

Dr Jayaprakash Narayan
General Secretary

19th October 2016

To,
Shri K Chandrashekar Rao
Chief Minister of Telangana
Hyderabad

Dear Sri Chandrashekar Rao garu,

I have read news reports of your resolve to improve the quality of delivery of services in Telangana State, and your government's intention to enact a law for this purpose. I congratulate you on this extremely important, people-centered initiative and I whole heartedly welcome it. Enactment of a well-designed service delivery law prescribing time limits for each service, and providing compensation for every day's delay will be milestone in the journey of Telangana State for good governance. Such a law will have far greater impact on governance than even the Right to Information Act and Lokpal Act.

Foundation for Democratic Reforms and Lok Satta movement have been working on Citizens' Charters and a service guarantee law for several years. We have also had detailed interaction with the Parliamentary Committee on the subject. At the instance of the Parliamentary Committee, we have prepared a draft Bill integrating normal service delivery with electronic services. In this age of increasing computerization, it is vital that we integrate all forms of services and ensure a single, effective, enforceable law to improve most services to ordinary people and ensure convergence of services to facilitate easy access.

I am herewith enclosing the draft Right to Public Services (RTPS) Bill for Telangana State. Following are the key features of the Draft Right to Public Services Bill:

1. Statutorily Guaranteed Citizen's Charters for all Public Services

The Draft Bill mandates every 'public authority' as defined under clause (q) of section 2 of the Bill to publish Citizens' Charters, specifying the list of goods and services offered by the public authority, the names and the details of the official responsible, the time-limit for the delivery and in case of delay/denial of service, a robust complaint redressal mechanism. Additionally, the 'public authority' has an obligation to periodically review, update and verify the Citizens' Charters.

2. Effective and Instant Grievance Redressal Mechanism

Every public authority must establish information and facilitation centres and customer care helplines, as a part of the complaint redressal mechanism. Moreover, every public authority must designate as many officers, at the Department level, as Grievance Redressal Officers in order to receive, inquire into and redress any complaints from citizens. Such grievances must be disposed of in a time frame not exceeding thirty days from the date of receipt. This provision is in sharp contrast to a regular lawsuit that is generally time-consuming and cost ineffective.

3. Lean process of appeal

A citizen aggrieved by the decision of the concerned Grievance Redressal Officer in respect of a complaint filed by him, may within thirty days from the expiry, file an appeal to the

Independent Designated Authority (IDA), who is the first appellate authority at the Corporation/District level. The IDA shall dispose such appeal within a time frame not exceeding thirty days. Thereafter, any citizen, who is aggrieved by the decision of the IDA, may file a second appeal to the office of the Lokayukta, who is the highest appellate authority under the said Bill.

4. Penalty and Compensation mechanism

The Draft Bill confers power upon the two appellate authorities, namely, the Independent Designated Authority and the office of the Lokayukta, to impose penalty on the erring public official, who is responsible for delivery of goods and services or the concerned Grievance Redressal Officer for failure to deliver goods and services to the aggrieved citizen within the specified time-limit. Also, the Independent Designated Authority or the office of the Lokayukta shall ensure that the aggrieved citizen is compensated by an amount which is equivalent to the penalty imposed against the designated official.

5. Burden of Proof

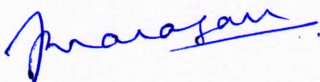
The draft Bill further provides that in any appeal proceedings, the burden of proof to establish a non-redressal of complaint by the Grievance Redressal Officer shall be on the Grievance Redressal Officer who denied the request to such aggrieved citizen.

We hope that this Draft RTPS Bill would effectively translate into reality your government's commitment to deliver goods and services in a transparent, accountable and responsive manner. It will also lessen the burden on the public exchequer, as the existing Lokayukta will be the apex authority supervising and ensuring the overall implementation of the RTPS regime. Consequently, the existing judicial mechanism vested with the Lokayukta will be further strengthened.

We will be happy to interact with you and your officials to help enact a sound law to make the governance and bureaucracy accessible, transparent and accountable.

with warm personal regards,

Yours Sincerely,



Jayaprakash Narayan
General Secretary

Copy to:

- Sri Etela Rajender, Minister for Finance & Planning, Small Savings, State Lotteries, Consumer Affairs, Legal Metrology, Civil Supplies
- Sri K.T. Rama Rao, Minister for IT, Municipal Administration & Urban Development, Industries & Commerce, Public Enterprises, Sugar, Mines & Geology, NRI Affairs
- Sri A Indra Karan Reddy, Minister for Law
- Dr Rajiv Sharma, Chief Secretary, Telangana State
- Sri Santosh Reddy, Law Secretary, Telangana State