

**Local Governance:**  
**2. Good Governance**



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**May 2016**



**Pinarayi Vijayan**  
Chief Minister

## **Message**

It is with immense pleasure I came to know that KILA is publishing handbooks on decentralisation in English language also. No doubt, Kerala Decentralisation has become another model to emulate. I hope that these six handbooks brought out by KILA deal with various subjects which give insights in the Local Developments and Decentralised Planning. The number of Elected Representative and Officials visiting Kerala to understand Kerala's ambitious Decentralisation programmes is increasing annually. I am sure that these handbooks would be of much help to those people who come from far and wide.

I heartily congratulate KILA for this new venture.

Lovingly,  
**Pinarayi Vijayan**



**Dr. K.T. Jaleel**  
Minister for Local Self Government

## **Message**

Local Governance system enables the government to understand the issues and concerns of the public through its various modes that has been developed as part of Decentralised Planning. The elected representatives must have the awareness that in a democracy, citizens are the supreme authority in decision making. The Elected Members have to play a pivotal role to fulfil their responsibility to the people. Democratic Decentralisation is the means to attain such an end. Each and every member must have the awareness on various aspects of Decentralisation. KILA by organising foundation courses to all newly elected representatives with the sole aim of strengthen the capacity of Elected Representatives. This six set of hand books have been prepared with this end in view. I am sure that these hand books serve the purpose of reference books also. As there is great demand from representative and officials from outside the state to study the Kerala model of decentralization, these books will also help them a lot to understand Kerala model Decentralisation.

I heartily congratulate KILA for having brought out this for capacitating the Elected Representatives in stipulated time.

Lovingly,  
**K T Jaleel**



**Dr. P.P. Balan**  
Director, KILA

## **Foreword**

The contribution of Kerala to the Local Self Governance system is very important. The onus of this, for next five years is on the newly elected representatives. The representation should be able to make new steps able to make new steps holding the achievement of previous years. The union and state governments use limited power in matters of urgent importance and direct impact on people. But the local government has the responsibility to establish local development and social justice.

In spite of the Kerala model of decentralization being well acclaimed, it is not free from the inefficiencies in the local administrative processes. This points towards a requirement of law-administration and technological skills to be acquired along the new administrative process of decentralization. KILA provides intensive training on these subjects regarding local self-governance from first phase onwards. KILA tries thus to develop the skills and efficiency in the activities for the welfare of the people. The collection of hand books titled Local Governance gives basic idea on these subjects. These handbooks have been prepared through the different levels of deliberations and activities with subject experts and stakeholder. I appreciate Assistant Professor Dr.J.B.Rajan, Associate Professor Dr. Peter M. Raj, and Professor Dr. Sunny George for the academic leadership provided. I also appreciate KILA extension faculty members, Sri. K. Gopalakrishnan, Sri. C. Radhakrishan, Sri. K.V. Anilkumar, Sri. N.P. Venugopal, Sri. Devarajan, Sri. Prathap Singh, Sri.P.K. Jayadevan, Mrs. Geethanjali, Miss. Akhila for the content editing and Sri Siraj Meenatheri for the Logistics help.

**Dr. P.P. Balan**



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## Chapter 1

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### Good Governance - Definitions and Characteristics

---

#### 1.1 Preface

Local Governments, as institutions lying in close proximity with people, have immense scope of addressing their basic needs. People have high expectations on Local Governments. The elected representatives as well as officials of the LSGIs should be able to discharge their functions to the expectation of the people, effectively cater to their needs and ensure social justice. This is possible only through Good governance.

#### 1.2 What is Good Governance?

The word Governance is derived from the Greek word ‘Kubernao’ which means steering. So Good Governance means steering in the right direction. Good governance should be change oriented, result oriented, commitment oriented and ensure public participation. When we speak of good governance we have to consider for whom the governance is good. If it is good for those who govern and bad for those who are governed then it is not good governance. In a democratic system, supreme power rests with the people. Elected representatives and officials are to serve them. If governance is for the betterment of people it is good governance and anything contrary to it is bad governance. The governance which follows the rule of law and is just, effective, efficient, transparent and people-friendly can be termed as good governance. Good governance is possible only by adhering to certain values and principles.

#### 1.3 Principles of Good Governance and Local Governance

The local governance of Kerala is envisaged on the principles of good governance. These principles are discussed below along with the conditions for observing them and the various possibilities it offers.

## **i) Rule of law**

What is expected from ‘Rule of Law’ is to function in accordance with Act and Rules and to enforce justice impartially and effectively. An important principle that every government should follow invariably is the principle of Rule of law. Governance becomes good when all are treated equally before law and law is not violated for anyone. In other words the process of decision making and its implementation should be as per law. For ensuring rule of law

- All decisions taken by the LSGI should be in accordance with the provisions of the Act, Rules and Government Orders.
- Decisions are taken in the meeting of the LSGI and all the decisions should be legal
- All elected representatives are equally accountable and answerable for the decisions taken (Collective decision).
- Decisions should be taken by observing due process of law.
- The officers are bound to ensure that the decisions taken are legal. They shall give proper advice and suggestions for this, in the meeting, as well as in the files.
- Citizens can question any decisions taken illegally before the Ombudsman or Tribunal.

## **ii) Participation**

The basis of good governance is the active participation of all concerned. Citizens must have a role in decision making as well as implementation. Local governance should reflect the spirit of the slogan of “Janakeeyasuthranam”, that is, “Power to the People”. The environment should be conducive for the people to know things, air their opinion, take decision, implement and monitor the implementation. The basis for effective functioning is the full participation of elected representatives, officials and the public. Decisions should be taken and implemented under the supervision and participation of the public. It should also be possible to monitor and critically evaluate the decision and its implementation. When all these aspects are fulfilled it will be Good Governance. There are different forums in the local governance system for ensuring the participation of elected representatives, officials as well as citizens. See Box 1.1.

<b>Box 1.1: Forums for participation</b>		
<b>Elected representatives</b>	<b>Officials</b>	<b>Public</b>
<ul style="list-style-type: none"> <li>- Panchayat Committee Meetings.</li> <li>- Standing Committee Meetings.</li> <li>- Steering committee Meetings.</li> <li>- Development Seminar</li> <li>- Working Group Meetings.</li> <li>- Monitoring Committee</li> <li>- Institutional Committees (PTA, HMC etc.)</li> <li>- GramaSabha/Ward Sabha/Ward Committee.</li> <li>- AyalSabha –A Collective body comprising all the registered voters off 50 to 100 houses contained in a compact area /Ward Vikasana Samithy is constituted in each ward (constituency) of the Panchayat with representatives of Ayal Sabha and other eminent personalities maximum 25 members</li> </ul>	<ul style="list-style-type: none"> <li>- Committee meetings</li> <li>- Standing committee meetings.</li> <li>- Steering Committee meetings.</li> <li>- Development Seminar.</li> <li>- Working Group Meetings.</li> <li>- Monitoring Committee</li> <li>- Institutional Committees (PTA, HMC etc.) - GramaSabha/Ward Sabha/Ward Committee.</li> </ul>	<ul style="list-style-type: none"> <li>- GramaSabha/Ward Sabha/Ward Committee.</li> <li>- Working Groups</li> <li>- Functional committees</li> <li>- Monitoring Committee</li> <li>- Development Seminar</li> <li>- Institutional Committees (PTA, HMC etc.)</li> <li>- Beneficiary committee</li> <li>- AyalSabha / Ward Vikasana Samithy</li> </ul>

Participatory governance will be a reality if all the above committees function effectively and democratically.

### **iii) Transparency**

Transparency is a state where all the activities are visible and carried out with the knowledge of all. Governance without mysteries or intricacies is transparent. People should be able to know and evaluate the administration and the administrators. Proactive disclosure is the mandate of transparency. Right to Information Act, 2005 is the statutory backing for this. Public must have an opportunity to know not only about the policies and programmes but

also acts, rules, process, procedures, norms, eligibilities, activities, responsibilities, strength, weakness, achievements and drawbacks. Right participation engenders transparency and transparency in turn leads to good governance. What steps can be taken for transparency?

- Involve people's committees in administrative and developmental activities.
- Publish Citizen Charter and update it periodically.
- Publish Development document.
- Publish Plan Document
- Install information boards in all institutions.
- Publish beneficiary list(Including in website)
- Publish annual administration report.
- Place Audit report for discussion in Grama Sabha/Ward Sabha.
- Publish details of administrative, developmental and welfare schemes implemented by the LSGI in the website.
- As per RTI Act all documents of the LSGIs are public documents. Hence give them to any citizen whoever demands without any reluctance.
- Printed copies of draft project proposals as well as draft Plan document should be circulated in the Grama Sabha/Ward Sabha and development seminar respectively for detailed discussion.
- List of beneficiaries of various schemes should be circulated in the Grama Sahba/Ward Sabha and published in the Sevagram Grama/Ward kendras and website.

#### **iv) Efficiency**

Right decisions should be taken at the right time and time bound implementation of it utilising the resources effectively is the mark of efficiency. Effective implementation of decisions is a hallmark of efficiency. Inefficiency in administration causes hardships to the public. In such situation Nothing will work out at the right time in the right manner. High efficiency is an evidence of good governance. In order to ensure efficiency:

- Observe rules and procedures in the meeting of the LSGIs in taking proper decisions.

- Enforce ‘Control over officers’ rules if needed for the ensuring services of the officers, to improve efficiency in administration
- Implement Total Quality Management for ensuring effective functioning and quality in service delivery.
- Ensure delivery of service to the public as envisaged in Right to Service Act and rules

#### **v) Equity**

Equity is ensuring justice in rights, opportunities and benefits. If administration and development are to satisfy the element of social justice, it must be inclusive and rendering equal opportunity to all. Services and benefits should be made available on the basis of eligibility and justice. Equity will be a mirage when administration resorts to injustice, violates law and assumes partiality and sectarian approach. How can equity be possible?

- Organise special Grama Sabha/Ward Sabha/Orukuttoms for marginalised sections of the society (eg. SC/ST, destitute, physically and mentally challenged, women, aged, habitual fisherman etc). During plan formulation take their suggestions also into consideration.
- Formulate SCSP, TSP, WCP and Schemes for Special sections in a scientific manner.

#### **vi) Accountability**

In the mobilisation and utilisation of public funds administrators are accountable to the people and they have the obligation to convince the rationale of their actions. Administrative, developmental as well as welfare schemes are brought out by spending public money for the benefit of the people. And hence they are accountable to the people. To fulfil accountability:

- Discharge the mandatory functions of the Panchayat/Urban local body without fail.
- Give opportunity to the people to take decisions and allow them to do so.
- Report the rationale behind every decision taken by the LSGI to the Grama Sabha/ Wards Sabha and convince them the reason for not implementing any of their decisions.

- Appraise the receipt and expenditure Submit Audit reports and beneficiary list to the Grama/Ward Sabha. Print and publish these documents.
- Deliver service as per Right to Service Act and Citizen Charter.

### **vii) Responsiveness**

Responsiveness implies acknowledging the demands, suggestions and opinions of the people positively and timely (including any protest) and functioning in consonance with them. The governance that meets the aspirations of the people is Good governance. Whenever any pitfalls or shortcomings in administration or development are pointed out by the people the administration should respond to it positively. Defects pointed out should also be rectified. To ensure responsiveness:

- Provisions for taking decisions in tune with the response of the people and convincing it to them are incorporated in the Act. Observe them.
- Non-adherence of these provisions can be questioned in the public forums such as Grama Sabha/Ward Sabha. Complaints may be lodged before Ombudsman or similar forum. The possibilities of enactments such as RTI and RTS can be explored. Peoples' organisations should also make use of such possibilities.

### **viii) Consensus**

Consensus is the convergence of different opinions. Individuals and groups may have their own views and suggestions depending upon their knowledge, experience, needs and problems. We must be able to consider all of them and arrive at a common decision by consensus. It becomes easy if we proceed by the rule of law and accepted norms. For consensus:

- Matters that infringe public interest, even if it is lawful, may be discussed with the people and a generally acceptable decision arrived at through consensus.
- Refrain from doing things of mass dissent.
- Discuss invariably all administrative, developmental and welfare schemes of the local government in forums such as Ayal Sabha, Ward Viksana Samithy, Grama Sabha and Ward Sabha.



## Chapter 2

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### Systems for Good Governance

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#### 2.1 Committees

- Participatory and collective administration is the hallmark of decentralisation of power. Various committees vested with the power to take decisions and to implement them effectively should function actively.
- Individuals (either elected representative or official) taking unilateral and discretionary decisions and implementing it, even though, with good intention should be avoided. Decision making process should be through Panchayat Committees/ Council, Steering Committees, Standing Committees, Grama Sabha/Ward Sabha, Ward Committee, sub committees, Institutional management Committees etc based on the principle of collective responsibility. Even though decisions are taken in the Committees it will not be effective if the Committees are ineffective, dormant and lack the participation of those who are supposed to participate. Therefore the Committees should be made vibrant, active, participatory and effective. This is the responsibility of the elected representatives.

#### 2.2 People's Platforms for Planning

- By effectively harnessing various forums envisaged in Janakeeyasuthranam people participation in planning and implementation can be boosted. Working Groups, Stakeholders, Grama Sabhas/ Ward Sabhas, Development Seminar etc. are the platforms for this.
- Administrative as well as developmental activities can be made effective by mobilising Institutional management committees, PTAs, Padasekhara Samithies, Residents Associations, Anganwadi Welfare Committees, Beneficiary Committees, Neighbourhood groups, Area Development Society, Community Development Society, Service organisations, Trade Unions, Clubs, Libraries etc.

### **2.3 Friends *Jana Sevena Kendras***

Through the effective functioning of Friend's Jana Sevena Kendras the service from Municipality/Municipal Corporation can be delivered in a speedy and better way.

### **2.4 Audits**

- Various systems of audit are in place to assess, in the light of relevant records, whether an LSGI has discharged its functions in an effective, efficient and legal manner and rule of law, accountability and efficiency are achieved.
  - ◆ Audit by Finance Standing Committee.
  - ◆ Audit by Performance Audit wing of the LSG Department
  - ◆ Audit by Kerala State Audit Department.
  - ◆ Audit by Accountant General.
  - ◆ Social Audit.
- As per Sec 162(a) of the Kerala Panchayat Raj Act and Sec. 22 (a) of the Kerala Municipality Act it is the function of the Finance Standing Committee to audit the accounts of an LSGI.
- Performance audit is also helpful in correcting defects then and there.
- Audit Rules stipulate convening of a special meeting of the LSGI, to discuss the report of audit conducted by the Kerala State Audit Department (former Local Fund Audit), within one month of its receipt.
- If the Finance Standing Committee as well as the Panchayat/Municipal council takes pain to peruse the audit report and take timely corrective measures, the recurrence of defects in future can be avoided.
- The audit with direct participation of the people by making use of the Grama Sabha/Ward Sabha/ Ward Committee is known as Social Audit. Social Audit will give an insight to peoples' assessment of the administration.

### **2.5 Institutional Management Committees**

Institutional Management systems are the need of the day for the democratic functioning of the various institutions of the LSGIs. For proper maintenance of the institutions under the

control of the LSGIs, Institutional Management Committees consisting of not more than 15 members may be constituted comprising of elected representatives, officials, political party workers, experts in various fields, voluntary workers, ADS representatives, beneficiaries etc.

<b>Box 2.1: Managing Committees</b>
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Hospital Management Committees in hospitals, PTAs in Schools, Welfare Committees in Anganwadis.
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## **2.6 Sevagram Grama Kendras/ Ward Kendras**

Sevagram Grama Kendras / Ward Kendras are envisaged to provide services to the people at arm's length who due to geographical as well as professional constraints find it difficult to reach the Panchayat/Municipal offices and are convenient gateways for discharging civic duties such as payment of taxes and obtaining information. Access to more and more services can be ensured at these centres if online connectivity between them is established with the institutions of local body. Government have issued guidelines for the functioning of Sevagram Grama/Ward Kendras vide G.O(MS) 112/2014/LSGD dated 25/06/2014. It is the responsibility of the elected representatives to make the Grama/Ward Kendras function as instructed in this order.

## **2.7 Extension Services**

Only by strengthening the extension services, the functions vested with the LSGIs can be properly discharged. The benefit of good governance reaches the people mainly through extension system. In order to bring about sustainable changes in the life of the people through various services of the LSGIs, the officials of the LSGIs should transform themselves as extension workers. The local governments will have their influence on Health, Agriculture, Social welfare, Rural development as well as Industrial sectors only when the officials of these sectors especially field level officers (such as Agricultural Officer, Agriculture assistant, Veterinary Surgeon, VEO, Industries extension Officer, Tribal extension Officer, Dairy extension Officer, HI, Public health nurse, Junior health nurse, JPHN, ICDS Supervisor etc) function as extension officers. It is the duty of the elected representatives to provide suitable environment and circumstances conducive for this. If the elected representatives effectively discharge this duty the local governance will reach the people.

## **2.8 E-governance**

Effective utilisation of the possibilities of e-governance can lead to good governance. By the use of computers and other Information communication technologies the functions and services of LSGIs can be delivered at the door steps without delay in an effective and transparent manner. E-governance opens up a wide spectrum of opportunities. (Details of e-governance are given in Chapter 3).

## **2.9 Total Quality Management (TQM)**

Total Quality Management is a management tool for the delivery of quality services as per the expectation of the people in a lawful manner. TQM encapsulates almost all the principles of good governance. Effective and efficient management of the institution shall guarantee quality. (For details see Hand book No.3).

## **2.10 Right to Information Act, 2005**

Right to Information Act, 2005 provides right to citizen to access information under the custody of a public authority with a view to make administration transparent and responsive. Right to information to every citizen is a powerful tool for good governance. The Act was promulgated with the objective of a transparent administration. (The details of this Act and its salient features, which aim at ensuring good governance, are narrated in Chapter 4).

## **2.11 Right to Service Act, 2012**

The Right to Service Act passed by the State legislature in 2012 guarantees the right of the citizen to obtain every service rendered by every department of government, every local self government institution or every statutory body within the stipulated time. It aims at equity in service delivery. With this enactment, it became the bounden duty of every local self government institution to provide services within the stipulated time. (Details of this Act are given in Chapter5).

## Chapter 3

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### E-Governance

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#### 3.1 Significance

E-Governance is being used nowadays in a very effective manner to boost the efficiency of local governance and for providing hassle-free civic services. This is made possible through the fruitful usage of Information Communication Technology. Participation and active interface of the community is inevitable for effective e-governance. Usage of internet, websites and technology enabled information providers are important factors in this.

#### 3.2 E-Governance - Implementation

Before implementing any e-governance programme a favourable atmosphere should be created in the institution. The capability of the employees for handling the new technology should be ensured by imparting training to all members of staff. The following points should also be borne in mind:

##### 3.2.1 Self confidence to adapt the change

Resistance against any change from the conventional method is quite natural. The elected representatives as well as officials should have the self-confidence to tide over such hurdles and to migrate to the new system.

##### 3.2.2 High political backing

For implementing e-governance the prevalent methodologies are to be re-oriented. The political leadership of the LSGI should be prepared to acknowledge the issues involved in this and to perceive the possible resultant benefits to the people. All elected representatives should be of the view that modern infrastructure facilities and training are inevitable to bring about e-governance.

### **3.2.3 Awareness**

While implementing e-governance in LSGIs all necessary information regarding the procedures, electronic transaction methods etc. should be made available to the public. Awareness on this should be given to the people.

### **3.2.4 Training**

The elected representatives and officials of LSGIs should be given proper training.

### **3.2.5 Information in Web site**

All LSGIs have their own websites at present. The information in the website should be updated periodically. By providing all the information of the institutions of the LSGIs in the website and it should be transformed as an important media.

### **3.2.6 Online Administration**

- The data on Birth/Death/Marriage registration, Property Tax, Social security Pensions, file status of the LSGIs etc is now available in the Web site. This should be made known to the public.
- More and more services should be made available online by strengthening e-mail, e-filing, e-payment etc.

### **3.2.7 Token System and Touch Screen**

Maintaining priority in service delivery is an integral part of social justice. Token system as well as touch screen which are the components of e-governance will help the service needs of both privileged as well as marginalised sections of the society strictly on priority basis without any discrimination and should disclose the stage of action on each request or application without any intermediary and even without approaching the office.

## **3.3 e-Governance and IKM application software**

IKM was constituted by the State Government for implementing e-governance in LSGIs. IKM has developed various application software for electronically discharging the administration work (Accounting, Public Works, Meeting proceedings etc.) of the LSGIs. (A brief description of the software so far developed is given in Box. 3.1.

<b>Box 3.1: Software in Brief</b>		
<b>Sl. No.</b>	<b>Software</b>	<b>Purpose</b>
1.	Sulekha	Plan formulation, approval, implementation, monitoring, fund allocation, utilisation.
2.	Sevana(Civil Registration)	Registration of Birth/Death/Marriage and issuing of certificates.
3.	Sevana(Pension)	Giving aid to destitute through Social security pensions, various social welfare schemes etc.
4.	Sanchita	Panchayat Raj-Municipal Acts, Rules, G.Os etc.
5.	Sanchaya	For handling various revenues such as Property tax, Profession tax, D&O licences, Rent on land & Buildings etc.
6.	Sachithra	For the preparation of the Map suite of the LSGIs comprising of Cadastral map, Ward map etc.
7.	Samoohya	For maintaining the data bank comprising of Social and economic data.
8.	Sankhya	Double entry accounting based on accrual system
9.	Sthapana	For establishment matters.
10.	Subhadra	For Budgeting and financial management.
11.	Soochika	Office management of the LSGIs
12.	Sugama	For preparing the estimates for public works.
13.	Sanketham	For giving building permits.
14.	Sakarma	Information Communication package for the decisions of Panchayat/Municipal council, Standing Committees, Steering Committees etc.
15.	Samveditha	To get the websites of the LSGIs
16.	Saphalya *	For local man power management.
17.	Sujala	For water supply

\*Under preparation, incomplete.

### **3.4 For Effective Administration**

E-governance is helpful in making the local governance system more effective and transparent.

Points to be considered:

- (i) Evaluate the efficiency of the software so far deployed.
- (ii) Find out those not so far deployed and the reason for this.

- (iii) Arrange necessary infrastructure facilities at the LSGIs for deploying all application software. (Building, electric connection, Computers, Computer allied equipments etc.
- (iv) Arrange technical training to the staff so as to make them capable of using the software effectively. Elected representatives also should acquire basic knowledge of software.



## Chapter 4

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### Right to Information Act, 2005

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#### 4.1 Brief history

In the democratic system citizens right to information is the important factor that ensures a transparent and responsible administration. People, as supreme authority, have the right and responsibility to closely observe and monitor the functions of Government and to question and correct them if circumstances so demands. To discharge this duty there ought to be a system to know what is happening at the administrative level. Efforts to establish this right legally started long back. The Supreme Court in a landmark judgement has categorically interpreted that the fundamental right to free speech and expression guaranteed by the Constitution includes right to information as well. (Supreme Court, 1986 Kulwal Jaipur vs Municipal Corporation). Freedom of Information Bill, 2000 is the first step towards the right to information. After repeated deliberations and modifications the effort became fruitful in 2005. The Act passed by the Parliament on 11<sup>th</sup> May, 2005 got the assent of the President on 15<sup>th</sup> June, 2005. The Act came into force on 12<sup>th</sup> October, 2005 in full shape.

<b>Box 4.1 Right to information</b>
Right to Information means the right of the citizen to obtain information held by or under the control of any public authority. Right to information Act, 2005 guarantees this right to the citizen. This Act is a powerful tool for the efficiency of democracy and to contain corruption.

Even before this, the LSGIs in Kerala had already taken steps towards right to information. Consequent on the amendments made to the Panchayat Raj/ Municipality Act in 1999 all the documents and records of LSGIs, except notified documents, were declared as public documents (Sec. 271 A to 271E of the KPR Act/Sec. 571 of the KM Act). Every person bonafide requiring any information shall have the right to get such information in accordance

with the procedure prescribed. This provision was included in the Act with the objective of making the administration of the LSGI transparent. With the Right to Information Act, 2005 coming into force, providing official records to the public became the responsibility of all public authorities. Citizen's right to information as well as the obligation of the public authorities to provide the information were guaranteed by the Act.

#### **4.2 Objectives**

- (i) Make the information held by the public authority accessible to the public.
- (ii) Make the functions of the public authority more transparent and accountable.
- (iii) To make the process of providing information a legal obligation.
- (iv) To cast away the cloud of secrecy in administration.

#### **4.3 Who is a Public Authority?**

- Any authority or body or institution or self-government established or constituted by or under the Constitution.
- Institutions established by or under any other law made by the Parliament or State legislature or notification issued by the appropriate government.
- Body owned, controlled or substantially financed by the Government.
- Non-government organisation substantially financed directly or indirectly by the appropriate government.

#### **4.4 Obligations of Public Authority**

As per Right to Information Act, 2005 all citizens shall have the right to information (Sec. 3). For this every public authority shall

- Maintain all records duly catalogued and indexed in a manner which facilitates the right to information. All records that are appropriate to be computerised are, within a reasonable time and subject to availability of resources, computerised and connected through a network all over the country.
- A public authority shall publish:
  - (i) The particulars of its organisation, functions and duties
  - (ii) The powers and duties of its officers and employees

- (iii) The procedure followed in decision making process( including channels of supervision and accountability)
- (iv) The norms set for the discharge of its functions.
- (v) The rules, regulations, instructions, manuals, and records used by the employees for discharging functions.
- (vi) A statement of the categories of documents that are held by it or under its control.
- (vii) The particulars of any arrangement for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof
- (viii) A statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part; and as to whether meetings of those boards, councils, committees or other bodies are open to public, or the minutes of such meetings are accessible to the public.
- (ix) A directory of its officers and employees.
- (x) The monthly remuneration and other perquisites received by its officers and employees.
- (xi) The budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditure and reports on disbursements.
- (xii) The details of subsidy programmes and the manner of its execution (including the amounts allotted and the details of beneficiaries).
- (xiii) Particulars of recipients of concessions, permits, or authorisations granted.
- (xiv) Details in respect of the information available to or held by it, converted to electronic form.
- (xv) The particulars of facilities available to the citizen for obtaining information( including the working hours of a library or reading room if maintained).
- (xvi) The names, designations and other particulars of the Public Information Officers.

- (xvii) Such other information as may be prescribed and thereafter update these publications every year.
- While formulating important policies or announcing the decisions which affect public the relevant facts shall be published and the reasons for the decisions shall be provided to the affected persons.

#### 4.5 Information

The details of information that a public authority is bound to give to a citizen as per Right to Information Act are given in Box 4.2.

<b>Box 4.2: Information</b>
<ul style="list-style-type: none"><li>• Records.</li><li>• Memos</li><li>• E-mail</li><li>• Opinions</li><li>• Advices</li><li>• Press releases</li><li>• Circulars</li><li>• Orders</li><li>• Logbooks</li><li>• Contracts</li><li>• Reports</li><li>• Papers</li><li>• Samples, models</li><li>• Data in electronic form</li><li>• Information relating to any private body which can be accessed by the public authority under any law.</li></ul>

#### 4.6 How information can be obtained?

1. Copies of records or documents can be obtained by making a request.
  - (i) May inspect works ,documents or records.
  - (ii) Take notes, extracts or certified copies of documents or records.
  - (iii) Take certified samples of materials.

#### **4.7 Proactive Disclosure**

It shall be a constant endeavour of every public authority to take steps to provide as much information suo moto to the public at regular intervals. Various media such as internet can be used for this [Sec. 4(2)]. The intention of this is to provide a system by which public have minimum resort to the use of the Act to obtain the information.

#### **4.8 Dissemination of Information**

- All information should be widely disseminated in such form and manner which is easily accessible to the public.
- All materials shall be disseminated taking into consideration the cost effectiveness, local language and the most effective method of communication and should be easily accessible.
- Public Information Officer/Asst. Public Information Officer shall make available such information in electronic format. It shall be made available either free of cost or by realising actual cost.
- Notice boards, news papers, public announcements, media broadcasts, internet etc. can be made use of for the dissemination of information.
- Development paper (Vikasanarekha), Plan document, Citizen Charter, beneficiary lists, projects, estimates, accounts, audit reports etc. may be made available online.

#### **4.9 Officers authorised to provide information**

It shall be the duty of the Public Information Officer to deal with the requests seeking information and render reasonable assistance to the persons seeking such information. S/he may seek the assistance of any officer as he or she considers necessary for the proper discharge of his or her duties. Public Information Officers and Asst. Public Information Officers are designated in each and every LSGI. See Box 4.3.

<b>Box 4.3: Public Information Officers and Asst. Public Information Officers of the LSGIs.</b>		
<b>LSGI</b>	<b>Public Information Officer</b>	<b>Asst. Public Information Officer</b>
Grama Panchayat	Secretary	J.S/Head Clerk.
Block Panchayat	B.D.O	Head Clerk
District Panchayat	Finance Officer	Junior Supdt.
Municipality	Concerned Section Officers	Junior Supdts of the concerned section.
Municipal Corporation	Concerned Section Officers	Junior Supdt.

#### **4.10 Providing Information**

A person who desires to obtain any information shall make a request in writing or through electronic means (e-mail) specifying the particulars of the information sought for. Application accompanying prescribed fees shall be made to the following officers:

- (a) Central Public Information Officers/ State Public Information Officers.
- (b) Central Assistant Public Information Officers/ State Assistant Public Information Officers.

*(Concerned officers shall render reasonable assistance to the person making the request orally to reduce the same in writing)*

<b>Box 4.4 Limit for Questions</b>
Questions shall be limited to the maximum of 500 words excluding name and address of the applicant. ( RTI Rules 2012 dated 31/7/2012)

The salient feature of this Act is that the applicant shall not give any reason for requesting the information. Details of information required and details necessary for contacting him need alone be furnished.

#### **4.11 Time limit for providing information**

The time limit for providing information is given in Box 4.5

<b>Box 4.5: Right to Information-time limit at a glance</b>		
1	Providing the information sought for*	Within 30 days
	Information concerning the life or liberty of a person	Within 48 hours
2	Third party information	
	Written notice to third party	Within 5 days
	Representation of third party to P.I.O	Within 10 days
	Disclosure of information by the P.I.O	Within 40 days
3	Information from the Organisations specified in the 2 <sup>nd</sup> Schedule of the Act.	
	Information pertaining to violation of human rights	Within 45 days
	Information pertaining to the allegations of corruption	Within 30 days
4	Appeal-filing of	
	-First appeal(appellate authority)	Within 30 days
	-second appeal (Information commission)	Within 90 days
5	Disposal of appeal	
	-first appeal	
	• In ordinary case	Within 30 days
	• For sufficient reasons	Within 45 days
	Second appeal	Time limit not prescribed.

\* (1) In the case of requests made through Asst. Public Information Officer an extended time of 5 days may be granted.

(2) When intimation for payment of further fee is given, the period intervening between the despatch of the intimation and payment of fees shall be excluded in calculating time limit.

#### **4.12 Fee for providing information**

The fee prescribed by the State Government for providing information is given in Box 4.6.

<b>Box 4.6 Fee for providing information (in the State of Kerala)</b>	
<b>Particulars</b>	<b>Amount (in Rupees)</b>
1. Application fee	10/-
2. Fee for providing information	
• Each page in A4 size paper	2/-
• Larger size paper	Actual cost.
• Samples and model	Actual cost
• In diskettes or floppy (each)	50/-
3. Inspection of records	
• For the first hour	No fee
• Subsequent 30 minutes each	10/- each

As per Kerala Right to Information (Regulation of fee and cost) Amendment Rules, 2015 for providing information up to 20 pages in A4 size paper no fee shall be charged from persons belonging to BPL . Documents to be produced to prove that the applicant belongs to BPL:

1. *Those residing in rural area shall produce a certificate either from the Secretary of the Grama Panchayat or from the Block Development Officer (G.O (Ms) 145/2014/lsgd dated 13/08/2014).*
2. *Applicants of Municipal/Municipal Corporation area shall produce a certificate from the Secretary of the Municipality/Municipal Corporation(G.O(Ms) 41/2008/lsgd dated 14/02/2008).*

<b>Box 4.7: Mode of remittance of Application fee</b>
<ul style="list-style-type: none"> <li>• Fee can be remitted at the office of the State Public Information Officer/Asst. State Public Information Officer on proper receipt.</li> <li>• May be paid to the State Public Information Officer/Asst. State Public Information Officer by D.D/Bankers Cheque/Pay order/e-payment</li> </ul>
<b>Mode of remittance of fee for information</b>
<ul style="list-style-type: none"> <li>• In Cash on proper receipt</li> <li>• To the State Public Information Officer by D.D/Bankers Cheque/Pay order/e-payment.</li> </ul>



#### **4.13 Delay and providing information free of charge**

Information shall be provided free of charge where a public authority fails to comply with the time limits specified.

#### **4.14 Form in which Information to be provided**

Information shall ordinarily be provided in the form in which it is sought for unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question.

#### **4.15 Disposal of the request**

The request seeking information shall be disposed off within 30 days of its receipt by the Central/State Public Information Officer. Within this period, information shall either be provided by charging the required fee or rejected for any of the reasons provided in the Act. [Sec. 7(1)]. Where the information sought for concerns the life or liberty of a person, the same shall be provided within forty-eight hours of the receipt of the request. (eg. Arrest etc.)

#### **4.16**

If any of the State/Central Public Information Officer reject the application with out reason or does not give the information in time or knowingly give false information or distory the documents to deny the information, or in any way obstruct the release of the informaton, He/She may have to give a fine of Rs. 250/- per day (maximum 25000/-) and disciplinary action also will be initiated against the erring official (Section 20(1) of RTI Act).

#### **4.17 Items exempted from disclosure**

Under certain special circumstances the public authorities are exempted from the obligation of disclosing information.

1. Details that would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interest of the State or lead to the incitement of an offence.
2. Information forbidden to be published by any court of law/tribunal or the disclosure of which may constitute contempt of court.
3. Information, the disclosure of which would cause a breach of privilege of Parliament or State Legislature.

4. Commercial confidence, trade secrets or intellectual property the disclosure of which would harm the competitive position of third party. (*If the public authority is satisfied that it is for public welfares/he is bound to disclose such information*)
5. Information available to a person in his fiduciary relationship. (*If the public authority is satisfied that it is for public welfare s/he is bound to disclose such information* )
6. Information received in confidence from foreign Government.
7. Information, the disclosure of which would endanger the life or physical safety of any person.
8. Information that would impede the process of investigation or apprehension or prosecution of offenders.
9. Cabinet papers including the records of deliberations of the Council of Ministers, Secretaries and other officers. (*such details shall be made public after taking decisions and the matter is complete*)
10. Information which would cause unwarranted invasion in the privacy of the individual and has no relationship with any public interest.

#### **4.18 Appellate Authority**

Any person who does not receive a decision within the prescribed time limit or is aggrieved by a decision of the Central/State Public Information Officer may file an appeal to such officer who is senior in rank within 30 days. (If there is sufficient cause appeal filed after the time limit shall also be admitted). The conditions regarding appeal are given in Box 4.8.

#### **Box 4.8: Conditions of Appeal**

- Where the appeal is preferred against the order made by a Central/State Public Information Officer regarding disclosure of third party information the appeal by the concerned third party shall be made within thirty days (Sec. 19(2))
- If the appeal preferred relates to the decision of the Central/State Public Information Officer regarding the information of a third party reasonable opportunity of being heard shall be given to the third party. [Sec. 19(2)]
- In the appeal proceedings, the onus to prove that the denial of request is justified shall be on the Public Information Officer who denied the request. [Sec. 19(2)]
- The appeal shall be disposed off within thirty days or such extended period not exceeding forty five days for reasons to be recorded. [Sec. 19(2)]
- The decision of the Central/State Information Commission shall be binding. [Sec. 19(2)]



## Chapter 5

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### Right to Service Act, 2012

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#### 5.1 Right to Service

The Kerala (Right to Service) Act, 2012 passed by the State Legislature was published in the official gazette by the Law Department on 6<sup>th</sup> August, 2012. (No 13450/leg/B1/2012/law dated 06/08/2012). This Act is to provide for the delivery of services to the general public within the stipulated time. Every citizen shall have the right to obtain the services notified by every department of Government or Local self-Government Institution under Sec. 3 of the Act within the stipulated time. Subsequently Kerala Right to Service Rules, 2012 have also been promulgated vide G.O (P) 56/2012/P&ARD dated 27/10/2012.

#### 5.2 Service-meaning

‘Service’ as defined in the Act means any service to be provided under any provisions of law for the time being in force or as per Government orders issued from time to time, to the general public by or under any department of the Government or by a LSGI or by a State public sector undertaking or by a statutory body.

#### 5.3 Service-if not received?

As per Right to Service Act, 2012 getting service within the stipulated time is the right of a citizen. If this right is denied the citizen has the opportunity of filing two appeals. A fine not less than five hundred rupees and not more than five thousand rupees may be imposed on the designated officer if he fails to provide the service within the stipulated time/has not rejected the request within the stipulated time on sufficient and reasonable cause. For the delay in providing the service within the stipulated time a fine of two hundred and fifty rupees per day (not exceeding five thousand rupees) may also be imposed. Besides, disciplinary action may be initiated against the designated officer.

## **5.4 Services from the LSGIs**

In the case of Grama Panchayats, the Director of Panchayats has notified 16 services under the Right to Service Act (No. G2-31289/2013 dated 26/04/2013). Similarly the services rendered by the urban local bodies are also notified by the Director of Urban Affairs (Order No. A3-11252/2012 dated 27/04/2013). Details regarding the services of the Grama Panchayat/Municipality, stipulated time, designated officer, first and second appeal authorities etc. can be gathered from the above notifications.

## **5.5 Receiving requests for services**

Whenever applications for services are received at the front office, the officer in charge should verify and ensure the completeness of the request with the help of a Check list. (for this purpose, the details of all documents that are required to be enclosed with the application for receiving service and the forms appended to these rules shall be exhibited on the notice board). If the application is complete it shall be entered in the Register in Form IV and an acknowledgement in Form I prescribed under the Right to Service Rules, 2012 shall be issued. The date of delivery of service shall also be specified in the receipt as stipulated in the Front Office guidelines.

Even if any document required for providing the service has not been enclosed with the application it shall be entered in the Register and an acknowledgement in Form I shall be given. In such cases the details of such documents and the fact that the stipulated time for giving the service shall start only from the date of receipt of the document shall be clearly specified in the acknowledgement. As and when the required documents are produced, the date of delivery of service shall be entered in the Register and in the acknowledgement.

## **5.6 Appeal**

Any person who does not receive the required service within the stipulated time or whose application is rejected may file an appeal to the first appellate authority. A person aggrieved by the decision of the first appellate authority may prefer an appeal to the second appellate authority.

In the case of services not covered by the notification under the Right to Service Act, appeal against the decision of the Secretary shall be directed to the Panchayat/Municipality governing body and against the decision of the local body, to the Tribunal for Local Self Government Institutions.

## Chapter 6

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# Grievance Redressal

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### 6.1 Complaints

The complaints commonly raised by the general public are:

- Those against the institutions, officials and service providers related to the administration, developmental and welfare measures.
- Those originating from the allegations, displeasure or apprehension in connection with the administration of the LSGIs.
- Those highlighted by media or those referred or suo moto considered by the grievance redressing mechanisms.

### 6.2 Grievance Redressal Mechanism

There should be a transparent, democratic and effective mechanism in every institution of the LSGI as well as at the LSGI level where the citizen can lodge their complaints on the functioning of the institutions of the LSGI and the services received from there, its administration and the disputes requiring public intervention and get such complaints redressed. This will help to escalate the efficiency of public administration to a great extent.

A well structured grievance redressing system, to hear the complaints arising during the course of administration and welfare functions, is a sine qua non for responsive governance. This will help a long way in strengthening the faith of the people in LSGIs.

### 6.3 Receiving Complaints - Compliant/Suggestion Boxes

A compliant/suggestion box shall be placed at a conspicuous place in all the institutions of the LSGI for receiving complaints from the public. This box shall be opened on a fixed day by the head of office in the presence of an authorised elected representative and details of

complaints received shall be entered in the Complaint Register kept at the office. Complaints and suggestions received by post or through telephone shall also be entered in this register.

#### **6.4 Redressing the complaints - at the LSGI level**

In every LSGI there shall be a grievance redress cell at the LSGI level. The President of the LSGI shall be its Chairman, Secretary its convenor and all the heads of offices its members. This Cell shall deal with all the complaints relating to the LSGI, the institutions of LSGI and its officers and shall take corrective steps. Complaints that can be settled at the LSGI level shall be discussed and settled there and those relating to the institutions of LSGI shall be transferred to the cell at the concerned institution level for remedial measures. Details regarding the action taken/remedied complaints shall be intimated to the complainant.

Complaints received at the institutions of the LSGI shall be examined by the institution level cell and remedial measures taken. Complaints that cannot be settled there shall be referred to the LSGI.

#### **6.5 Ombudsman for the LSGIs**

##### **6.5.1 Ombudsman - meaning**

Ombudsman is a free and fair quasi-judicial body to hear and take decisions on complaints. The Structure, Status and functions of the Ombudsman are stipulated in Sections 271 F to 271 R of the Kerala Panchayat Raj, Act. In addition to this, Rules are also in force. [Ombudsman for Local Self Government Institutions (Inquiry of complaints and service conditions) Rules, 1999].

The function of the Ombudsman is to investigate any allegation of corruption, maladministration or irregularities in the discharge of administrative functions by the LSGIs and the public servants working under them (Elected representatives and Officers of the institutions of LSGIs) and to dispose such complaints or suggest practical solutions. Complaints regarding taxation will not generally be entertained by the ombudsman, instead it will be considered by the tribunal for Local Self Government.

##### **6.5.2- Grounds for lodging complaints**

The grounds for lodging complaints are given in Box 6.1.



**Box 6.1: Grounds for lodging compliant to Ombudsman**

- if the public servant has abused his position for any gain or favour to himself or to any other person or to cause undue harm or hardship to any other person.
- if public servant actuated in the discharge of his functions by personal interest or improper or corrupt motives.
- if public servant is guilty of corruption, favouritism, nepotism or lack of integrity.
- if guilty of any action as public servant which facilitates or causes to make any loss, waste or misapplication of money or other property of the LSGI.
- if Local Self Government Institution has defaulted or acted in excess of its powers in the discharge of its functions imposed on it by law.
- if Any action which is unreasonable, unjust, oppressive, discriminatory or nepotic and will make illegitimate gain or loss or will deny deserving benefits.
- on wilful negligence or delay in taking and implementing decisions.
- if action leading to loss or waste or misuse of fund.

**6.5.3 Manner of filing compliant**

- Any citizen, officer or political/social worker can lodge a complaint.
- On the basis of any information received either through media or directly, the Ombudsman can investigate into any allegation *suo moto* and take action.
- For filing complaints a format is prescribed in Rule 7 of the Ombudsman rules. However complaint can be filed other than in this format giving all details. The name and address of the respondent should be given in the complaint and a court fee stamp worth Rupees Ten shall also be affixed on the complaint.
- Ombudsman can utilise the service of any investigating officer of the State Police department under the control of D.I.G of Police. In special cases, Ombudsman can also seek the service of any technical expert, if found necessary.

<b>Box 6.2: Address of Ombudsman</b>
Ombudsman for Local Self Government Institutions, 'Saphalyam Complex, 3 <sup>rd</sup> Floor, TRIDA Building, Palayam, Thiruvananthapuram -34

#### **6.5.4 Functions and powers of Ombudsman**

The powers and functions of Ombudsman includes investigation into any allegation contained in a complaint, enquiring any complaint, passing orders on the allegation and realising loss with fine from those responsible for the irregularity.

### **6.6 Tribunal for Local Self Government Institutions**

#### **6.6.1 Tribunal for Local Self Government Institutions- Objective:**

Tribunal is the body constituted for considering and disposing the appeal or revision filed against the administrative and regulatory decisions of the Local Self Government Institutions. (Sections 271 S to 271 U of the Kerala Panchayat Raj Act deals with the Tribunal).

#### **6.6.2 Grounds for Appeal/Revision**

An appeal against the decisions of the Secretaries of the LSGI in all matters other than taxation shall in the first instance lie to the LSGI. In the case of taxes the first appellate authority is the Standing Committee for Finance. (Standing Committee for Taxation & Appeal in Municipal corporations). In respect of the 24 items given below, which is enumerated under Rule 8 of the Tribunal Rules, an appeal or revision may be filed before the Tribunal against the decision taken/not taken within the prescribed time limit by the Panchayat or Municipality or its Standing Committee.

1. Assessment, demand and collection of tax, fee or cess (second appeal/revision).
2. Issue of permission and licence for trade, factories, industries, markets and other institutions.
3. Registration of private hospitals, paramedical institutions and tutorial institutions.
4. Water supply in Local Self Government areas.
5. Providing lamps in the public streets of the Local Self Government areas.
6. Construction and maintenance of sewerage in the Local Self Government areas.

7. Action against private latrines which are a hindrance to the management of public comfort stations in the Local Self Government areas.
8. Removal and processing of rubbish, solid waste and filth in the Local Self Government areas.
9. Regulation of fairs and festivals; levying of contribution for doing sanitation works from those who conduct the fairs.
10. Maintenance of public streets and prevention of encroachment.
11. Protection of public places.
12. Regulation of building construction.
13. Protection of puramboke land.
14. Action against projections, trees and places which are dangerous or which cause nuisance; action against dangerous ponds, wells and ditches; action against dangerous quarrying.
15. Action against pond, ditch, well, tank, water course, marshy land, sewerage, cess pool etc. which are the source of nuisance.
16. Controlling the agriculture and the use of pesticides that are injurious to public health.
17. Protection of public water reservoirs.
18. Prohibition of animal rearing that cause nuisance to others.
19. Control over slaughter houses, action against unauthorised slaughtering.
20. Management of markets, collection of fees and prohibition of sale of goods in public streets.
21. Licences for vehicle parking and for unloading places etc.
22. Licence for hotels, prohibiting the sale of food materials dangerous to health and destroying the same.
23. Licence for burial grounds.
24. Taking steps against the spread of dangerous diseases.

A fee of rupees fifty shall be remitted at the Tribunal or produced along with the appeal by demand draft.

**Box 6.3: Address for sending petition**

Tribunal for Local Self Government Institutions,  
Sreemulam Building, Court complex,  
Vanchiyur, Thiruvananthapuram.

### **6.6.3 Powers of the Tribunal**

Tribunal shall have the powers for summoning and enforcing the attendance of any person, examining them on oath, demanding the production of any document as evidence, appointing commissions for the examination of witnesses and issuing orders recording its decision on the petition. The Tribunal may also issue order to stay any decision taken by the LSGI/ Standing Committee, give suitable directions or advices, or direct to reconsider the issue, or to modify it.

## **6.7 Jagratha Samithi**

### **6.7.1 What is Jagratha Samithi?**

Jagratha Samithi is the system to ensure the security of women and children by preventing the atrocities and violation of rights against them and to uplift their dignity and status. It functions at the Grama Panchayat/Municipality/Municipal Corporation level and its Ward level.

### **6.7.2 Duties of Jagratha Samithi**

1. Receive complaints in which women and children are parties and resolve them.
2. Suo moto identify the issues of women and children and take steps to resolve them.
3. Take adequate steps to create an environment where women and children are free from atrocities.
4. Make necessary arrangements at the LSGI level to solve the problems of women and children.
5. Provide necessary legal and other aid to women and children subjected to atrocities, tortures and social neglect.

## Chapter 7

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### Citizen's Charter

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#### 7.1 Preface

The Sen Committee constituted in 1997 has given a number of recommendations to the Government with the objective of transforming the LSGIs as local governments capable of delivering Good Governance with absolute peoples' participation. With a view to materialise the slogan "Power to the People" in letter and spirit, the Government has accepted many of those recommendations and brought about important amendments to the Kerala Panchayat Raj Act and the Kerala Municipality Act in 1999 through which provisions for Right to Information, Citizen Charter, Ombudsman, Appellate Tribunal etc.. were incorporated in the Acts. It aims at ensuring transparency, the hall mark of Good Governance. By the amendments made in 1999 as stated above, publishing of Citizen's Charter has become the mandatory obligation of each LSGI.

#### 7.2 Statutory provisions

Sec 272 A of the Kerala Panchayat Raj Act and Section 563A of the Kerala Municipal Act mandates that every LSGI shall in the manner prescribed formulate Citizen's Charter regarding the different categories of services rendered to the citizen by the LSGI, the condition for such service and also the time limit for such service and publish it in the name 'Citizen's Charter' and it shall be renewed and updated at least once in a year.

#### 7.3 Publishing

As per Kerala Municipality (Preparation of Citizen's Charter) Rules, 2000 and Kerala Panchayat Raj (Preparation of Citizen's Charter) Rules, 2004 after the constitution of the LSGI as soon as but not later than six months every LSGI shall prepare and publish the Citizen's Charter. It shall be updated and published every year.

## 7.4 Procedure for preparation

Proper planning and prompt execution is essential for the preparation of the Citizen's Charter.

- As the first step the LSGI shall take a decision to prepare the Citizen's Charter. Heads of all institutions of the Panchayat shall be invited to this meeting.
- In order to gather the details to be included in the Citizen's Charter, a format as shown below shall be distributed to the heads of office/institutions attending this meeting.

### **Details of Services to be included in the Citizen's Charter**

.....Panchayat/Municipality

Name of institution.....Name of the head of institution.....

<b>Sl. No.</b>	<b>Services to be rendered by the institution</b>	<b>Conditions to be fulfilled and documents required.</b>	<b>Time now taken to make available the service</b>	<b>Time limit that can be included in the Citizen Charter</b>

- After the preparation of the details in the format, the concerned Standing Committees shall convene institution wise meetings to discuss the same. All the members of staff of the institutions shall attend this meeting. This meeting shall discuss, in addition to the services rendered, the changes to be brought about in the administrative set up and in the mode of functioning to ensure timely delivery of services.
- A core committee consisting of the President of the LSGI, Chairpersons of the Standing Committees, Secretary, two representatives of the heads of institutions and two social workers shall then draft the Citizen's Charter (format of the Citizen's Charter is appended). This task may be done under the supervision of the Steering Committee.

- It is desirable to organize a one day workshop to discuss the draft of Citizen’s Charter. The workshop may be made more meaningful with the participation of the members of the working groups, representatives of political parties, CDS members, representatives of voluntary organisations, office bearers of PTA and Padasekhara Samithies, members of the Management Committees of the health institutions and the MLA besides the elected representatives of the LSGI, officials and members of the Core Committee. The work shop shall not only discuss the draft Citizen’s Charter but also the steps to be taken to improve the working of various institutions of the LSGI and the arrangements to be made to ensure time bound delivery of service in accordance with the draft Citizen’s Charter.
- The Core Committee shall then finalise the Citizen’s Charter considering the recommendations of the workshop.
- The Citizen’s Charter shall come into force once it is approved by the LSGI. The Citizen’s Charter shall be published on the notice board of the office of the LSGI and on its website.
- The Citizen’s Charter shall be printed and distributed free of cost among all the families and will be made available at all the institutions of the LSGI and Grama/ Ward kendras.

### **7.5 Revision of the Citizen’s Charter**

- Citizen’s Charter shall be reviewed and updated every year.
- Revision of the Citizen’s Charter should be done with the intention of improving the quality of service delivery and reducing the time limit in rendering the services.
- Publishing of Citizen’s Charter is not merely the fulfilment of a statutory obligation but an assurance of the LSGI to render time bound services to the citizens.
- Citizen’s Charter should be an effective tool for the purity and transparency in administration.
- Each LSGI and its elected representative shall ensure that services are being made available to the general public as promised in the Citizen’s Charter.

## **7.6 Additional items that may be included**

As per rules, the services rendered by the LSGIs need alone be included in the Citizen's Charter. However it is desirable to include the services rendered to the citizens by other institutions within the area of the LSGI (such as Village Office, Public Distribution Centres, office of the Sub-registrar etc.) as additional information.



## Annexure

### Citizen Charter-Structure

—————Panchayat/Municipality

#### Citizen Charter (in force from.....)

**The LSGI will render to the Citizens residing in its area, the following services time bound.**

Sl. No.	Name of office/institution	Details of services rendered	Conditions to be fulfilled by the applicant and required documents	The time limit within which the service shall be made available(time /day after receipt of the application with all required documents

#### References:

1. The Kerala Panchayat Raj Act, 1994
2. The Kerala Municipal Act, 1994.
3. The Kerala Panchayat Raj (control over officers rules) 1997.
4. The Kerala Panchayat Raj (Professional relationship and behaviour between elected representatives and officials) Rules 2007
5. The Kerala Municipality (Control over officers)Rules, 2011
6. The Kerala Municipality((Professional relationship and behaviour between elected representatives and officials) Rules 2007

7. Kerala Local Fund Audit Act, 1994
8. The Kerala Local Fund Audit Rules, 1996.
9. The Kerala PanchayatRaj (Manner of inspection and audit system) Rules, 1997.
10. The Kerala Municipality (Manner of inspection and audit system) Rules, 1997.
11. G.O (Ms) 112/14/lsgd dated 25/06/2014.
12. The Kerala Panchayat Raj (Managing Committee for public health institution) Rules, 2010.
13. The Kerala Municipality (Managing Committee for public health institution) Rules, 2010.
14. G.O(Ms) 18/2015/lsgd dated 29/01/2015.
15. The Kerala Panchayat Raj (Preparation of Citizens Charter) Rules, 2004.
16. The Kerala Municipality (Preparation of Citizens Charter) Rules, 2004.
17. The Tribunal for LSGIs Rules, 1999.
18. Ombudsman for LSGIs (Inquiry of complaints and service conditions) Rules, 1999.
19. Right to Information Act, 2005
20. Handbook - 'To know and let to know' KILA, Thrissur; J.B.Rajan & Abey George.