

LOK SATTA

People Power

Instruments of Accountability

Workshop on Re-forming Advocacy
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**The real *Swaraj* will come
not by the acquisition of authority by a few,
but by the acquisition of the capacity by all
to resist authority when abused**

Gandhiji

Can Economic Reforms alone Deliver?

- Smaller and more focused government will help
- But government still has a significant role to play

Irreducible Role of Government

- Public Order
- Justice
- Rule of Law
- School Education
- Primary Healthcare
- Basic Infrastructure
- Natural Resource Development

Why is Governance Vital?

- The Government spends Rs. 1800 crores everyday
- Government employs 70% of the 27 million organized employees
- Fiscal deficit (Union and States) - 10% of GDP
- 50 % Union tax revenues - interest payment
- Only 5 % of GDP spent on Health, Education and Social Security

Crisis of Governance

- Increasing lawlessness
- Inefficient state apparatus
- Unresponsive bureaucracy
- Ineffective judicial system
- All pervasive corruption
- Criminalization of politics
- Money and muscle power in elections
- Political instability
- Erosion of legitimacy of authority

Failure of Political Process

Parties

Autocratic and unaccountable

Repel the best

A problem, not solution

Choice - Tweedledom & Tweedledee

Elections

Change of players

No change of rules of game

Criminalization

Money power

Flawed process

- Electoral rolls (40% errors)

- Bogus voting (22%)

Why is the Citizen Helpless?

All powerful bureaucracy:

330mn total workers – only 27mn in
organized sector – 19mn in government

Helpless people:

Illiteracy

Centralization

Colonial legacy

Socialist mindset

employee as benefactor

citizen as recipient

Distortions of Power

Positive power restricted

Negative power unchecked

All organs are dysfunctional

Elections only change players

No change in the rules of the game

Authority delinked from accountability

Alibis for non-performance

Good behaviour not rewarded

Bad behaviour not punished

Honesty and political power increasingly incompatible

Way Out

- Make honesty compatible with public office
- Citizen centered governance
- Fusion of authority and responsibility
- Assert People's sovereignty

Instruments of Accountability

- Right to Information
- Citizen's Charters with penalties for non-performance
- Stakeholder empowerment
- Local government empowerment
- Independent crime investigation
- Independent and effective anti-corruption agency

Right to Information

In the Indian context:

Right to have access to information

Right to be informed

On all matters involving exercise of public authority:

Public money & utilization

Laws and enforcement

Policies and decisions

Employees

Delivery of services

Key Features of Lok Satta's Draft RTI Bill

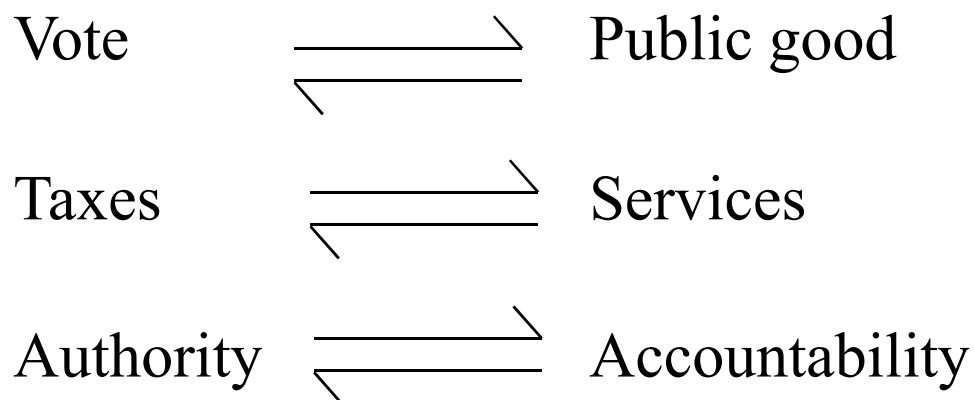
- Penalties for non-compliance
- Clearly defined minimum exemptions
- Access to information available to legislature
- Automatic appeal in case of refusal and an independent appellate process
- Protection for public interest disclosures
- Proactive disclosure provision
- Reasonable time-frame and reasonable fee

Citizens Charters – Andhra Experience

- Citizen's charters introduced in 9 departments by AP government
- Citizen's charters for Municipalities in A.P.:
 - Provides for compensation of Rs.50/day for delay in service – first in India
 - Applicable only for services where there is no supply constraint
 - Covers 4 basic services – issue of birth and death certificates, property tax assessment, approval of construction permit and residential water connection

Local Government Empowerment

- Transfer of funds, functions and functionaries to local governments
- Link between



Stakeholder Empowerment

- Water Users Associations
- School Education Committees
- Ward Committees

Role of Citizens' Initiatives

- Collective informed assertion
- Advocacy and pressure for specific accountability instruments
- Struggle for genuine governance reforms

Need for Genuine Governance Reforms

- Electoral reforms
- Empowerment of local governments
- Judicial Reforms
- Instruments of Accountability

“The punishment suffered by the wise who refuse to take part in the government, is to suffer under the government of bad men.”

Plato