LOK SATTA

People Power

Instruments of Accountability

Workshop on Re-forming Advocacy
April 23, 2002, DFID, New Delhi
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

  Vote  \[\rightarrow\]  Public good
  \[\downarrow\]

  Taxes  \[\rightarrow\]  Services
  \[\downarrow\]

  Authority  \[\rightarrow\]  Accountability
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