



Fixing Public Service Delivery in Rajasthan (India): Introduction of RTSA Bill, 2020

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ABSTRACT:

The Rajasthan Transparency and Social Accountability Bill, 2020 (RTSA Bill), introduced in the Rajasthan State Assembly, sought to enhance accountability, transparency, and citizen participation in public service delivery. The bill repealed the Rajasthan Guaranteed Delivery of Public Services Act, 2011 (RGDPSA) and the Right to Hearing Act, 2012, due to implementation challenges. This study evaluated the efficacy of the prior service delivery system and proposed improvements through the RTSA Bill. Findings revealed significant shortcomings in previous legislation, which failed to foster citizen satisfaction and trust. Had the RTSA Bill been enacted, it could have strengthened public services and restored confidence in Rajasthan's governance system.

Keywords: Social accountability, transparency, trust and satisfaction.

Introduction:

In the current context of heightened scrutiny towards governance and public service delivery, the Rajasthan Transparency and Social Accountability Bill, 2020, stands out as a crucial and significant legislative measure. This bill, presented in the state assembly, is a significant step towards improving public empowerment and government responsiveness in the Indian state of Rajasthan. Its significance cannot be overstated, as it has the potential to reshape the public service delivery landscape in the state.

The basic principle of the law is a solid commitment to showing respect for social responsibility and transparency through conventional and contemporary technology-driven means of disseminating information (Mitra, 2022). This commitment is evident in the mandatory publication of Citizens Charters outlining services provided, delivery time frame, and procedures to file complaints. It also makes provision for public employees to be annoyed with well-defined job charts, spelling out their duties, responsibilities, and expectations regarding performance, and promotes an atmosphere of commitment and professionalism (De, 2020).

Further on, it also ushers in the concept of Information and Facilitation Centres at various levels of municipalities, acting as an interface point for citizens in need of information or desiring assistance in the use of public services. The centres provide effective communication between the public and government agencies for public services and handling complaints between the public and the government or within the public (Sharma, 2022). This initiative, by mandating the establishment of Citizens Charters, aims at nothing less than a virtual revolution in how the public is served by public authority. The Charter has time schedules with definite pronouncements on the time of the production of specific commodities and delivery of services. This provision on transparency establishes a benchmark for accountability in delivering public service (THE HINDU BUREAU, 2022).

Apart from providing for the review of the delivery of public goods and services, going beyond the declarative measures, this Bill lays down mandates for setting up a time-bound grievance redress mechanism. Thus, citizens shall have recourse if the promises under Citizens Charters are unmet. Therefore, a line of accountability is brought between the governed and the government. An institutionalised continuous assessment process will ensure improvement in the quality and efficiency of public services, thereby enhancing them. (Jain, 2022)

Among these provisions, the most innovative feature is the provision of the public's involvement in social audits of welfare programs. This involves the active participation of the beneficiaries of these programs in assessing their effectiveness and identifying areas for improvement. Introducing this feature illustrates a remarkable shift toward participatory governance (Times of India, 2023). The bill also establishes the Rajasthan Transparency and Social Accountability Commission, which oversees the execution of the bill's principles by all public bodies. In further demonstrating the bill's diversity and representative ambition, the other eminent persons indicated to form this particular body include women; others are representatives of Scheduled Tribes and Scheduled Castes (Santhosh, 2022).

In response to demands for improved governance, the Rajasthan Transparency and Social Accountability Bill, 2020 (RTSA Bill), represented a pivotal legislative effort to enhance public service delivery in Rajasthan, India. Introduced in the state assembly in 2020, the bill remained under consideration

until at least 2023, as delays in enactment persisted (Mazdoor Kisan Shakti Sangathan [MKSS], 2023). The RTSA Bill aimed to promote transparency and accountability through measures such as mandatory Citizens' Charters, which outlined service timelines and complaint procedures, and well-defined job charts, which clarified public employees' responsibilities (Government of Rajasthan, 2020).

The bill established Information and Facilitation Centres at municipal levels to serve as accessible interfaces for citizens who sought information or assistance. It also introduced time-bound grievance redressal mechanisms and promoted participatory governance through social audits of welfare programs, which involved beneficiaries in evaluations of effectiveness (Government of Rajasthan, 2020). A Rajasthan Transparency and Social Accountability Commission, which comprised diverse representatives, including women and members of Scheduled Castes and Tribes, was proposed to oversee implementation. The RTSA Bill intended to align public services with citizens' needs, restore public trust, and improve living standards in Rajasthan.

Overview of previous legislation (RGDPSA 2011 and Right to Hearing Act 2012):

The Right to Hearing Act of 2012 and the Rajasthan Guaranteed Delivery of Public Services Act of 2011 are two fundamental laws the State Government of Rajasthan enacted concerning public rights, accountability, and openness. They were undertaken as part of a more extensive campaign to redesign governance and ensure the effective delivery of public services while reaching out to the people with the sense of being held accountable (Goel, 2007).

⇒ The Rajasthan Guaranteed Delivery of Public Services Act, 2011:

The RGDPSA was enacted in 2011 to ensure that delivery of all public services adhered to set timeframes. It was the first legislation to hold public authorities liable for delivering such basic needs as health, education, and other public utilities within stipulated timeframes. It was meant to give firm backing to a structure to monitor and enforce standards of public service performance, as well as the handling of complaints over service delay or failure.

The RGDPSA, 2011, was passed by the Rajasthan State Legislature and assented to by the Governor on September 21, 2011, as Act No. 23 of 2011. It seeks that certain notified officials of public authority render public services specified under it promptly and within stipulated time limits. It also provides for grievance redressal through appeals if such services are not rendered within the specified period.

Enacted on September 21, 2011, the RGDPSA sought to ensure timely delivery of public services, such as health and education, by setting strict timelines and establishing a two-tier appeals process (Government of Rajasthan, 2011). Key provisions included penalties (Rs. 500-5,000) for non-compliance and a monitoring commission. However, surveys indicated low citizen satisfaction due to delays and inadequate enforcement (Sharma, 2019).

Among the most important clauses of the Act include:

Table 1: Key provisions of RGDPSA, 2011

Provisions	Description
Definitions	Defines key terms like designated officer, eligible person, appeal officers, etc.
Service Notification	State Government empowered to notify services, designate officers, and set timelines
Service Delivery	Designated officer must provide service or reject application with reasons within stipulated time
Appeals Process	Two-tier appeal system: First appeal within 30 days, Second appeal within 60 days
Penalties	Second Appellate Authority can impose fines (Rs 500-5000) and recommend disciplinary action
Oversight Commission	Establishment of a Commission to monitor implementation and handle complaints
Officer Assistance	Designated officers can seek help from other officers who are then treated as designated officers
Application Acknowledgment	Mandatory acknowledgment of applications; timeline starts from submission date
Rejection Procedure	Written reasons required for application rejection
Appellate Powers	Appeal authorities have civil court powers for summoning people and documents
Compensation	Part of penalty can be awarded as compensation to the appellant
Disciplinary Action	Appellate authorities can recommend disciplinary action against defaulting officers
Legal Protection	Limitation on legal proceedings against persons acting in good faith under the Act

It brought clear responsibilities and targets before the dedicated government personnel for these public services to be delivered within the stipulated time frames. The law can turn out to be an epoch-making initiative, having the potential to enhance standards of satisfaction and accountability in the state's system of public service delivery. If executed honestly, this law can prove a powerful systemic intervention beneficial for the welfare of regular people.

⇒ The Right to Hearing Act, 2012

The Right to Hearing Act was enacted in 2012, which succeeded the Guaranteed Delivery of Public Services Act. This act further secured the rights of the people to ensure that they have a right to a fair and efficient hearing in a dispute over any interest of theirs arising from a disagreement or complaint against any public service; fast grievance redressal mechanisms are laid down for the easy and open access of people's problem display, seeking fast remedies. The Act was a significant step towards ensuring the rights of the citizens in the state and providing them with a platform to voice their grievances. However, it also faced challenges in its implementation, which led to the need for a more comprehensive and effective legislative measure like the RTSA Bill.

The Act attempts to afford the public a right to a hearing, which assists in handling their grievances concerning the workings of the state government and its various ministries efficiently and methodically. It came into force on August 1, 2012, and supplements the Public Services Guarantee Act and the Right to Information Act. The two acts are crafted to achieve accountable and transparent governance by covering 153 services across 18 departments (Agrawal & Nair, 2018).

Introduced on August 1, 2012, this act guaranteed citizens a platform to voice grievances against public services, which covered 153 services across 18 departments (Government of Rajasthan, 2012). It mandated complaint resolution within 15 days and imposed penalties for delays. Implementation faced challenges due to limited public awareness and insufficient infrastructure (Khan, 2021).

Table 2: Key provisions of the Right to Hearing Act, 2012

Feature	Description
Complaint Disposal Timeframe	Officials must handle complaints within set time; penalties for failure
Opportunity for Hearing	Citizens can present grievances near their residence (various levels)
Public Hearing Officers (PHOs)	Established to handle complaints; two-level appeal system
Complaint Handling	PHOs must dispose of complaints within 15 days; written reasons for rejection
Unique Registration Number	Assigned to each complaint upon receipt
Fee Waiver	No fees for filing complaints or appeals
Penalty for Delay	Rs. 500 - Rs. 5,000 penalty for PHOs failing to provide timely hearing
First Appeal Timeframe	Must be disposed of within 21 days
Penalty Deduction	Penalties can be deducted from officials' salaries
Disciplinary Action	Possible in addition to monetary penalties

The previous Rajasthan government was also well aware of this. Hence, it had become one step ahead by presenting the bill to ensure that complaints about public services are processed speedily and smoothly, resulting in increased quality assurance, efficiency of delivery systems, and transparency on the administrative front within state-related departments. The Act required the state government to promulgate rules and develop a program of instruction respecting its implementation for officers and employees in public service. It also established monitoring and evaluation systems to monitor the performance of the Act. The Act was considered an essential method of deepening the state-people domain and bringing much more openness within public administration, despite battles like ensuring citizen knowledge and creating infrastructure to address many reports.

Reasons for repeal of previous acts

The reasons include the implementation hurdles encountered in implementing Acts - the Rajasthan Guaranteed Delivery of Public Services Act, 2011 and the Right to Hearing Act, 2012 (Khan, 2021).

Both acts encountered operational complexities, weak enforcement, and public distrust due to inconsistent service delivery (Khan, 2021). The need for digital modernization and public feedback prompted their repeal, which paved the way for the RTSA Bill's integrated approach.

The following table summarises the possible rationales for revoking the Right to Hearing Act of 2012 and the Rajasthan Guaranteed Delivery of Public Services Act of 2011.

Table 3: Reasons for repealing previous Acts

Reason	Description
Operational Complexity	Difficulty in implementing complex legislative frameworks; resource and coordination challenges
Enforcement Challenges	Issues with ensuring adherence to timeframes; insufficient penalties or weak enforcement mechanisms

Public Perception and Trust	Possible erosion of public trust if acts were perceived as ineffective in addressing grievances or improving services
Need for Modernization	Push towards online operations and digital solutions for improved speed, accessibility, and accountability
Feedback and Amendments	Indications of need for strengthening acts based on public feedback; possible rigidity in adapting to changing needs

Considering these factors, the Rajasthan Guaranteed Delivery of Public Services Act, 2011 and the Right to Hearing Act, 2012 were repealed. The Rajasthan Transparency and Social Accountability Bill, 2020 (RTSA) was proposed to address these issues by introducing a more streamlined, efficient, and digitally enabled framework for ensuring transparency, accountability, and effective public service delivery in Rajasthan.

Filling the gap:

The Rajasthan Transparency and Social Accountability Bill, 2020 (RTSA bill) has the following important provisions:

Major predecessors of the RTSA Bill include The Right to Hearing Act (2012) and the Rajasthan Guaranteed Delivery of Public Services Act (RGDPSA, 2011). This legislation provides a holistic, integrated approach to public service delivery and accountability. While the earlier acts focused more on service delivery and grievance redressal, the RTSA Bill combines both in a single framework. Following are some salient features of the RTSA Bill 2020:

Table 4: Key provisions of RTSA Bill, 2020

Provision	Key Points
Citizen's Rights	Time-bound service delivery and complaint redressal
Citizen Charter and Job Chart	Mandatory publication of service details and employee responsibilities
Information and Facilitation Centers	Single-window service centers at various administrative levels
Electronic Service Delivery	Transition to digital service delivery
Grievance Redressal Mechanism	Appointment of officers and process for complaint handling
Social Audit	Society for conducting audits of government programs
Appeals Process	District Appellate Authority and Commission for handling appeals
Penalties and Incentives	Penalties for service failures and rewards for exemplary service

The RTSA Bill stresses that transparency and correct information exchange are significant features. It informs the citizens about what can be expected from public servants by requiring the publication of Citizen Charters and Job Charts of public servants, unlike previous acts lacking this level of detail. The law also focuses on modernising service delivery through electronic platforms, which align with modern governance.

The RTSA Bill includes new mechanisms for accountability and monitoring. It mandates the formation of a Social Audit for a Transparency system and establishes a special Rajasthan Transparency and Accountability Commission for proper monitoring. Previous legislation did not stress the statutory frameworks for tracking and assessing public services offered by public servants. The law also sets up Information and Facilitation Centres as one-stop shops to expedite public access to information and services.

Another essential feature is the approach to rewarding excellent performance. Although previous legislation retained provisions for fines for poor service, it recognised the reward system for good performance. This balanced strategy aims to foster a culture of effective citizen service rather than relying on punitive measures. It reflects a deeper understanding of public service motivations.

The RTSA Bill recommends a more comprehensive, contemporary, and sophisticated approach to ensuring accountability, transparency, and efficient public service delivery system in Rajasthan, based on the concepts of the RGDPSA and the Right to Hearing Act.

Differences from previous acts Highlighted by the Ram Lubhaya Committee:

The Ram Lubhaya Committee highlighted the RTSA Bill's comprehensive scope, which combined service delivery and grievance redressal, unlike the fragmented approach of prior acts (Government of Rajasthan, 2020). The bill mandated detailed documentation and introduced participatory social audits, which previous legislation lacked.

The said committee noted the following as the main differences:

Table 5: Key differences between the RTSA Bill and previous acts.

Aspect	RTSA Bill 2020	Previous Acts
Scope	Comprehensive framework covering service delivery and grievance redressal	Separate acts for service delivery (RGDPSA) and grievance redressal (Right to Hearing)
Documentation	Mandates Citizens Charters and Job Charts	No explicit mention of such detailed documentation
Grievance Redress	Structured mechanism with time-bound redress, appeals, and reviews	Less comprehensive grievance redress system
Accessibility	Introduces Information and Facilitation Centers at various levels	No mention of dedicated facilitation centers
Participatory Social Audit	Enables participatory social audits of welfare schemes	Not covered in previous acts
Development Focus	Emphasis on achieving tangible developmental outcomes	Primary focus on service delivery and complaint handling
Transparency	Greater emphasis on clear documentation of roles and responsibilities	Less detailed provisions for transparency
Implementation Timeline	Specific timelines for publishing Citizens Charters (3 months)	Timelines not specified in the provided information

The Ram Lubhaya Committee's effort into the RTSA Bill shows absolute commitment to changing Rajasthan's public service delivery system. This bill would help deepen the bond between the government and citizens by eliminating earlier legislation's deficits and introducing new mechanisms for enhancing transparency and accountability. All this will result in better public service delivery and societal development.

Criticisms of the RTSA bill:

Since its inception, there have been discussions and disputes about the possible effects and efficacy of the Rajasthan Transparency and Social Accountability Bill 2020 (RTSA Bill). General observations and critiques of comparable legislative attempts in Rajasthan provide insights into potential areas of concern that also apply to the RTSA Bill, even though particular complaints or issues directly relevant to the RTSA Bill are not addressed in the available sources.

The practical implementation of such ambitious legislation faces several challenges:

- ⇒ **Implementation Capacity:** The ability of the government apparatus to comply with the new standards and processes is one of the biggest obstacles to implementing legislation intended to increase accountability and openness. It will be essential to ensure that every public authority, from the top down to the bottom up, has the tools and is prepared to follow the RTSA Bill's criteria.
- ⇒ **Resource Allocation:** Adequate finances and human resources are essential for effectively implementing the RTSA Bill to cover the cost involved in creating the Information and Facilitation Centres, hiring officers for facilitation purposes, and ensuring that infrastructure is put in place to realise the law's objectives.
- ⇒ **Cultural Shift:** To realise enhanced accountability and transparency objectives, a culture must be inculcated within the public and bureaucracy. Promoting public participation and holding public officials accountable for their actions is a herculean task that requires continuous effort and public awareness programs.
- ⇒ **Legal and Regulatory Hurdles:** Full implementation of the RTSA may be marred by legal and regulatory impediments, especially where it conflicts with existing laws or regulations. If implemented, it will be essential for these conflicts to be resolved and the legislation aligned with national policy and constitutional requirements.

The Rajasthan Transparency and Social Accountability Bill, 2020 (RTSA Bill) has seen a hot welcome from the Mazdoor Kisan Shakti Sangathan, which observed that once enacted, it would enhance social accountability, accountability, and transparency in a significant way in delivery concerning public services. After its advent, MKSS and other stakeholders have come up with complaints and apprehensions about its effectiveness on the ground and in terms of implementation.

- ⇒ **Delay in Implementation:** The measure has taken too long to implement, even though MKSS wrote it and has advocated for its passage. The law was proposed over three years ago and has yet to be passed. This delay has incited protests and demands for speedy passage to promulgate the law.
- ⇒ **Lack of Independent Oversight:** Some authorities disagreed with a previous bill draft that allowed an independent officer for the District Grievance Redressal. Such criticism has raised questions about oversight independence and effectiveness since the law is intended to execute the job.

- ⇒ **Insufficient Teeth:** With elevated contention that the Right to Hearing Act of 2012 and all other former legislations are just incorporated into the RTSA Bill, the critics hold the opinion that the adequacy of the bill is wanting in enforcing accountability. The previous has been faulted for their failure to establish independent, working commissions and to painstakingly tackle the "business as usual" attitude characteristic of public service provision.
- ⇒ **Whistleblower Safeguards:** MKSS has remarked that draft legislation should incorporate stringent measures to protect whistleblowers. Unless strong protection is provided to those exposing corruption/misappropriation of public funds, this Act's effectiveness in making the system open and accountable will be at stake.
- ⇒ **Implementation Challenges:** The measure's effectiveness has declined since then, so its implementation in practice faces its share of challenges. This presents a significant challenge for the bill's effective implementation: bureaucratic opposition, pocketbook limitations, and the need for culture change to an agenda of openness and accountability.

The objections and worries expressed by MKSS and others make increasingly clear that the structure and execution of the bill need to be given considerable heed. This is necessary to allay said worries and ensure the bill is independent and efficacious by adding heavy whistleblower protections and ways of preparing for the difficulties of putting it into fulfilment. The RTSA Bill is a golden opportunity regarding potential public service delivery and good governance for Rajasthan, provided it is passed and these and other likely impediments are overcome.

The Mazdoor Kisan Shakti Sangathan (MKSS) praised the RTSA Bill but expressed concerns about its delayed passage, lack of independent oversight and insufficient whistleblower protections (MKSS, 2023). Critics argued that without robust enforcement mechanisms and adequate funding, the bill risked repeating the failures of prior acts (Khan, 2021). Technological barriers in rural areas also threatened electronic service delivery (Rao, 2022).

Conclusion:

The Rajasthan Transparency and Social Accountability Bill 2020 (the RTSA) is a game-changing constitutional amendment that will foster accountability and transparency in public service delivery with the power of civil engagement. Two such laws, the Rajasthan Guaranteed Delivery of Public Service Act, 2011, or RGDPsA, and the Right to Hearing Act, 2012, were not only toothless but were abolished by this bill, as their implementation was highly flawed. This omnibus bill aims to fill these gaps.

Once enacted, the RTSA Bill will become an act binding to all public authorities in Rajasthan. They must undertake this mission-circulating citizen charters in all institutions, commencing Job Charts for the public servants, and setting up Information Facilitation centres. To oversee compliance with the act, the Rajasthan Transparency and Social Accountability Commission and District and Subdivision Transparency and Accountability Committees will need to be formed. These would prove vital to ensuring transparency and accountability.

However, budgetary constraints, bureaucratic impediments, and a public administration culture historically led by the state still need to improve the measure's effectiveness. Some of the measure's main weaknesses are the independent monitoring structure of the commissions and committees, weak whistleblower protective measures, and contested performance by the Indian NGO Mazdoor Kisan Shakti Sangathan (MKSS).

However, there are still a few potential barriers to implementing the law: bureaucratic resistance, tightness in the budget, and, more importantly, the need to inflict cultural change within the public administration. Several suggestions to improve the bill in terms of correcting these and further strengthening the bill have been recommended, including the need to enhance the system with regular audits and reviews, improvement on the online delivery of services, citizen voices and engagement issues, and actual service delivery mechanisms; more importantly, strengthening the rights of a whistleblower that is coupled with comprehensive training and capacity-building programs. The RTSA Bill can change Rajasthan's public service delivery system, which faces many challenges. Other Indian states, too, which want to improve how they reach out to their people and enhance the bond between them and the government, might take it as a template. In the final analysis, this law can only be as ultimately successful as the extent to which it has been put into practice backed with sustained commitment from all stakeholders and their willingness to face and surmount challenges as they occur on the way. However, it will depend upon how effectively it is implemented, the commitment of all critical stakeholders, and readiness to observe and overcome the challenges. The RTSA Bill, through appropriate implementation, would model other states in India and thus change the public service delivery system and solidify citizen-government linkage.

The other relevant point herein concerns the enactment of the Rajasthan Transparency and Social Accountability Bill, 2020 (RTSA Bill), which calls for several actions, precise barring through defined determination by the political leaders in no uncertain terms. This pertains to the constant updating of the people and raising the interest in the need to carry out activities accountable and transparently to create an environment that will meet the intent of implementing the Act. Second, views and support from as many stakeholders as possible, including academia, the commercial sector, and civil society organisations, should be sought after. Such multistakeholder engagement ensures that various views are considered and may lead to broader public consensus supporting the Act. The third step is the effective implementation of measures to ensure that the Act has monitored and evaluated the progress made so far in making changes to the delivery of services to the public and governance. This can be implemented through well-defined, measurable targets and frequent monitoring fairing about the set standards. This allows for real-time changes and progress reports. Finally, resources need to be available to enforce the proper implementation of the Act: this will include funding for newly constituted committees and commissions and the planning of a rigorous training and capacity-building program. Thus, the strong leadership in the clauses stated above, in addition to stakeholder involvement, strict monitoring, and adequate resourcing, will help the RTSA Bill provide the necessary address to the obstacles that will come along the way to the realisation of its objectives in improving public service delivery, accountability, and transparency in Rajasthan.

The RTSA Bill offered a transformative opportunity to enhance transparency and accountability in Rajasthan's public service delivery. By addressing the shortcomings of the RGDPsA and Right to Hearing Act, it proposed a citizen-centric framework. However, bureaucratic resistance, limited resources and weak whistleblower protections posed challenges. Regular audits, stakeholder engagement and robust monitoring were essential for success.

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