



# Standing Committee Report Summary

## Citizen Charter Bill, 2011

- The Department-Related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice submitted its report on the Citizen Charter Bill on August 30, 2012. The Chairperson was Mr. Shantaram Naik. The Bill requires all public authorities to publish citizen charters and provide a grievance redressal mechanism.
- The Committee was of the view that the central government has the power to enact the Bill under Entry 8 of the Concurrent List (actionable wrong). It observed that the layout of the Bill would ensure that the state and central government would be independent of each other while implementing the Bill.
- The Bill requires all public authorities to publish a citizen charter. The charter should specify the functions of public authority, the time frame for their delivery and the conditions for entitlements of the good and services. The Committee recommended that the public authority should ensure participation of the stakeholders in the finalisation of citizen charters.
- The Bill provides that the central or state governments may by notification require entities that are substantially financed by the state or central government to provide citizens charters. The Committee was of the view that the term 'substantially financed' was vague and should be suitably amended to remove ambiguity.
- The Bill provides that complaints may be made for (a) violation of citizen charter; (b) violation of any law, scheme, programme or policy; and (c) functioning of a public official. The Committee was of the view that the definition of complaint was comprehensive and should not be narrowed down.
- Under the Bill, a complaint can only be filed by citizens of India. The Committee observed that certain states allow all 'eligible persons' to avail the grievance redressal mechanisms established under their public service delivery laws. The Committee was of the view that the Ministry should review whether the Bill could be extended to non-citizens as well.
- The Bill provides that complaints have to be redressed within 30 working days. The Committee recommended that the Rules under the Bill should provide for the shortest time frames for providing services of "common nature".
- Under the Bill, appeals against the decision of the Grievance Redress Officer (GRO) have to be made to the Designated Authority (DA). The DA would be an officer outside the public authority. The Bill does not specify the qualifications of the designated authority. The Committee was of the view that the Bill should give an outline of the form, shape and content of this level in the grievance redressal machinery. It was also of the view that the DA should be available at the district/sub-district level to ensure convenience of access to the public.
- The Bill provides for four levels of appeals for redressal of grievances if the matter relates to corruption. The last level of appeal is the Lokpal (centre) or the Lokayuktas (state). The Committee recommended that the appeal to the Lokpal or the Lokayuktas be removed as the Lokpal and the Lokayuktas are anti corruption agencies, while the objective of the present Bill is to ensure timely delivery of goods/services and grievance redressal.
- The Bill prescribes that the GRO shall within a maximum period of 30 days redress the grievance. The Committee recommended that in urgent cases, a shorter time period should be prescribed. In case of complaints concerning any violation of law or scheme, the GRO and the DA should be given a wider time schedule.
- The Bill prescribes that the defaulting officer may face disciplinary action, in case the officer acted in a mala fide manner. The Committee recommended that the element of mala-fide should be removed as mala fide is not easy to establish.
- The Committee recommended that the Electronic Delivery of Services Bill, 2011 should be integrated with the provisions of this Bill. The Committee was of the view that such integration would help in achieving the objective of the Bill.

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