarantee Act, 2011, people have the right to know what services are available from a particular office, what formalities need to be completed, and what their timeframe is. Improving citizen's access to such information and their participation in the governance processes would lead to greater accountability and transparency and there will be improvement in service delivery mechanism. This was the reason behind the establishment of Jammu and Kashmir Public Service Guarantee Act, 2011. The objective of this objective is to map whether this so called tool of good governance is successful in its intention. This paper defines the Charter programme and tries to evaluate its impact in terms of service delivery. Both primary and secondary sources of data were used to get comprehensive picture of the reality. The researcher contacted with different participants – DC Office officials and Citizens to gather information. Besides, officials' records, documents and other secondary sources were utilized. Transparency in different procedures to get services through government will ensure the efficient delivery of services. But, even though the charter scheme is made mandatory in every public office, there is a danger that it remain as a paper-exercise only as this study revealed that the complaint mechanism is ineffective. Hence complaint mechanism should be made more effective. However, PSGA in DC Office,

Jammu, seems to be very successful creating procedural clarity among the service seekers and helping in improvement in service delivery. From citizens perspective, this has been appreciated to a great extent which relieves them from traditional mode of functioning where information was hard to come by and there was no way of knowing in advance about formalities and other requirements in connection with receiving governmental services.

Keywords: Jammu and Kashmir Public Service Guarantee Act, Public Service Delivery, Citizen Charter .

INTRODUCTION

After enactment of progressive version of Right to Information Act (J&K RTI Act 2009), enactment of Public Services Guarantee Act (PSGA) was seen as an achievement of Omar Abdullah, the former Chief Minister of J&K. But with the passage of time this progressive law like other pro people legislations died its own death in Jammu and Kashmir. The main reason for the poor implementation of PSGA was the lack of political will on part of the previous governments and absence of a strong civil society movement in Jammu & Kashmir vis-a-vis implementation and awareness of PSG Act. Vide SRO 224 dated 21st July 2011, the Government of Jammu & Kashmir notified more than 12 public services and brought them under the ambit of PSG Act 2011. One of the services included State Subject Certificate (PRC) for which Assistant Commissioner (Revenue)/ Additional Deputy Commissioner / SDM concerned was notified as the Designated Officers. Within 30 days' time the new State Subject Certificate (PRC) had to be supplied by the designated officers. If it will fail to supply the State Subject Certificate (PRC), the aggrieved person can file first appeal before the First Appellate Authority (FAA) and the Deputy Commissioner concerned is the designated FAA under Jammu & Kashmir PSG Act 2011. Even after filing the first appeal if the aggrieved citizen is not satisfied or does not get the service which he/she is entitled to, the aggrieved citizens can file second appeal before the Divisional Commissioner concerned. But even after the completion of more than eight years of enactment of Jammu & Kashmir PSG Act 2011, majority of citizens still do not get a simple services despite applying for the same under the aforementioned act. The other services included under PSG Act are electricity connection, water connection, Permanent Resident Certificate (PRC), caste certificate, Police Verification Certificate, building permission by Municipal Corporations, etc. People are made to move from pillar to post but the services are not provided to them which has made PSG Act redundant and useless. Public Service Delivery is defined as a set of institutional arrangements adopted by the government to provide public goods and services to its citizens. Public services delivery has been one of the key functions of the public sector which uses civil service bureaucracies as the instrument for the delivery of services (World Development Report, 2004). Effective, efficient and prompt service delivery has always been a concern of Governments. Due to bureaucratic apathy and delays, the common man, who is entitled to avail hassle-free and timely public services and information thereof, has to face lot of problems and pay bribe to avail the needed services. The Right to Service Act is a key administrative reform initiative, built on the idea of the Citizen Charter - while Citizen Charters define

the quality of public services, the Act takes it a step further by making a citizen's right to public service within the stipulated time legally binding, failing which the concerned officials can be penalized. Accordingly, the Right to Service Act represents the commitment of the particular state towards standard, quality and time frame of service delivery. Right to Service legislation ensures delivery of time bound services to the public. It aims to reduce corruption among the government officials and to increase transparency and accountability. It is now more than eight years since Jammu & Kashmir Government promulgated Public Services Guarantee Act (PSGA). The PSG Act was enacted on April 13th 2011 in Jammu & Kashmir. Before J&K, Madhya Pradesh (MP) state enacted a similar law known as Right to Service Act which was enacted on 18 August 2010. MP thus became first state in India to guarantee right to public services to its citizens. After Jammu & Kashmir, Bihar Government enacted this law on 25 July 2011. Several other states like Punjab, Rajasthan, Himachal Pradesh, Delhi (UT), Kerala, Uttarakhand, Haryana, and Uttar Pradesh also enacted legislations guaranteeing public services to their citizens. In India, the government has been omnipresent in the lives of its citizens, envisaged by the architects of the nation following its independence from British colonialism in 1947. With the aim of alleviating endemic poverty, free or heavily subsidised provision of basic and essential services has been the hallmark of public policy. However, there is broad consensus that the state has failed to effectively deliver public services to its citizens, particularly the poor. This is reflected starkly in the dismal performance of the country on almost all dimensions of human development (Dreze and Sen 2013). People have to suffer from many hurdles when they have to get any government services either because of lack of information or because of bureaucratic procedures and attitudes. The lack of information and complex regulations could be further barriers to citizens/ customers in dealing with government services (K.C., 2008). This creates the frustration, dissatisfaction among citizens toward government. The growing dissatisfaction with the performance of the public sector in delivering goods and services has focused attention on ways to improve the quality of service delivery by the public sector. Improving delivery of public services means redressing the imbalances of services to all levels of society; enhancing welfare, equity and efficiency, etc. It also means a complete change in the way that services are delivered. A shift away from inward-looking, bureaucratic

systems, processes and attitudes, towards new ways of working which put the needs of the public first, is better, faster and more responsive to meet those needs.

LITERATURE REVIEW

Devarajan, Shantayanan and Ritva Reinikka (2002). Making Services Work for Poor People Mimeo: The World Bank Group

This paper develops a framework for analyzing service delivery outcomes by providing varied examples that address, to different extents, the relationship between the policymaker and the service provider; the provider and the client; and the client and policymaker. In each case, it is found, outcomes could be improved by

addressing a particular problem in the relationship, such as being able to monitor performance. The authors caution, however, that the real world is much more complicated than these simple examples and frameworks would suggest: just as it may be difficult to transfer lessons from the water sector to education, so it would be naïve to expect that an innovation that worked in El Salvador will also work equally well in Ethiopia. Socioeconomic, cultural and institutional factors preclude easy replicability and necessitate country- (or even region-) specific mechanisms. Furthermore, the examples and framework cited here only deal with the problem of designing and implementing a program to improve service delivery; it leaves out at least two other important issues: (1) The transition to the new system; and (2) The sustainability of these changes. An innovation such as contracting out health services to NGOs or community oversight of schools may yield significant results in the near-term, but can it be sustained in the long run?

Pritchett, Lant and Michael Woolrock (2002). Solutions when the Solution is the Problem: Arraying the Disarray in Development. Mimeo.

Pritchett and Woolrock begin, as do many other studies, by rejecting the efficacy of a "one size fits all", highly-centralized service delivery mechanism, and by accepting the need for greater autonomy and accountability of service providers within a framework of greater empowerment for citizens. This, they point out is, the common ground upon which almost everyone agrees. Where there is disagreement, though, is on how to go about improving service delivery. Different groups and individuals, with differing agendas, have presented many alternative models. This paper finds that there is no single "correct" model and, instead, it presents an array of eight service delivery reforms that are on the development agenda within a common framework based on the principal agent examination of incentives, and examines how the various proposals change the flow of resources, services, information, decision-making and accountability. It goes on to suggest some of the implications of this framework for development policymaking.

Filmer, Deon, Jeffery S. Hammer and Lant H Pritchett (2000). Weak Links in the Chain: A Diagnosis of Health Policy in Poor Countries. World Bank Research Observer, Vol.15, No.2, 199-224.

Recent empirical and theoretical literature sheds light on the disappointing experience with implementation of primary health care programs in developing countries. This paper focuses on the evidence showing two weak links in the chain between government spending for services to improve health and actual improvements in health status. First, "institutional capacity" (simply, the ability – on a holistic level – to translate expenditure into effective healthcare provision) is a vital ingredient in providing effective services. When this capacity is inadequate, health spending, even on the right services, may lead to little actual provision of services. Second, the net effect of government health services depends on the severity of market failures (taken to include instances where patients are overcharged, where services are inconveniently located or designed, or where pricing/finance options force patients to liquidate their assets to pay for treatment) – the more severe the market failures, the greater the potential for government services to have an impact. Evidence suggests that

market failures are the least severe for relatively inexpensive curative services, which often absorb the bulk of primary health care budgets.

Planning Commission, Government of India (2002). National Human Development Report, 2001. Delhi: Planning Commission.

Compiling data from a wide variety of sources, such as National Sample Surveys (NSS), censuses, and other surveys and independent studies, this report presents state-level data on a comprehensive set of human development indicators. Categories of data include: state human development indices; indicators of economic attainment; access to such amenities as housing, water and sanitation, electricity, and roads; educational attainment; health attainment and demography; and governance.

Shariff, Abusaleh (1999). India Human Development Report: A Profile of Indian States in the 1990s. Delhi: Oxford University Press, National Council of Applied Economic Research (NCAER).

Using results from a comprehensive survey conducted in 1994, and covering 33,000 households in 15 major states, this report compiles economic and social development data on employment and wages; literacy and education; morbidity, disability and nutrition; effectiveness of public services and health; demographic characteristics; and village-level infrastructure and development. A number of village-level studies are summarized to validate the data presented. Importantly, disaggregated data (by state, and, further, by income and social groups within each state) is given for a range of indicators.

Jha, Shikha (2002). Strengthening Local Governments: Rural Fiscal Decentralization in India. Economic and Political Weekly, Vol. XXXVII, No.26, June 29, 2002, p.2611.

The process of rural decentralization in India picked up pace in the early 1990s, with the 73rd Constitutional Amendment Act in 1992. Scant literature exists, however, on the financial status of rural local governments. This paper evaluates the extent of fiscal decentralization that has taken place, and, consequently, to what extent rural governments have effective control over expenditure decision-making. It is based on an analysis of budget data for rural governments in seven Indian states - Andhra Pradesh, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Rajasthan and Uttar Pradesh – during the 1990s. It finds that the process of decentralization has considerably slowed down in recent years, largely due to conflicts between state and local governments. Local governments have repeatedly accused the states of withholding grants and other external funding, and of not sufficiently devolving powers and authority. In some states, though, there have been genuine and wide-reaching moves towards decentralization. The paper concludes with some brief recommendations on taking the process forward. Institute of Development Studies, University of Sussex (2001) "Bringing Citizen Voice and Client Focus into Service Delivery" Case Study Series: People's Planning Campaign, Kerala, India. In the mid-1990s, Kerala's State Planning Board empowered local governing bodies (Panchayats) to draw up and implement five-year development-related plans within their respective areas of

responsibility. A large portion of the Board's funds (35-40 percent) was to be used directly by panchayats to undertake development projects at the grassroots level. By harnessing the technical and professional expertise of pensioners and mass organizations, and by motivating them to participate in local level planning, this project aims to further decentralize Kerala's planning process. This brief case study looks at the campaign's background, aims, objectives, enabling and limiting factors, and the prospects for and constraints on replicability. Although the project is found, so far, to have made significant progress in just 10 percent of all panchayats, it is vital for planners to meet a number of key challenges (most importantly, that of institutionalizing what is essentially a short term mobilization process) in order to ensure further progress.

Cavill, S. and Sohail, M., 2004. "Strengthening Accountability for Urban Services Environment and Urbanization 2004".

This article explores participatory governance in the context of participatory mechanisms of accountability for urban services. In the past few years, accountability has become a buzzword internationally and, as is the case with many such terms, there is confusion as to what exactly is meant. The people and organizations promoting accountability view it as critical to solving problems with urban services in an increasingly fragmented context of service provision. This article seeks to explore the growing interest in accountability and to assess the potential of participatory governance in improving the provision of urban services. Other objectives are to:

• consider contemporary innovations in the way urban services are delivered – the context of accountability;

• define accountability using the existing literature and present current models for accountability;

• discuss how the concept of participatory governance can be operationalized in the context of urban services;

• present initial findings from case studies undertaken in South Africa, Bangladesh, South Korea and the UK; these case studies are used to illustrate different functions of accountability; and

• examine the potential of accountability arrangements demonstrated in these case studies to improve the quality of local services and the responsiveness of service providers.

Chandler, J. A., 2001.Local Government Today. Manchester: Manchester University Press.

Local government today provides a comprehensive analysis of the structure, finance, management and democratic framework for local government in Britain. This new edition has been substantially rewritten to encompass the many changes to the structure and function of the system since 2000, including developments flowing from the 2007 Local Government Act.

The study discusses how, during the Blair years, local governments came to be seen once again as centrally important institutions within Britain's political system. However, they are not seen as organisations that can function as separate agencies, undertaking all their duties 'in-house'. They are now required to work in partnership with the private, public and voluntary sectors to deliver local services and represent local interests. It is further argued that, for the first time in over a century, the barriers between civil servants and senior local

government officers are being eroded as central government begins to incorporate leading local government officials into its decision-making processes. This established textbook also offers a comparative focus by showing how the British system differs from the structures for local governance in Western Europe and the United States.

Chris Willett (Ed.) 1996: Public Sector Reform and the Citizen's Charter.

The volume to be reviewed consists of a number of articles dealing with the thorough reforms of the public sector in the UK during the period of the Conservative Government. These include privatisation as well as contracting out of public services and restructuring these services in a more market-oriented fashion. The theme of the volume is certainly very topical, not only in the UK, but throughout the developed world. Research in the area, based on a legal perspective, is however still rather scarce. It is obvious that the changed conceptions of the role and functions of the state will produce not only new rules for various fields of law, but also to some extent a changed conception of law as such. The fragmented post-welfarist society requires new legal thinking. Only the beginnings of such thinking, in which big-scale theories of post-welfarist law will have to be combined with empirical knowledge concerning the present changes in the function of the state, have yet been elaborated. Therefore this small volume has to be welcomed as a contribution to this debate, based on UK experience. Similar themes are scrutinised in a research project at the Faculty of Law at the University of Helsinki, called "Welfare state-expectations, privatisation and private law." Some of the researchers in the Finnish project have jointly written this review. The book aims at analysing some of the public sector reforms in a law and society perspective. The reforms are looked at in the context of the so-called Citizen's Charter issued by the Conservative Government in 1991 (although the idea of a Charter was first suggested by Labour local authorities in 1989, see p. 69 in Chapter 5). This Charter, intended to set some standards for public service delivery, offers one starting point for evaluating the reforms. The coupling of the analysis to the Charter is both a strength and a weakness of the book. On the one hand it gives the authors an opportunity to show the discrepancies between the goals and the effects of the reforms. On the other hand it tends to limit the analysis to relatively concrete empirical questions, while the more overreaching theoretical discussion of what the development implies for society and law in the long run is given less emphasis. The central theme is, however, tied to the perspective of the Charter. It is a question of what citizens in various roles, as consumers of public services, can reasonably expect. The concept of citizens' (legitimate) expectations is referred to in various contexts. This is to be welcomed, since this particular concept will obviously in the future carry much force in national laws as well as in EC law. The chosen approach brings the concept of "citizen" to the fore. In Chapters 2 and 6, Susan Easton examines the concept of citizenship both in historical and political perspective. Drawing on Aristotle, Kant, and Rousseau she roams through the Western history of citizenship and ends up adapting T. H. Marshall's view of citizenship as a theoretical tool for understanding the policies of the Citizen's Charter. Marshall defines citizenship as a status bestowed on full members of the community and distinguishes three dimensions in it: civil, political, and social. The writer

clearly shows the connection between Marshall's thinking and the philosophy behind the 1991 Citizen's Charter. However, from a continental point of view the absence of the cultural dimension of citizenship is striking. Both in French and German discourses, nation and nationalism build a natural bridge between citizenship and state. By ignoring the discussion of the concept of nation as connected to citizenship, the analysis becomes specific to UK experience only. The citizenship approach to the Charter opens up new perspectives. It makes it possible to criticise the narrow concept of citizenship in the Charter focusing only on the relationship between the citizen and the public sector, and forgetting the citizen as employee, consumer, etc. (Willett, p. 2). The assumption of the Charter is, it is suggested, that the citizen is a user of services rather than a member of an organic community. The Charter stresses that the citizen should have more entitlements, but it makes little reference to the duties of citizens (Rawlings & Easton, p. 84). The reasons for making these assumptions are not analysed in the book.

Haque, M. S., 2005. "Citizen's Charter in India: The Critical Impacts of Social Exclusion". Public Management Review. Vol. 7 Issue 3 2005 391 – 416.

In line with the current neoliberal public sector reforms, there has recently emerged the so-called Citizen's Charter in many developed and developing nations. In most cases, this Citizen's Charter aims to ensure the delivery of services based on quality, promptness, transparency and customer choice realized through the display of information related to services expected, their quality standards, feedback options and complaint and redress mechanisms. In the case of India, although this Citizen's Charter may benefit affluent customers, it is less likely to ensure access to services for the majority who suffer from various forms of social exclusion based on class, caste and gender. This article explores how such social exclusion may render the Charter ineffective for the less privileged citizens. It concludes by stressing the need for appropriate initiatives to overcome such social exclusion as a precondition for the success of the Citizen's Charter in India.

Lane, J.E., 2000. New Public Management. London.

New public management is a topical phrase to describe how management techniques from the private sector are now being applied to public services. This book provides a completely up-to-date overview of the main theoretical models of public sector management, and examines the key changes that have occurred as more and more public services are contracted out to private organisations, as the public sector itself grapples with 'internal markets'. Drawing on economics, organisational theory and poliltics, Jan-Erik Lane presents new public management from an analytical perspective. This book uses game theory and empirical studies in order to assess the pros and cons of new public management.

Statement of problem

Efficient, responsive and prompt service delivery is now prominent agenda of most countries. Several tools are being used to achieve this. Public Service Guarantee Act was introduced as one of the tools for this but it is observed that many agencies do not deliver service as per standards outlined in the Act. Though many public offices have placed the board of services to provide prompt and smooth public services to the citizens, but not followed its spirit. One of the drawbacks in Jammu's administration is not maintaining the time for the delivery of the services. People cannot get easy access to public services if they don't know about formalities and other requirements in connection with receiving public services in advance. Informed citizen can properly seek the service fulfilling the responsibilities in their side. So, information and service delivery have strong relationship. Service delivery can be seen from two perspectives; one from service provider's perspective and another from service seeker's perspective. Pervasive unawareness on the part of the service seekers and lack of citizen friendly way (responsive behaviour or positive attitude) on the part of the service provider can lead to slow and ineffective service delivery. It is important to know how much PSGA, which has been publicized so much as a tool for effective service delivery, is successful on increasing awareness of citizen or changing attitude of service providers. According to Pollitt (1994) CC remained an 'unwieldy package' too complex for the average citizen and 'in a number of important respects its conceptual basis is confused and many of its proclaimed standards lack either legal standing or clear penalties for failure, or both'. In Public Policy and Administration, Taylor (1999) concluded that the charter system was inadequate to safeguard consumers' and citizens' interests and that they would have to have a greater input to ensure success. According to Revenue Services of DC Office, Jammu, for the State Subject, if all necessary documents are available, an applicant can get his/her State Subject within 30 days. In spite of these entire clear concepts mentioned in the delivery of Revenue Services, still, many citizens who approach DC Office for getting State Subject face delay, inefficiency, harassment and corruption. The procedures are cumbersome; the rectification depends on the wish and availability of the officer. The people have to travel far away and spend full day or two to complete the formalities regarding the State Subject. Thus, the Act has simply become a document of assurances or a formula which imposes a uniform pattern on every service that is hanged or painted on wall. Moreover, with the passage of time the effective implementation of the PSGA has also been eroded. At this stage PSGA is nothing but a mere document that is lying in lockers and getting dust.

Thus citizens are dissatisfied with the way their needs and concerns were being dealt with: waiting many hours to be served, queuing at different counters and taking a long time to get one request taken care of. Here, the economic cost of travelling, waiting for no reason is clearly visible. Also it includes the opportunity cost of that waiting period. The "Citizen Charter" has been criticized as a public relations gimmick which confuses the public and adds to administrative costs without any appreciable improvement in the standards of public service (Lo, 1993). If the PSGA is not working properly then it is just wasting the scarce economic resource of the country and being only the piece for decorating the walls of government offices. Dissatisfaction,

harassment and the frustration felt by the citizen can be regarded as social cost of delayed service delivery. But if PSGA can be properly implied and prompt service delivery can be ensured, it can enhance transparency, accountability and responsiveness of the administration which are the pillars of good governance.

THEROTICAL FRAMEWORK

a) Theory of Good Governance:

From the late 1980s, the debate on good governance and its requirements has provided an impetus for new approaches to public sector management reforms. Improvement in opaque government system i.e. making it transparent; control of corruption with emphasis on accountability; responsiveness to customer needs have been seen as the major aspects of good governance. UNDP defines Governance as the exercise of political, economic and administrative authority to manage a nation's affairs.
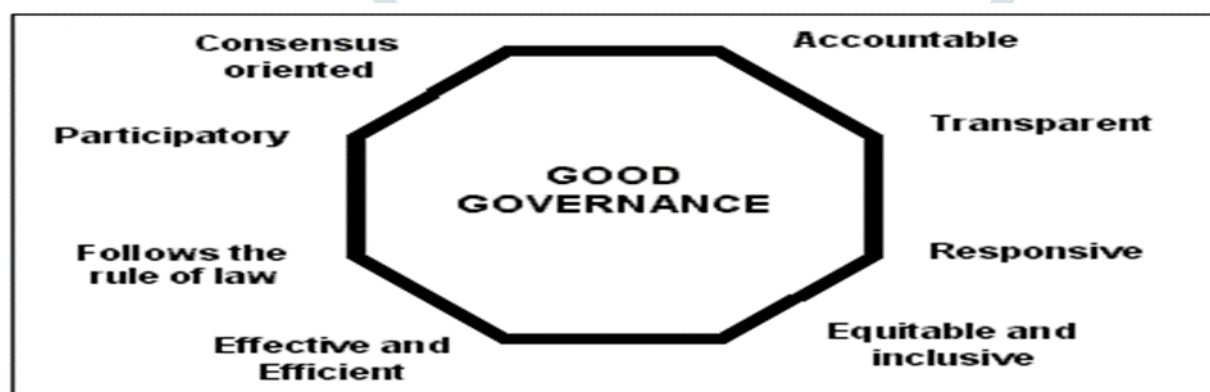
(Source: UNDP web site)

Figure 1

Among these eight major characteristics of good governance, three aspects are mainly highlighted in this paper. Those three essential aspects of good governance are transparency, accountability and responsiveness of the administration. Good public management and administration with emphasis on accountability and responsiveness to customer needs has been seen as an aspect of good governance by donor agencies also. United Nations Secretary-General Kofi Annan states: "Good governance is ensuring aspect for human rights and the rule of law; strengthening democracy; promoting transparency and capacity in public administration". The World Bank defines good governance as use of power in the management of country's economic and social resources for development. To the World Bank, good governance consists of a public service that is efficient, a judicial system that is reliable, and an administration that is accountable to the public (World Bank, 1989).

PSGA is a new device under the umbrella of good governance to foster effectiveness in public service delivery (Benival, 2005). It is a tool for ensuring good governance because the basic objective of the PSGA is to empower the citizen in relation to public service delivery by providing the necessary information about government services, the cost of service, time required to get that service. It will enhance transparency. The concept of transparency in administration requires that government decision making process on routine as well as on matters of public importance is made transparent to citizens who may either be affected adversely or benefitted from such decision. Simply, transparency is free flow of information which is made accessible to those concerned. Transparency implies no secrecy about how public services are run, how much they cost, who in-charge is and whether or not they are meeting the standards, how decisions are made, how service is rendered or how and when goods and services are delivered .

According to Normann (2002) - "It is skill, motivation & tools employed by form's representative & the expectations & behaviour of clients which will together create the 'service delivery' process". Clients expect citizen friendly service delivery i.e., responsiveness of service providers. Ostrom (1975) defines responsiveness as "the capacity to satisfy the preferences of citizen's" especially those "who are dependent upon the institution." In simple language, bureaucratic responsiveness means responding to public community needs and demands. Being responsive to citizen's need and concerns is the key to effective and efficient service delivery. Traditionally officials were less responsive to citizens and there were more discretion. But now PSGA under the good governance doctrine, tends to enhance bureaucratic responsiveness toward citizens. Responsiveness is quite different from accountability. The former connotes sensitiveness of public officials to public preferences, needs and demands while the later emphasizes answerability of one's own action and use of resources (Benival, 2005). According to United Nations Human Development Report (UNDP, 2002), "Accountability is about power, it is about people having not just a say in official decisions but also the right to hold their rulers to account." To put simply, accountability means answerability for one's actions, deeds and /or behaviour. Accountability has emerged as an international issue, and talk of accountability has become common place in service delivery debate (Cavill and Sohail, 2004). Accountability also comes from users overseeing resource allocation, monitoring service provider discretion and preventing unnecessary delays, mismanagement and corruption. Attention is now paid to the relationship between field level service providers and users. Frontline service providers are typically accountable through hierarchical relationships upwards to governments and downwards to service users (ibid). "A is accountable to B when A is obliged to inform B about A's (past or future) actions and decisions, to justify them and to suffer punishment in the case of eventual misconduct, improve the ability of service users to monitor and discipline service providers" (O'Donnell, 1999).

The principal agent theory analyses the problem of accountability within institutions. This theory describes a relationship in which a principal (service users) attempts to secure services from an agent (service provider). The theory states that "public (principal) give power to politicians and bureaucrats (as agents) to govern but

they are unable to hold the latter accountable because of insufficient information. Public officials pursue their own narrow self-interests rather than public interest". According to Lane (2005), in the idea of CC for public services, strong role is given to possibility of hearing the consumer (principle) through grievance redress system & providing them information for service delivery by the public agencies (agents). CC aspires to establish the bottom up version of accountability where administrators are placed directly under the citizens instead of political masters (Benival, 2005). It is obvious from the above notion of "good governance" that there is some emphasis on improving public-sector management systems. Thus, in the good governance prescriptions, one finds public management reforms as a key component pointing towards market and private sector approaches to public sector management, under the guise of New Public Management (NPM).

b) New Public management (NPM)

Our fundamental problem today is not too much government or too little government. Our fundamental problem is that we have the wrong kind of government (Osborne and Gaebler, 1992). We do not need more government or less government, we need better government (ibid). To be more precise, we need better governance. For this reason many administrative reforms started which were known as new public management. NPM is a new concept of reforms in public administration to improve the public service delivery. It basically emphasizes on efficiency, centrality of the citizen or customer, as well as accountability for results.

The term NPM was coined by Christopher Hood's article (1991: p.4-5) "A Public Management For all Seasons". NPM had been 'talk of the town' for last few decades. NPM is the hybrid concept of administrative policy reform including economic theory and managerialism. NPM shifts the emphasis from traditional public administration to public management (Lane, 1994). Entrepreneurial governments have begun to shift to systems that separate policy decisions (steering) from service delivery (rowing) as per NPM (Osborne and Gaebler, 1992). Steering organization need to find best methods to achieve their goals. Rowing organization tend to defend their methods at all costs (ibid). NPM has become convenient shorthand for a set of broadly similar administrative doctrines which dominated the public administration reform agenda of most OECD countries from the late 1970s (Hood, 1991; Pollitt, 1993). It captures most of the structural, organizational and managerial changes taking place in the public services of these countries.

NPM has variously been defined as a vision, an ideology or (more prosaically) a bundle of particular management approaches and techniques, many of which is borrowed from the private sector (Pollitt, 1994:1). NPM is thus seen as a body of managerial thought (Ferlie et al., 1996:9) or as an ideological thought system based on ideas generated in the private sector and imported into the public sector (Hood, 1991, 1995). NPM also derives from the economics approach which has its theoretical foundation in public choice, transaction cost and principal-agent theories. These public sector reform themes are thus based on ideas of market, competition, contracting, transparency and promoting efficiency in public service delivery. NPM, which has underpinned many reforms in public administration in developed countries, this paradigmatic shift in the

Western countries from the late 1980s, was superimposed on other developing countries, particularly in countries that embarked on IMF/World Bank-supported structural adjustment programs. Thus NPM reforms have been globalized. NPM theory is an influential model for public sector for effective service delivery; encouraging government to be more efficient and responsive (Hood, 2002). Public Service Guarantee is emerged as such reform instrument through NPM doctrine. Thus the main ingredients of PSGA viz transparency, responsiveness and accountability are the major components of good governance also. It provides procedural clarity and grievance handling mechanism that can improve service delivery which is the main focus of NPM. Good governance and NPM are presented as twin outcomes (Minogue et al., 1997). Good governance, it is argued, cannot be achieved without efficient and effective public administration and management systems and, equally, public administration and management systems may be ineffective and inefficient in an environment of poor governance characterized by lack of basic freedoms, lack of respect for rule of law, and autocratic, idiosyncratic and unpredictable leadership (Hopkinson, 1992:20-21; Gillies, 1996). In the good governance prescriptions one finds public management reform as a key component (Lamb, 1994).

c) Grievance Redress Mechanism

The PSGA clearly mentions the name, designation and official contact address of the complaint officer. People can easily contact with that personnel in case of non-delivery of service. If the complaint mechanism functions properly, those citizens who did not receive the service due to service provider's failure, they can get appropriate compensation or they can get that particular service without paying the necessary fee. For this, the chief complaint officer should hear the grievance and take necessary action immediately. Only then people can be satisfied which can be regarded as improved service delivery.

d) Citizen Charter: Genesis, Rational & Principles

With the advent of the New Public Management principles and mode of thinking in organizing efficient and effective service delivery, a number of methods are in use today. CC is one of such techniques, which puts citizens in the forefront to decide about the nature, form, and type of local services (Dhakal and Ghimire, 2009).

e) Genesis of Citizen Charter

The use of Charters can be traced back for centuries. Possibly the most famous, of course, are the Magna Charta of 1215 and other notable ones including the People's Charter of 1838 (James et al, 2005). The introduction of the modern CC was closely associated with the conservative government of then Prime Minister of UK "John Major", who found himself in political circumstances that meant he needed to make his mark as a then new Prime Minister (Pollitt, 1994). In a press conference on 22 July 1991 launching the Charter, John Major stated that the 'charter programme will find better ways of converting money into better services'.

The initial enthusiasm for charters in the UK in the 1990s was remarkable. By March 1994 there were officially 38 different individual government charter documents in the UK (Deakin, 1994, p. 50). By 1997

there were 40 main charters and over 10,000 local charters that were not centrally controlled (Hansard, 1997). The enthusiastic but ad hoc nature of the spread of charters in the UK is confirmed by the fact that some of the new charters were established in some parts of the UK but not in others. It has been estimated that the number of national charters in the UK grew to 200 (Milakovich, 2003). The first report of the CC (Cabinet Office, 1992) confirmed that the government was committed to a 'long-term programme of improvement and change to raise the standard of public services and make them more responsive to their users'. The programme established certain principles of public service relating to standards, complaints procedures and so on and providers of public services were asked to produce their own charters.

However, the CC seems to have been part of a much longer term trend in which public services were becoming more 'user friendly' and evolving in a way that has been described as the New Public Management (Hood, 1991). This has included a greater stress on public sector 'performance' (Talbot, 1999). It has been observed that the CC seemed to envisage the citizen primarily as a consumer (Taylor, 1999) and could be tending to substitute consumer-style rights for political and legal rights (Keat, et al.1994).

f) Rational of Citizen Charter

Baker and Brent, 1997 (as cited in Tindigarukayo, 2007) have summarized the rationale for the CC initiative in the UK.

- **All public services are paid for by individual citizens, either directly or through their taxes;**
- **Citizens are therefore entitled to expect high quality services, provided efficiently at a reasonable costs; and**
- **Where the state is engaged in regulating, taxing or administering justice, these functions too must be carried out fairly, effectively and courteously**

BOX 1: RATIONAL OF CITIZEN CHARTER

(Source: Derived from Baker and Bent (1997) cited in Tindigarukayo, 2007)

The core ideas of the United Kingdom's CC initiative added a consumerist dimension to public management (Talbot, 1994). In the UK today, CC is an integral part of public sector service delivery and part of the management process in almost all public sector agencies. It has brought the issue of (Larbi, 1999) consumers to prominence and has since become a key feature of most NPM discussions. The "Citizen Charters initiative" is a response to the quest for solving the problems which a citizen encounters, day in and day out, while dealing with organizations providing public service (www.goicharters.nic.in/cchandbook). It creates a bond general public and public service. It also safeguards the right of citizens to enjoy quality and high-standard services. At the same time, it helps make public servants feel satisfaction for the services they provide to the public.

g) Principles of Citizen Charter

The objective of charter exercise is to build bridges between citizens and administration and to streamline administration in tune with the needs of citizens. The major principles of CC are:

1. **Standards**: Setting, monitoring and publication of explicit standards for the services that individual users can reasonably expect.

2. **Information and Openness**: Full, accurate information, readily available in plain language.

3. **Choice and Consultation**: The public sector should provide choice wherever practicable. There should be regular and systematic consultation with those who use services.

4. **Courtesy and Helpfulness**: Services available equally to all who are entitled to them and run to suit their convenience.

5. **Putting Things Right (Correction of Errors)**: And, independent validation of performance against standards.

6. **Value for Money (Financial Value)**: Efficient and economical delivery of public services within the resources, the nation can afford. And, independent validation of performance against standards

(Source: www.goicharter.nic.in)

The 1991 white paper of UK articulated these above mentioned six principles as norms to be followed in governing public services. Through the CC explicit standards are published which the individual users can reasonably expect. At the mean time it provides full, accurate information which is readily available in plain language. The public sector should provide choice wherever practicable. Services should be available equally to all who are entitled to them and run to suit their convenience.

On the basis of this CC, public services are obliged to

• To inform the public in detail on the kind of services they provide

• To define and publicize standards of services

• to be easily accessible and friendly to the citizen and to provide adequate information to explain the options afforded and give correct advice to the public to be courteous and forthcoming in providing services and to rectify mistakes.

• To offer an apology, a full explanation, and a swift and effective remedy if things go wrong.

h) Institutional Structure

For implementation of CC, a new Unit of Government was established in UK, supervised by a cabinet minister. Under the direction of this Unit, and backed by the strong and decisive support of the then Prime Minister Major, all public services were encouraged to create and sign Charters.

In 1994, Tony Blair became the new prime-minister of the country. By then, there were about 200 Charters at a national level, and approximately 10,000 Charters at a local level, and many of the ideas behind the Charters had obtained a wider approval, even from the Labor Party. The result was that the Charters not only

survived the transition of government, but also acquired a new impetus under Blair, along with a new name, "Service First," which continues to be used at present (Carty, 2004). Blair also supported with renewed energy the system of awards granted to the Charters, known as "Charter Mark" (ibid). Correspondingly since June 1998, the Charter Office in UK has been renamed as People First Unit, signifying precedence of people over the other things (Benival, 2005).

To summarize, the pioneer experience of Great Britain, the Charters, became an integral part of public sector service delivery and part of the management process in almost all public sector agencies. It was institutionalized in the system of government of the country as they were accepted by a high percentage of not only national governments, but also local. The use of the Charter Mark as a tool for self-evaluation of the changes in the Charters is also another innovative way. Studies carried out have shown that in the UK the CC programme has raised the awareness of users about their rights in relation to services provided by government agencies, and has had some positive impact on culture change among service providers. In particular, some marked improvements relating to the establishment of the Charter have been noticed in the following service areas: the health sector, the court system, services provided by housing, social security, utilities and Inland Revenue (Sadler, 1999).

i) Jammu and Kashmir Public Service Guarantee Act, 2011

In order to address the problems being experienced by the common people in getting the basic public services from the government functionaries in a time bound manner, the State Legislature, as a land mark initiative, passed the J&K Public Services Guarantee Act,2011 during the budget session 2011. The Act which is a unique piece of legislation providing for the delivery of public services to the people of the State within the specified time limits, shall go a long way in curbing corruption by empowering people of the State in enforcing their right to secure different public services in a time bound and hassle free manner. Subsequent to the enforcement of the Act w.e.f 10 th of August 2011, the designated officers are now under statutory obligation to provide notified services to the public within stipulated period or timelines.

j) Citizens Charter of Revenue Department

As per the government decision to put the Citizens Charter in all public offices, Revenue department Jammu also published its CC on the 21st July 2011. The CC is written in English language. Though revenue department performs number of functions. In exercise of the powers conferred by section 4 of the Jammu and Kashmir Public Services Guarantee Act, 201 1 (Act No. IX of 201 l), the Government hereby notify the following revenue services as under:-

• State Subject Certificate (PRC)

• Reserved Category Certificates

• Dependent Certificate

• Extract of Fard Intikhab

- Extract of Girdawari

- Extract of Aks Masavi/Latha

- Extract of Jamabandi

- Attestation of mutations

- Inheritance Mutation

- Copy of mutation

- Demarcation of Land

- Extract of Tatima Shajra

- Extract of Chulah /Chowkida

- Income Certificate
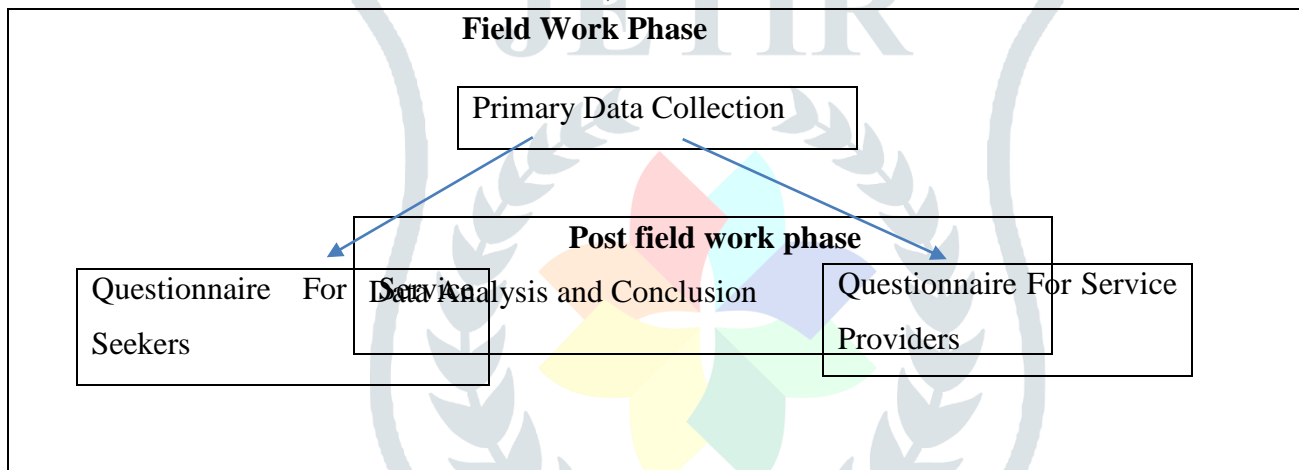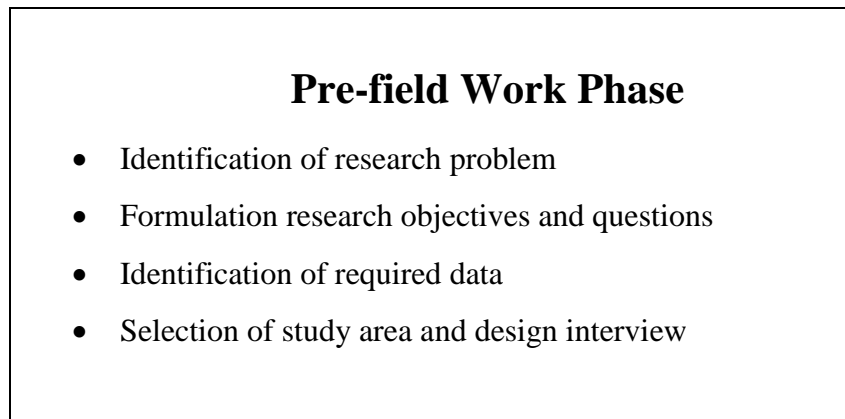
Research Methodology

In this study both the survey approach and interview methods were used. The survey approach was chosen because research will be conducting by interviewing the service providers and service seekers and the interview method was used to map the exact figures. The major focus of this paper is to explore the existing awareness, use and implementation of PSGA in revenue service delivery.

METHODOLOGY

The approach of the research is operationalized according to flow diagram as shown in fig below, taking into consideration of the study. The research methodology comprises of three parts which is explained below:

• Pre-field work phase which comprises of problem identification, literature review.

• Field work phase which comprises of data collection.

• Post field work phase was focused on analysis and interpretation of data.

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Research Approach

Pre-field Work Phase

- Identification of research problem

- Formulation research objectives and questions

- Identification of required data

- Selection of study area and design interview

Field Work Phase

Primary Data Collection

Post field work phase

Questionnaire   For   Service
Seekers

Data Analysis and Conclusion

Questionnaire For Service
Providers

(Source: Derived from notes)

Figure 1

Sampling Method and Sample Size

Purposive Sampling method is used to select the sample so that maximum variety of people with various socio-economic backgrounds like gender, religion, education, occupation can be incorporated in the research. The major reason behind this kind of sampling was to cover all potential people related to the research work and those who could be easily available. The sample-size was 30 for service seekers and 20 for service providers. It is summarized below in the table.

Sample Size

Respondents	Male	Female	Total

Service Seeker	20	10	30
Service provider	15	5	20
Total	35	15	50

Table 1

DATA ANALYSIS

1)Time taken to get revenue services from DC office

Time Taken	No. of Respondents	Percentage
Within in stipulated time mentioned in the charter	3	10
Longer than the stipulated time	27	90
Total	30	100

Table 2

Source: Field Survey

Time taken to get revenue services from DC office

Within stipulated time 10 %

Longer than stipulated time 90%

■ Longer than stipulated time   ■ Within stipulated time
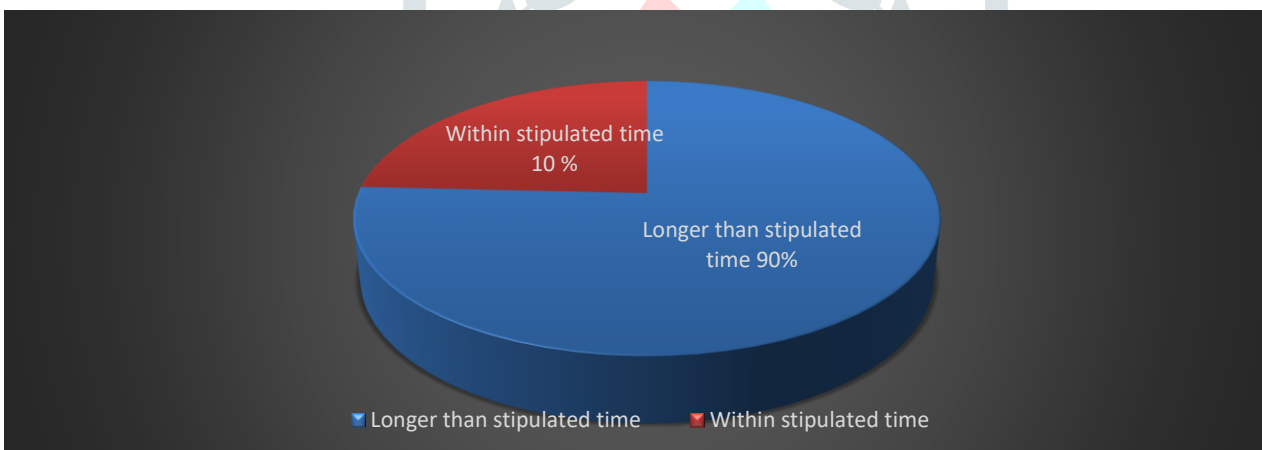
Figure 2

2) Satisfaction with time taken

Statement	Frequency	Percentage
Satisfied	25	83.33
Dissatisfied	5	16.66
Total	30	100

(Source: Field survey)

Table 3
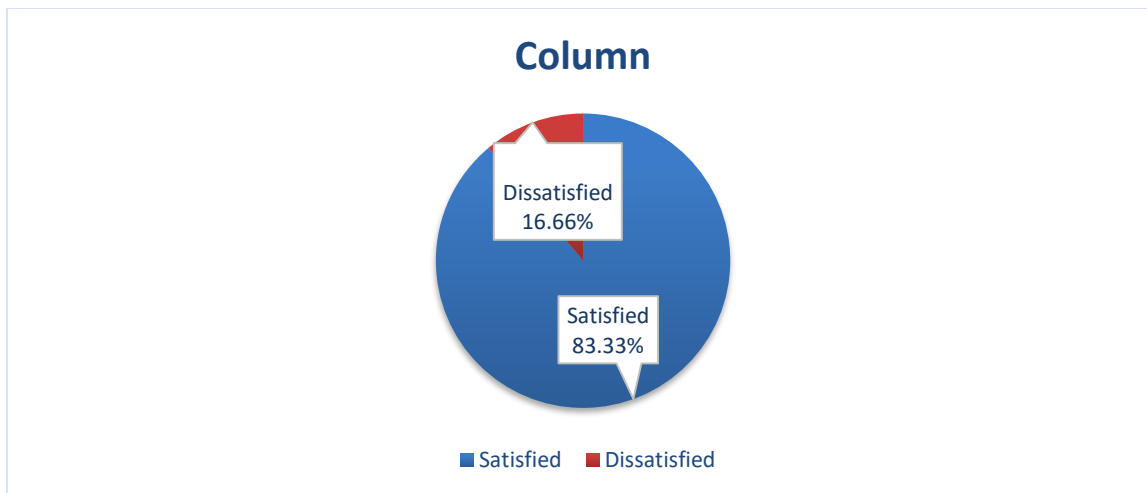
Satisfaction with time taken
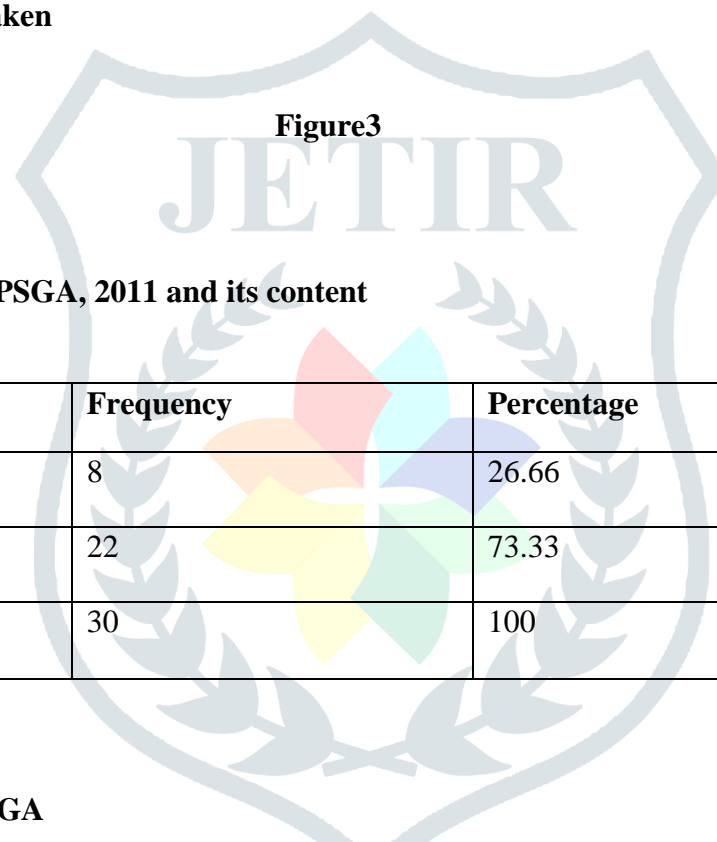
Figure3

3) Knowledge about JKPSGA, 2011 and its content

Knowledge	Frequency	Percentage
Yes	8	26.66
NO	22	73.33
Total	30	100

(Source: Field Survey)

Table 4

Knowledge about JKPSGA
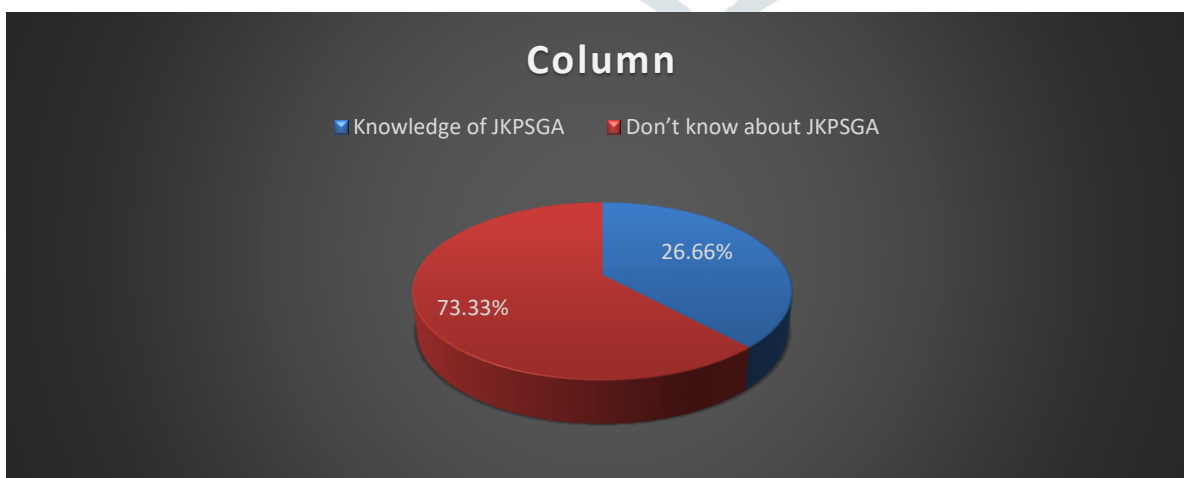
Figure 4

4) Access to Information

Cross Tabulation between Satisfaction level and access to information

Statements		Satisfied	
		Frequency	**Percentage**
Access to Information	**Yes**	25	83.33
	No	5	16.66

Table 5

Tabulation between Satisfaction level and access to information
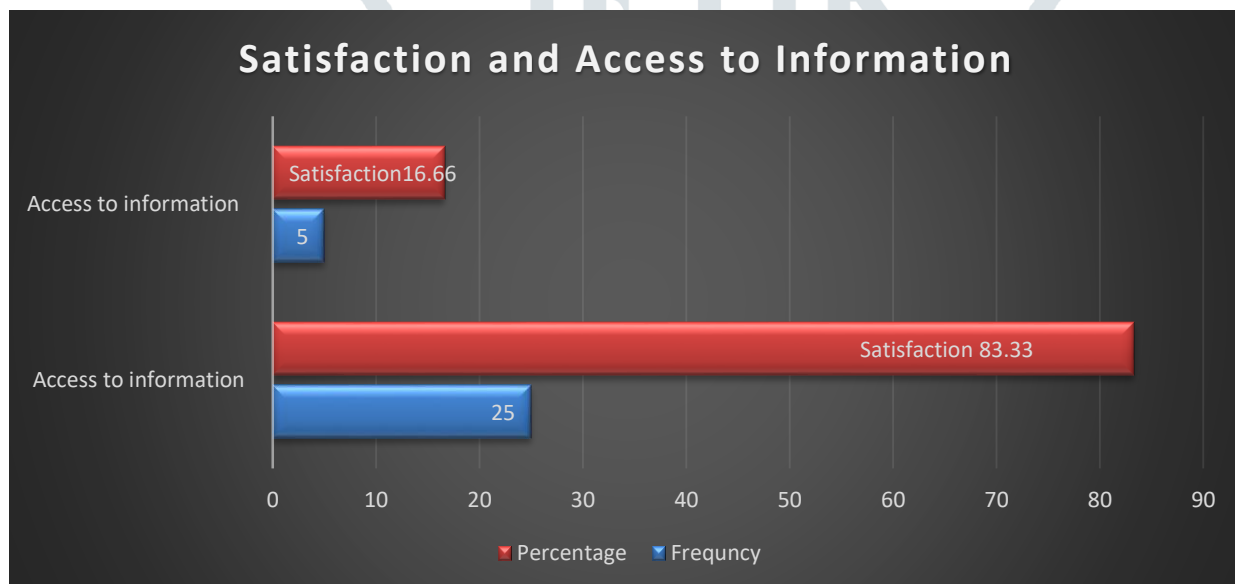
Figure5

5) Cross Tabulation time taken and access to information

Statement		Time Taken			
		As stipulated in CC		**Longer than the stipulated time**	
		Number of Respondent	**Percentage**	**Number of Respondent**	**Percentage**
Access to information	**Yes**	2	6.66	20	66.66
	No	1	3.33	7	23.33

Table 6

6) Usefulness of Information

Cross-tabulation

Statements		Satisfied	
		No.	Percentage
Usefulness of information	Very useful	11	36.66
	Less useful	8	26.66
	Never got the service	-	-
Cause of service Deliver	By Due Process	10	33.33
	By personnel access	5	16.66
	By using middle-man	15	50

Table 7

7) Lodge a Complaint for Non Delivery of Service

Lodge Complaint	No. of respondents	Percentage
Yes	10	33.33
No	20	66.66

(Source: Field Survey)

Table 8

Lodge a Complaint for Non Delivery of Service
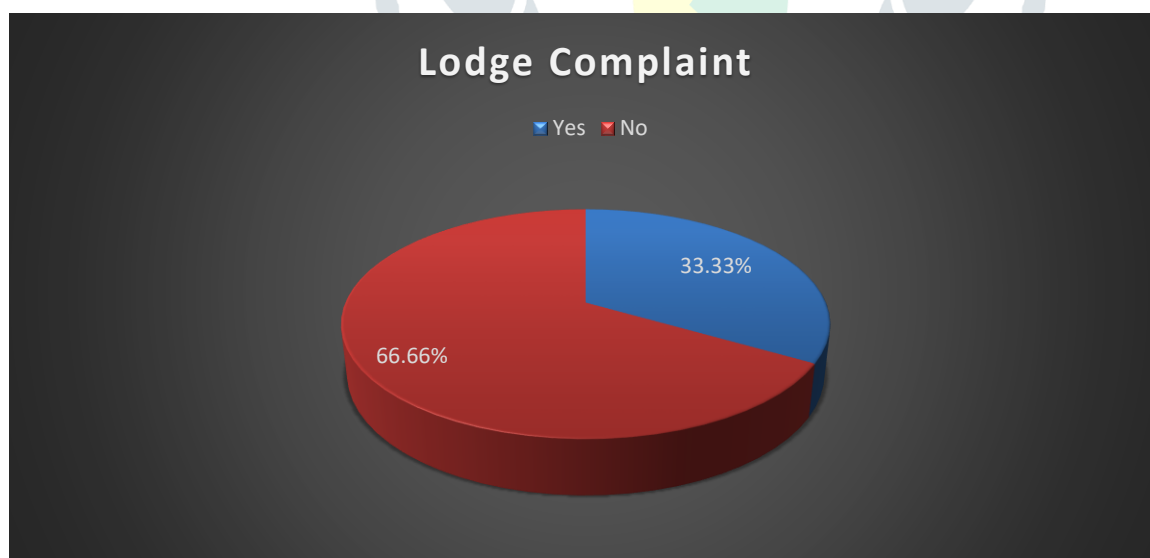
Figure6

8) Outcome of Complaint

Statements	No. of respondent	Percentage

Yes, I got service	6	60
No, I did not got service	4	40
Total	10	100

(Source: Field Survey)

Table 9

OUTCOME OF COMPLAINT

40% No
60% Yes

Figure 7

9) Cross-Tabulation

Statements		Satisfied with time taken	
		No.	%
Outcome of complaint	Yes, I got service	18	60
	No, I did not get service	12	40

Table 10

10) Checking Grievance Box Regularly

Statements	Frequency	Percentage
Yes	20	100
NO	-	-

Table 11
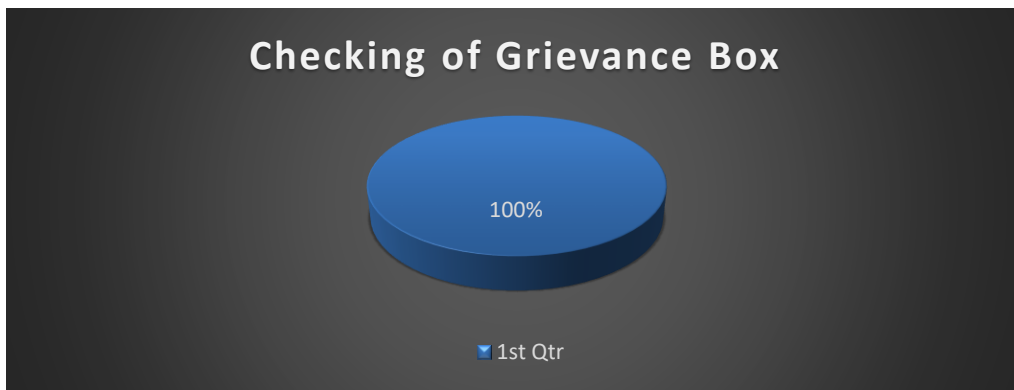
Figure 8

11) Grievance-System is Just for Formality

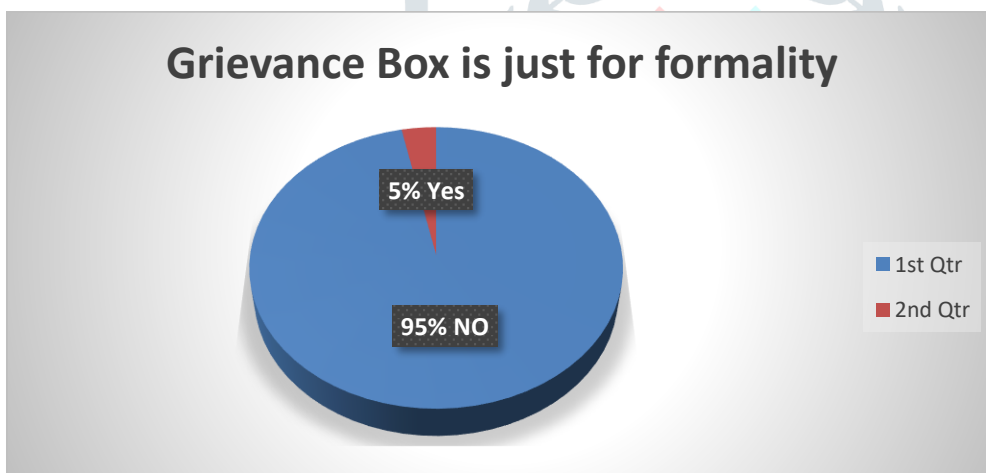| Statement	Frequency	Percentage
Yes	1	5
No	19	95

Table 12

Figure 9

Discussion and Conclusion

Discussion of the data drawn out from this analysis of research are as follows.

10% of respondents are getting services from DC Office as stipulated in its CC. 90% are getting services longer than the stipulated time.

Though it takes little longer time, the service seeker generally seems to be satisfied (83.33%) with DC Office service delivery.

The above data exposed the fact that only 26.66% of the citizens are aware about the act whereas 73.33% of people do not have heard about it.

Here 6.66 % who had access to information got service as stipulated in CC.

Nearly 36.66 % of service seekers said that the information in act was very useful. 26.66% said that the information is less useful. Rest said that the information was not useful because they never got the service.

Here, 33.33 %of people who got service through due process were satisfied. This high level of satisfaction indicates that people get service through due process that means they understood about the procedure to get service.

Only 33.33% of respondents replied that they lodged a complaint for non-delivery of service. Remaining 66.66% said that they do not want to lodge a complaint inspite of non-delivery of service.

Among 30 service seekers, only 10 citizens had registered a complaint for non-delivery of services. Only 60% among those 10 citizens who managed to lodge a complaint got the service whereas remaining 40% of citizens did not get service even after lodging the complaint.60 percent of citizens were satisfied who got the service after lodging the complaint. This fact proves the hypothesis of the study that "proper grievance redress mechanism improves the service delivery."

100% of the officials believed that grievance box was checked regularly.

5% of the officials believed that the grievance box is just for formality but other 95% believed that it is of great use and importance. The study has revealed that PSGA in DC Office, Jammu in delivering revenue services is still not effective in grievance redress and hence the accountability of the public officials is matter of concern. Nevertheless the better aspect of PSGA is that it is very successful in maintaining transparency in DC Office, Jammu, as it enhances procedural clarity among the service seekers. Thus overall it can be concluded that PSGA can improve the service delivery. Hence, PSGA is an effective tool of good governance that can improve service delivery through making the procedural clarity and proper grievance redress.

The figure below depicts the conditions required for the improvement in service delivery.

Conditions required for improved service delivery

| Procedural Clarity | → | Improved Service Delivery | ← | Proper grievance Redress |

(Source: Derived from the study findings.)

Figure 10

In light of the above discussion it is evident that PSGA in revenue service delivery is somehow successful in making procedural clarity but it's another part grievance handling is still at infancy stage. Also many people are still unaware about PSGA. Hence, mere framing of PSGA will not improve the service delivery mechanism. To bring out good results from the PSGA, some improvements in the act seemed quite essential. Some best practices of grievance handling from other part of the   country can also be adopted. For e.g. India's Department of Administrative Reforms & Public Grievances has advised all ministries/departments to

observe every Wednesday as a meeting-less day in the Central Secretariat Offices when all officers above a specified level are to be available at their desks from 10:00 to 13:00 hours to receive and hear public grievances. Field level offices having contact with the public are also advised to declare one day in the week as a meeting-less day. Personal telephone numbers (mobile numbers) of Senior Officials/Nodal Officer should be displayed for the benefit of the customers in case of any of grievance. Similarly, in this era of modern communication technologies (e-governance), DC Office , Jammu ,   should have its own website which can easily be accessed by the customers and there should be mechanism to register their complaints/feedback/grievances online and stored in a database, from where they sent to the appropriate representative for follow-up. These are some of other attendant measures that can turn PSGA into true instruments of empowerment. The important thing to keep in mind is that PSGA 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.

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