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GOVERNMENT MEDICAL COLLEGE & HOSPITAL, CHANDIGARH
(ESTABLISHMENT BRANCH-IV)


27 MAR 2018

Endst. No.: GMCH/EIV/EA3/2018/ 13414-15

Dated, Chandigarh the,

A copy of the Letter No. RATING-SYS/IH(I)-2018/5272 dated 14.03.2018 received from the Home Secretary, Chandigarh Administration, is forwarded to the following for information & send the comments on the above said subject, please.

1. The Office Superintendents (Establishment Branch- I, II, III, HA-I & II).
2. ✓ The System Analyst, IT Centre for information and with the request to e-circulate/email the same to e-circulate /email to all the HODs/Branch Incharges of GMCH, Chandigarh.


Superintendent (E-IV)
GMCH, Chandigarh

Kumar
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2018

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No. RATING-SYS/JH(I)-2018/ 5272
Chandigarh Administration
Home Department

Chandigarh, dated 15-03-18

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DP/GMCH-32

- To
- i) All the Administrative Secretaries,
Chandigarh Administration.
 - ii) All the Head of Departments/Offices/
Boards/Corporations/Institutions,
Chandigarh Administration.

Subject : Representation under Article 350 of the Constitution of India to introduce a rating system in the offices providing services by the Government Instrumentalities.

Enclosed please find herewith a copy of letter dated 15.11.2018 alongwith its enclosures received from the Sh. Gopal Jha, Advocate on Record, Supreme Court of India, New Delhi, which is self-explanatory.

You are requested to send your comments on the subject and also intimate the existing system/practices are being implemented in your department to bring transparency in the system.

English
Superintendent Home-I,
for Home Secretary,
Chandigarh Administration.

GOPAL JHA

Advocate-on-Record
Supreme Court of India

ers. / For Branch

Diary No. 8313

Date: 14/12/17

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13/12/17

To,
The Hon'ble Administrator,
Union Territory of handigarh,
Punjab Rajbhawan,
Sector -6, Chandigarh- 160009

Home-I Dronow

Diary No. 1739

Dated: 15-12-17

PA/HSI

Dated

8-12-17

Date: November 15, 2017

Subject : Representation under Article 350 of the Constitution of India
to introduce a rating system in the offices providing services
by the Government Instrumentalities.

Sir,

For, on behalf of and under instruction of Shri Bala Venckat Kutti, son of
Late Shri Venkatraman Kuttin, resident of Flat No. 101, Arjuna Tower, Mt.
Mary Road, Bandra West, Mumbai 400 050, Maharashtra, I serve you the
representation for the redressal of grievance as under :

1. That the Citizen of India is not bound by race or religion, but by the
shared values of freedom, liberty, and equality. The situation in the
Government Instrumentalities providing services such as Health,
Education, Sanitation, Housing, Road, Transport and
Communications are deteriorating day by day. Recent deaths of
100s of child in the Hospitals in the State of U.P., death of Sanitation
workers in the State of Delhi, death of the citizen who fall in the Pot-
Hole on the Road, outraging modesty of women, rape and killing of
women in moving vehicles or secluded place are commonly and
widely reported in the print, electronic media. One by one, incidents
are reported in the media, some reports gain mass public protest in
the particular State and in the Country. In some cases,
responsibilities are also fixed and responsible are brought to the

C-47, South Extension Part-2, New Delhi-110049

Chamber No. 71, Supreme Court Compound, New Delhi-110001

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purview of rule book but in general case it is not being given the care, it should be given.

2. That except to participate in the public protest, the individual citizen has no say in the services provided to them by the Government instrumentalities. It is relevant to note that every single rupee spend by the Government is actually the money of the tax payers. Tax payers does not mean only the big industrialist and business houses that pays huge direct and indirect tax to the Government, it also includes those who live and consumes the goods on which indirect taxes like excise, customs, VAT, GST etc. are paid. All the citizens of India irrespective of their economic status has equality before law which is guaranteed as a fundamental right by the Article 14 of the Constitution. Of course, for non-performance by the Government Officers there is some provision in the rule book but in most of the cases, either the Government Instrumentalities providing services are beyond the scope of the law or for reluctance of the respondents no action is being taken.
3. That across the globe, a service delivery transformation is taking place. It is cutting across sectors, organizations, processes and people. Continuous improvement in service delivery is a strategy imperative in many service-oriented sectors. Historically, the public sector has often lagged behind the private sector in terms of service delivery. This is due to government's services traditionally being monopolistic in nature, with a narrow view of citizen experience. In addition, there is a lack of developed frameworks, tools and methodologies aimed specifically for the sector, which constrains governments to provide "world-class services" for its citizens.



However, increasing expectations and demands of citizens, advancements in technology and a drive toward a more integrated service are serving as catalysts and forcing governments to rethink the concept of delivering public services. To many citizens their local government is the most tangible form of government. It is the layer of government with which they have most and direct contact with, in their everyday lives.

4. That as a supplier of key services throughout the citizen's journey, government entities have a responsibility to provide services that are fast, trustworthy and reliable.
5. That it is challenging to meet the demand of citizens to provide services in timely manner that are at par with the private sector. The Government instrumentalities providing services should have "citizen satisfaction centric". Now the Citizens expect the same levels of service delivery from the government as that provided by the private sector.
6. That the Government of India is promoting digital India Program. Now the time has come when the conventional mediums of providing services may be said a good bye. Today it is expected to have multiple channels of reaching Government Instrumentalities to providing services to access information and obtain services. Government need an efficient integration of processes, systems and information to streamline services between different entities of the organization. The successful governments around the world have reviewed their process of service delivery and initiating a culture toward citizen centricity. Most of European Countries, USA, Japan



and Korea have systems of digital rating of services providers or of customer experience.

7. That the government has not provided its instrumentalities a proper platform to provide exemplary service delivery or develop a culture where citizen satisfaction and efficiency are the norms. This is due to a lack of incentives, customized public sector service delivery frameworks, agility and responsiveness to change, or a lack of awareness in the importance of a service delivery culture for the government sector. However, it is vital for governments to cascade a vision of service delivery for its instrumentalities.
8. That it is the need of hour to have connected and efficient government. In this regard the Government of India has taken a bold step by enacting the Right to Information Act, 2005 to promote transparency and accountability in the working of every public authority. In the case of Secretary, Ministry of Information and Broadcasting, Government of India & Ors. v. Cricket Association of Bengal & Anr. Reported in (1995) 2 SCC 161 the Hon'ble Supreme Court has held that :

"The democracy cannot exist unless all citizens have a right to participate in the affairs of the polity of the country. The right to participate in the affairs of the country is meaningless unless the citizens are well informed on all sides of the issues, in respect of which they are called upon to express their views. One-sided information, disinformation, misinformation and non information, all equally create an uninformed citizenry which makes democracy a farce when medium of information is monopolized either by a partisan central authority or by private individuals or oligarchy organizations. This is particularly so in a country like ours where about 65 per cent of the population is illiterate and

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hardly 1 ½ per cent of the population has an access to the print media which is not subject to pre-censorship."

In the case of Namit Sharma Vs. Union of India, reported in (2013) 1 SCC 745, Hon'ble Mr. Justice Swatanter Kumar speaking for the bench has observed that -

"the Act of 2005 was enacted to radically alter the administrative ethos and culture of secrecy and control, the legacy of colonial era and bring in a new era of transparency and accountability in governance. Greater transparency, promotion of citizen-government partnership, greater accountability and reduction in corruption are stated to be the salient features of the Act of 2005. The intention is to provide and promote transparency and accountability in the functioning of the authorities. It is the demand of our that democracy requires an informed citizenry and transparency and accountability."

9. That it is respectfully submitted that for transparency and accountability in the services provided by the Government, it is necessary to have rating system of services and experience by the citizen to the Hospitals, Municipality Offices, Police Stations, educational institutions like Schools, Colleges, Universities, Offices giving Affiliation, Recognition, Accreditations, Offices of PWD Department, Office of State Road Transports which ever Government offices has a dealing with the public should necessarily have a system of rating of the services provided. This rating shall be used primary for allocation of budget to the concerned Department, Promotional Avenue to the Officer concerned or if the performance based on the public ratings is so bad the officers responsible for the same may face consequences. Besides this rating system will also be crucial in identifying the areas which needs intervention and support.



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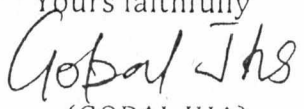
10. That the benefit of the Services/Scheme of the Government is not properly being provided to the Citizen due to the lack of transparency and accountability of the Officer Concerned.

11. That for the purpose of betterment of services and accountability we as citizen of India suggest and you are therefore requested to :

- (a) Provide and formulate within a period of 3 months, a mechanism or system to electronically or manually rate the government services provided to the citizen at Hospitals, Police Stations, Transports, Municipal Offices etc. etc. by the citizen who are recipients of such service ;
- (b) Take into consideration the public rating of the Officers for the services provided to ordinary citizen in his/her progression and identifying issues with those service sectors;
- (c) allocate the required and necessary budget to the relevant Departments based on the public rating within three months;
- (d) make adequate publication about the rights and benefits of public rating the public services provide by the Government in print, electronic and social media within three months;

For this act of kindness the applicant shall be obliged forever.

Thanking you.

Yours faithfully

(GOPAL JHA)
Advocate-on-Record,
Supreme Court of India.