



Grievance redress mechanism in Government.

1.1 Grievance Redress Mechanism is part and parcel of the machinery of any administration. No administration can claim to be accountable, responsive and user-friendly unless it has established an efficient and effective grievance redress mechanism. In fact, the grievance redress mechanism of an organization is the gauge to measure its efficiency and effectiveness as it provides important feedback on the working of the administration.

I.(A) STRUCTURE OF GRIEVANCE REDRESS MACHINERY AT APEX LEVEL

The grievances of public are received at various points in the Government of India. There are primarily two designated nodal agencies in the Central Government handling these grievances. These agencies are:-

(i) Department of Administrative Reforms and Public Grievances, Ministry of Personnel, Public Grievances and Pensions

(ii) Directorate of Public Grievances, Cabinet Secretariat

Department of Administrative Reforms & Public Grievances

2.1 Department of Administrative Reforms & Public Grievances is the nodal agency in respect of policy initiatives on public grievances redress mechanism and citizen centric initiatives. The role of Department of Administrative Reforms and Public Grievances consists primarily to undertake such citizen-centric initiatives in the fields of administration reforms and public grievances in the Government so as to enable the Government machinery to deliver quality public services to the citizen in a hassle-free manner and eliminate the causes of grievance.

2.2 The grievances received by the Department are forwarded to the concerned Ministries/Departments/State Governments/UTs, who are dealing with the substantive function linked with the grievance for redress under intimation to the complainant. The Department 'takes up' about 1000 grievances every year depending upon the seriousness of the grievance and follows them regularly till their final disposal. This enables the Department to evaluate the effectiveness of the grievance redress machinery of the concerned government agency.

2.3 On the basis of the grievances received, Department identifies the problem areas in Government which are complaint-prone. These problem areas are then subjected to studies and remedial measures are suggested to the Department/Organisation concerned.

Directorate of Public Grievances (DPG)

3.1 Based on the review of the public grievances redress machinery in Government of India carried out in 1987, the Directorate of Public Grievances was set up in the Cabinet Secretariat with effect from 01.04.88. This Directorate was set up initially to look into individual complaints pertaining to four Central Government Departments which were more prone to public complaints. Subsequently, more Departments having larger public interface were added to its purview and presently this Directorate is handling grievances pertaining to 16 Central Government Organisations.

3.2 The Directorate was envisaged as an appellate body investigating grievances selectively and particularly those where the complainant had failed to get redress at the hands of internal machinery and the hierarchical authorities. Unlike the Department of AR&PG, Directorate of Public Grievances has been empowered to call for the files and officers for discussion to see that grievance handling has been done in a fair, objective and just manner. Wherever the Directorate is satisfied that the grievance has not been dealt in such a manner, it makes suitable recommendations for consideration and adoption by the concerned Ministry/Department which are required to be implemented within a period of one month.

3.3 The empowered and enlightened citizenry of today is far more demanding and the government, therefore, has to develop, evolve and enable

itself to meet the evolving demands of the society that it has to serve. The society today is impatient with the old system of governance which is not coming up to its expectations. To them, a government employee is perceived as insensitive, aloof, corrupt and overall the administrative system as autocratic, opaque and with no work culture

3.4 This requires a paradigm shift in governance to a system where the citizen is in the center and he is consulted at various stages of formulation and implementation of public policy. To achieve this objective, India needs a public service which is capable, innovative and forward looking. The traditional role of civil service which was of administrator, service provider and controller of development activities has to make way for the new roles of facilitator and regulator so as to create best environment and conditions in the country for building a nation of excellence.

3.5 Department of Administrative Reforms & Public Grievances is the nodal agency in Government of India for formulation and implementation of such policies and strategic initiatives so as to enable and equip the government machinery to meet the challenges involved in achieving this objective.

3.6 Department of Administrative Reforms and Public Grievances is the driving engine of reforms in administration and governance. The Department proposes to introduce and lead Change to establish a public service of quality, efficiency, integrity and effectiveness and modernize the public service. It is the nodal agency in government for facilitating administrative improvements and reengineering of processes across the government. Citizen's Charter initiative, Public Grievance Policy, Quality Management in Government, e-Governance, Review of Administrative Laws etc. Documentation and Dissemination of Best Practices, Organisation & Methods, Information & Facilitation Counters, Civil Services Reforms are some of the areas under the ambit of Department of Administrative Reforms & Public Grievances.

3.7 Following are the necessary conditions for successful implementation of any reforms agenda:

- Political mandate
- Committed and strong executive
- Willingness and capability to take on vested interests in the system

II. (A) PUBLIC GRIEVANCE REDRESS MECHANISM IN CENTRAL GOVERNMENT MINISTRIES/ DEPARTMENTS/ ORGANISATIONS

4.1 The Public Grievance Redress Mechanism functions in Government of India on a decentralized basis. The Central Government Ministries/Departments, their attached and subordinate offices and the autonomous bodies dealing with substantive functions as per Allocations of Business Rules, 1961 have their respective grievance redress machinery. An officer of the level of Joint Secretary is required to be designated as Director of Grievances of the Ministry/Department/Organisation. The role and functions of Directors of Grievances are given in Department of Administrative Reforms and Public Grievances O.M.no.1/PLCY/PG-88(7) dated 01.03.1988. This inter alia empowers the Directors of Grievances to call for files/reports and take decisions or review decisions already taken, in consultation with Secretary/HOD even in those areas which do not fall within his/her domain/charge.

4.2 The functioning of Public Grievance Redress Machineries in various Ministries/Departments/Organisations is regularly reviewed by a Standing Committee of Secretaries under the Chairmanship of Cabinet Secretary with Additional Secretary Department of Administrative Reforms and Public Grievances as member-secretary.

4.3 With a view to ensure prompt and effective redress to the grievances, a number of instructions have been issued by Department of AR&PG from time to time which, inter alia include:-

- a. Observe every Wednesday as a meetingless day in the Central Secretariat Offices when all the officers above a specified level should be available their desks from 1000hrs.to 1300hrs. to receive and hear public grievances. Field level offices having contact with the public have also to declare one day in the week as a meetingless day.
- b. Designate a Joint Secretary level officer as Director of Grievances including in autonomous bodies and public sector undertakings.
- c. Deal with every grievance in a fair, objective and just manner and issue reasoned speaking reply for every grievance rejected.
- d. Analyse public grievances received to help identification of the problem areas in which modifications of policies and procedures could be undertaken with a view to making the delivery of services easier and more expeditious.
- e. Issue booklets/pamphlets about the schemes/services available to the public indicating the procedure and manner in which these can be availed and the right authority to be contacted for service as also the grievance redress authority.
- f. Pick up grievances appearing in newspaper columns which relate to them and take remedial action on them in a time bound manner. Issue rejoinders to newspapers after investigation in cases which are found to be baseless and/or damaging to the image of the Organisation.
- g. Strengthen the machinery for redress of public grievance through, strictly observing meetingless day, displaying name designation, room number, telephone number etc. of Director of Grievances at the reception and other convenient places, placing locked complaint box at reception.
- h. Set up Staff Grievance Redress Machinery and designate a Staff Grievance Officer.

- i. Include the public grievances work and receipt/disposal statistics relating to redress of public grievances in the Annual Action Plan and Annual Administrative Report of the Ministries/Departments.
- j. Fix time limits for disposal of work relating to public grievances and staff grievances and strictly adhere to them.
- k. Acknowledge each grievance petition within three days of receipt, indicating the name, designation and telephone number of the official who is processing the case. The time frame in which a reply will be sent should also be indicated.
- l. Constitute Lok Adalats/Staff Adalats, if not already constituted, and hold them every quarter for quicker disposal of public as well as staff grievances and pensioners' grievances.
- m. Constitute a Social Audit Panel or such other machinery, if not already constituted, for examining areas of public interface with a view to recommending essential changes in procedures to make the organization more people-friendly.
- n. Establish a single window system at points of public contact, wherever possible to facilitate disposal of applications.
- o. Indicating telephone/fax number of the officer whose signature over a communication regarding the decision/reply is to issue to the petitioner.
- p. Monitoring of grievances in organisations under Ministries/Departments on a monthly basis.
- q. Publicising the grievance redress mechanism through the print and electronic media.
- r. Review of receipt and disposal of grievances by Secretaries of Ministries/Departments in the weekly meetings taken by them.

(B) TYPES OF PUBLIC GRIEVANCES

5.1 An analysis of grievances received in Department of Administrative Reforms & Public Grievances and Directorate of Public Grievances has revealed that the majority of grievances related to inordinate delay in taking decisions, extending from several months to several years and refusal/inability to make speaking replies/disclose basic information to the petitioners to enable them to examine whether their cases have been correctly decided. It is observed that, had the concerned organizations expeditiously and appropriately dealt with the grievances in the first instance, the complainants would not have approached Department of Administrative Reforms & Public Grievances/Directorate of Public Grievances.

(C) SYSTEMIC PROBLEM AREAS

6.1 There are rules, regulations, instructions which are archaic and aimed at shifting the work towards citizens. Slackness in administration, low morale of the services, inherent inertia, absence of incentives, lack of proper authority and accountability are the delay-breeders and the delay is the major factor that generates the grievances. These factors need to be tackled properly through systematic changes. Prevention is better than cure. On these lines, the best method to redress a grievance is not to allow the grievance to arise at the first instance. Even the redress of a grievance, that arose on account of delay, is also delayed as is revealed by the analysis of grievances according to which on a average six months are taken to redress a grievance.

6.2 Many a times Departments/Organisations are found to avoid taking appropriate decisions by resorting to rejection without application of mind, not taking appropriate interest in functioning of subsidiary offices/linked autonomous organizations, and emphasize on disposal and not on the quality disposal. Decisions taken earlier are reiterated without subjecting the cases of independent examination. There is an inertia to review decisions taken by down-the-line functionaries. In many cases Departments/Organisations justify the delay and continue with their inability to take decisions by putting the onus on another agency or on the petitioner. Many a times, the actual cause of grievance lay in internal inefficiency of the system and failure to identify simple systemic solutions. It is also observed that the time norms set by Departments for providing services were not being adhered to in many cases.

6.3 There is no doubt that grievances continue to arise because of a high systemic tolerance for delay, poor work quality and non-accountability in every day performance of functions. Failure to review archaic, redundant and incongruous rules, policies and procedures and to initiate simple, workable systemic changes is another cause for grievance generation. However, Departments and Organisations, which work with policies and procedures on a day-to-day basis, do not appear to have developed the ability to continually look 'within' and identify deficiencies. All these factors have ensured that grievances, once arisen, many a time do not get resolved in 'normal' course and need intervention at the highest administrative level.

6.4 Slackness in efficient functioning of 'Directors of Grievances' is identified as one of the prime cause for continuing delay in redress of grievances. Poor work quality, non-accountability in everyday performance of functions and failure to systemically review policies/procedures and suggest systemic changes are other important causes. In most Ministries, Departments and Organisations, the mechanism of Director of Grievances is not functioning as per the mandate prescribed.

(D) Focus Areas

7.1 In this context, it is the need of the time that the Government should review its pledge of providing hassle-free public services to the citizens by

focusing on systemic changes to minimize the grievances in Government domain. In order to achieve this objective in a focused manner, it is necessary to evolve a multi-pronged strategy to be implemented in a time-bound and effective manner. Keeping in view the various factors involved in grievance redress issue, following areas need focused attention :

7.2 Performance Review – Foreseeing areas of dissatisfaction

- a. To review processes, functions etc. in the organization and to cast them pro-actively in a manner that would foresee areas of dissatisfaction, identify activities where transparency, equity, prudence and propriety are compromised, interventions that can help achieve better outcomes, improve satisfaction of internal and external stakeholders.
- b. An annual review of laws, rules, regulations, instructions and procedures be carried out with a view to simplify the procedure making the administration more transparent, accountable and citizen-friendly. Information Technology should be employed in re-engineering of governmental processes in order to improve efficiency and effectiveness and ensuring transparency and accountability.

7.3. Identification of Grievance Prone Areas and Analysis

- a. Identify areas susceptible to corruption and/or grievance generation and conduct work audit of such areas. In addition, consider external/social audit in areas of very high public interface, with the aim of identifying wrong doers and improving processes and systems. Involve NGOs in the exercise.
- b. Analyse the nature and cause of grievances with the aim of identifying systemic deficiencies in laws, rules, regulations, policies, instructions, work practices and procedures, and effecting systemic changes to remove/correct these deficiencies. The Directors of Grievances be the nodal officers for such purpose. The analysis should be conducted in the month of April every year and studies of identified grievance prone areas be undertaken. Recommendations made in the studies should be implemented by December of that year so as to bring systemic changes and remove the cause of grievances.
- c. Fix responsibility in each and every case of delay, default or dereliction in performance of every day duties on failure to deliver services, and take disciplinary action to avoid recurrence. This will send a clear signal that in the event of failure to perform duties or deal appropriately with grievances within the time frame norms prescribed, a real possibility of having responsibility fixed on one's shoulder exists. Consider the feasibility of prescribing specific penalty clauses in such cases.

7.4 Citizen's Charter

Formulation and effective implementation of Citizen's Charters, which should, inter-alia, include disclosure of time norms for providing various services to the citizens/clients and details of all levels of grievance redress machinery that may be approached.

7.5. Information & Facilitation Counters (IFC)

Setting up and effective operationalisation of IFC's civic society may be involved in the functioning of IFCs to make them citizen- friendly and effective.

7.6 On Line Registration of Grievances

Make Public Grievance Redress and Monitoring System (PGRAMS) software, operational with every Director of Grievances. This shall enable the Director of Grievances to immediately place the details of grievances received in a database (efficient 'dak' management) as well as record the fact whether he intends to monitor its progress, identify the section/division where it is being sent, etc., generate the time taken in dealing with the grievance, enable review of pending grievances in the organisation or across the organisations, generate acknowledgements to complainants, conduct analysis etc. The system should also have the facility of on-line registration of grievances by the citizens and access to information on the status of his/her grievances.

7.7. Prompt and Effective Redress of Grievances

- a. grievances should be necessarily acknowledged, with an interim reply within 3 days of receipt and redressed within 3 months of receipt in the Organisation. The same time limit should apply even if co-ordination with subsidiary offices or another Department/Organisation is involved. In such instances special efforts, to be suo moto disclosed when reports are called, should be made.
- b. No grievance is to be rejected without having been independently examined. At a minimum, this means that an officer superior, to the one who delayed taking the original decision or took the original decision that is cause for grievance, should actually examine the case as well as the reply, intended to be sent to the grievance holder.
- c. Make the 'Director of Grievances' effective through the following inter-related steps:
 - i. Secretaries/Organisational Heads ensuring that Directors of Grievances are fully 'empowered' in accordance with instructions to perform their role.
 - ii. All grievance representations received in the Department/Organisation, either by mail, fax, e-mail to be invariably routed through Director of Grievances before they go to concerned sections/divisions. At this stage, Office of the Director of Grievances shall go through the representations and come to a prima-facie view regarding the gravity of the matter involved and decide whether it shall monitor the case or allow down-the-line functionaries to independently deal with it. Directors of Grievances should monitor and follow up at least 3 to 5

iii. Fix responsibility in each case of delay, default and dereliction of duty, identified by Director of Grievances, and take appropriate action against concerned personnel. In addition, consider feasibility of prescribing specific penalty clauses for such failures.

7.8 Review and Monitoring of Grievance Redress Mechanism

Ensure meaningful review of the performance of grievance redress machinery of the Ministry/Organisation as well as that of attached/ subordinate organization by Secretary/ Head of the Department on a monthly basis. Review should also cover action against defaulters.

III.ROLE OF REGULATORS, OMBUDSMAN AND LIKE BODIES

8.1 An explosive issue today in context of public grievance redress is the pace and phasing of the movement towards open markets after the gradual abandonment of centralized planning model. The Government is today withdrawing from various service sectors traditionally monopolized by it and private enterprise is moving in. This may lead to a scenario where the Government monopolies are replaced by even more vicious private monopolies or cartels in the absence of adequate regulation, enforcement and recourse to grievance redress.

8.2 This has significant implications for the role of Government. The Government can not just abandon the interests of citizens to be taken care of by the market forces in areas of service delivery covered by the private sector. In the open market scenario, it is often the major stakeholders and players which define the cost, quality and mechanism etc. of service delivery.

8.3 The Government therefore needs to put in place appropriate mechanisms in the regulatory authorities, ombudsmen and like bodies in such sectors so that the concerns of individual citizens are also accorded equal importance and weightage and are appropriately and effectively addressed. They should safeguard the interests of the common citizens and ensure that the grievances of the citizens are attended to promptly and effectively.

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