



GOVERNMENT OF KERALA

ADMINISTRATIVE REFORMS COMMISSION
FOURTH REPORT

PERSONNEL REFORMS
CIVIL SERVICE IN KERALA

AUGUST 2019

In Partnership with
Centre for Management Development(CMD)

FOREWORD

Emperor Wen of Sui dynasty of China (CE 581-604) introduced a written examination based meritocratic selection to Civil Services. From this first attempt at merit-based system for selection of civil servants', reforms in personnel administration of civil servants have come a long way. Indian civil service has a long history of civil service reforms- from a system based on patronage in the ancient, medieval periods to the first decades of the second half of the 19th century to a merit based open recruitment system.

Present system of Indian Civil Service retains most aspects of the British Indian Civil Service formed on the basis of Northcote-Trevelyan report of 1854. Since independence there have been several initiatives aimed at public service reform by the State Governments and Government of India. The first elected government after formation of the State of Kerala appointed an Administrative Reforms Committee. The Committee recommended far reaching reforms in the public services system.

Fast paced changes in political and economic sphere, brought in mostly through changes in technology and technological innovations changed the way people perceive government and governance. These changes raised the expectations of people on the quality of service, timeliness in delivery of services and about their right to receive services of a quality they deserve/desire. Incremental reforms have failed to fulfil these aspirations of the people. Kerala and India are at a stage in their development that demands a transformation of the paradigm of traditional governance systems.

Any move for public sector reforms have to encompass personnel reforms, as civil service is an integral part of government. The role of civil servants is crucial in improving public service systems and service delivery for addressing aspirations of the people in a democratic polity. To address the need for a robust civil service system to meet the demands of the people, 4th Administrative Reforms Commission (ARC) included the theme 'Towards More Accountable Bureaucracy' as a focus area of its studies. Under this theme ARC has already submitted two Reports – 'Reforms in Vigilance System' and 'Capacity Development of Civil Servants'. The Report on Personnel Reforms is also a sub theme under this theme.

A civil servant is bound by the constitution of India and through it, is responsible to the people of India and to the political executives who are representatives of the people. Civil servants aid and advise the political executive in formulation of policies and programmes and are responsible for implementation of these policies and programmes. A motivated and satisfied civil service is essential for

effective and efficient functioning of governance systems. Need of the hour is a public sector system and personnel management system that moves away from archaic/obsolete and complex rules and regulations that confuse/complicate issues, promote opacity and subjectivity, needs service of experts for interpretation.

In this report ARC has examined all stages of an employee's service -from recruitment to retirement. The recommendations are based on the need for ensuring meritocratic, inclusive recruitment and creation of an environment that can bring out the best in the civil servant and enable them to work with objectivity in delivering services to the people and assist the political executive in governance.

The report is prepared using inputs from various sources, consultation with experts and discussions with stakeholders. As Chairman, ARC, I thank all persons who co-operated and assisted the commission in preparation of the Report.

The Commission requests government to implement the recommendations to help formation of a robust civil service capable of serving the public and meeting challenges thrown up by rapid changes in the society and polity.

Thiruvananthapuram
25.07.2019



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Introduction

The concept of civil service in India dates back to ancient times. A system of administration through civil servants was prevalent from the reign of Mauryas to Guptas to Mughals and to British. Present system of administration in India is modelled on the imperial Civil Service of British India whose foundations were laid by Warren Hastings during 1800s. This was reformed, modernized and rationalized by Charles Cornwallis known as the father of civil service in India.

Evolution of Civil Service in India

Mauryan Empire founded by Chandra Gupta Maurya in 326 BC had a centralized administrative system with a higher and lower bureaucracy. This system continued more or less unchanged under the Guptas. A new stage in the evolution of civil service started with the Delhi Sultanate setting up a new class of civil service- Nobility- to consolidate control and authority over the conquered area. Mughals introduced a system of administration which had its basis on Persian models and practices- the Mansabdari system, in which the officials were organised in military ranks. This system itself can be traced back to changes initiated by Chengiz Khan. It was introduced to India by Babar and institutionalized by Akbar.

It was the British who demarcated civil service into civilian and military officers. But in the East India Company days recruitment process continued on patronage basis – nomination to Civil Service of friends and relatives of the court of directors of the Company. It was Macaulay committee that proposed ‘open competition’ for recruitment to civil service listed in the Charter Act of 1853- this was intended to abolish patronage and undue influence and introduce open competition.

China is credited with the origin of modern civil service based on merit. The examination system of imperial China was designed to select best officials to Chinese bureaucracy. The system provided major impetus for social mobility in Chinese society.

European commentators admired the Chinese system of selection of officials through an examination. Expansion of activities of the English East India Company brought in a situation which the existing bureaucratic structure of Britain found difficult to manage. The compulsion for reform led to the commissioning of Sir Stafford Northcote and Charles Trevelyan by William Gladstone, Chancellor of Exchequer, to look into the operation and organisation of the Civil Service. The Northcote-Trevelyan Report 1854 led to the establishment of a permanent unified and politically neutral civil service in Britain, Imperial Civil Service.

Four principal recommendations of the Report were:

- a. Recruitment should be on the basis of merit determined through competitive examination.
- b. Candidate should have a solid general education to enable inter-departmental transfers.
- c. Recruits should be graded into a hierarchy and that promotion should be through achievement rather than “preferment, patronage or purchase”.
- d. Clear division between staff responsible for routine work and those engaged in policy formulation and implementation.

The Northcote–Trevelyan model remained more or less stable for over a century. It was implemented in British India from 1858 and was adopted by many countries across the world, especially in the commonwealth. Since the mid-20th century, or even earlier, most of the developed nations introduced far reaching reforms to Northcote-Trevelyan model to keep pace with developmental aspirations of the people. But the model is visible in Indian and Kerala administration even today due to its relevance in smooth and easy functioning of the administration.

The State of Kerala was formed through integration of the princely states of Travancore and Cochin and the Malabar District of Madras presidency, administered directly by the British. In the princely states’ authority was vested with the Maharaja. The system of administration was a mix of the system in British India with local variations as both the princely states enjoyed vast powers in running their internal administrative matters. Modern systems of administration modelled on the British Indian system was established in Travancore and Cochin by 19th century.

India adopted the parliamentary system of democracy. In this system, as adopted in India, ultimate responsibility for running the administration is with ministers- the elected representatives of the people. Modern administration is complex and has to deal with multi-faceted issues. Ministers who head the system and on whom rest the responsibility for its efficient running are few in number and hence cannot be expected to deal personally with each issue. This situation defines the role of civil servants who are made responsible to implement the policies laid down by the Ministers.

Civil Service Reform

‘Civil Service Reform is a deliberate action to improve the efficiency, effectiveness, professionalism, responsiveness, democratic character and representativity of civil services to promote better delivery of public goods and services with increased accountability and as wished for by the people. The reforms can include improvement in the management of human resources, restructuring of organization,

capacity development of civil servants, data gathering and analyses, enhancing pay and benefits while assuring sustainability under overall financial constraints and strengthening measures for performance management, public participation, transparency and compacting corruption' (Civil Service Reform- Governance and Social Development Resource Centre- UK).

The civil service reform agenda in developing countries has evolved and changed its focus over the decades. Designing effective civil service reforms is a complex task as it is to be based on a right mix of corruption control and performance improvements. Requirement and methods of reform varies greatly across and within countries.

Primary responsibility of civil service is to the Constitution of India and through it to the people of India, and to the ministers the people have elected. Civil Service is expected to provide same standard of free, fair, frank, impartial and responsive advice and the same level of professionalism in administration and delivery of services, policies, programmes, irrespective of political party in power. Civil Servants should be professional in the discharge of their responsibilities and ensure effective, impartial, continuous delivery of entitlements and services provided to people under law and government policies. They should be responsive to needs of the people, be courteous and sensitive and adopt ethical practices in dealing with the public. To discharge these responsibilities requires a robust and dynamic accountability mechanism achieved through strengthening and streamlining reporting mechanisms, fast tracking departmental enquiries, linking performance with incentives, overhauling of procedures for redress of employee grievances, prompt action on audit findings, implementation of citizen charter for monitoring service delivery and its periodical updating, enforcement and compliance of RTI Act, ensuring effectiveness and periodical revision of Right to Services Act and enactment of a Code of conduct of Civil Servants.

Lack of expertise and poor capacity building, inefficient incentive system that do not appreciate upright and outstanding civil servants but reward the corrupt and the incompetent, outdated rules and procedures that restrict the civil servant from performing successfully, lack of performance culture and lack of focus on outputs and outcomes, inappropriate performance appraisal system, systemic irregularities in promotion and empanelment, lack of adequate transparency and accountability procedures, lack of safety for whistle blowers, insecurity in tenures, whimsical and arbitrary transfers, political and other extraneous interference and erosion in public service values are some of the major constraints faced by civil service and criticism against it.

Last decades of the 20th century and first two decades of 21st century, witnessed changes with far reaching implications in the political, economic and

technological sphere of every nation. These changes altered the way people perceive government and their expectations about the quality of service delivered by government. To adapt to the rapid changes happening all around governments and related agencies in many countries have worked towards a system of governance that enhance the quality of life of people. Reforms of public sector systems have become an important aspect for governments in both developed and developing countries. Public policy today has become a difficult exercise requiring in-depth knowledge and expertise in public affairs. A permanent civil service offers continuity and develops expertise as well as institutional memory for effective policy making.

Personnel reforms are an essential component of public sector reforms as civil service is an integral part of any government. Successful implementation of government policies and strategies are dependent on the efficiency of the civil servants. It's often argued that 'good governance needs a civil service that is strong, accountable to the public, operates within the law, is open and transparent, and encourages participation of the community'. Personnel reforms envisage facilitation of an eco-system which is conducive for efficient and effective performance of personnel at all levels. The development of a favourable echo system needs review and modification of different components of workforce management.

Successive governments in Kerala have implemented reform measures to increase the efficiency and commitment of its personnel in delivery of services to the public through adoption of recommendations of Administrative Reforms Committees and reports of various studies. The 3rd ARC recommended sweeping changes in the structure, management of technology, upgradation of skills and knowledge, attitudes, systems, procedures needed for efficient governance. Government have implemented few of these recommendations.

The Commission has focussed on recommendations to further improve efficiency and effectiveness of service delivery through reforms in personnel administration. ARC's recommendations are aimed at enhancing effectiveness and responsiveness of Civil Servants and better service delivery, facilitate implementation of developmental programmes and shift orientation of civil servants from controllers to facilitators and from providers to enablers. They need to prepare themselves with essential skills and capabilities to tackle new challenges.

In an era of fast paced technological developments, people prefer to avail public services at their own convenience. The conventional mode of visiting and waiting in public offices for availing services has become outmoded. Systems of service delivery as well as the personnel who provide services should be modified to adjust to the changing aspirations of people in the new context. This demands thorough process engineering in all service delivery departments operating at the cutting-edge level.

It is also true that many of the rules and procedures in Government are cumbersome and old fashioned. This causes hardship both at the service delivery point and to the general public. Modification of rules, therefore, is considered as a critical requirement for personnel reforms and effective service delivery. The effectiveness of service delivery also depends on the quality of human resources recruited and joined public service. The existing mode of recruitment procedures need to be replaced with a competency-based recruitment procedure to place the right person on the right job. If competency becomes the base for recruitment, the attempt to make the administration outcome based becomes easy.

Better office ambience increases productivity. This will also lead to citizen satisfaction. The public offices, therefore, are to be transformed to productive working places which offer comfort and convenience to both workforce and visiting public. Another segment of transformation needed is institution of a transparent and equitable system of transfer and posting. The existing system of transfer in many departments is criticized for being exercised on an ad-hoc basis. This demands a robust policy of transfer and posting.

These are the major reforms, among others, proposed in the report on Personnel Reforms.

Methodology

ARC adopted the following methodology for preparation of report on 'Personnel Reforms'. Based on the Concept Note defining framework of the study prepared by the Commission, a group of experts was formed for assisting the study. Shri. S.M. Vijayanand and Dr. K.M. Abraham, former Chief Secretaries are advisors of the study.

Centre for Management Development (CMD) gave institutional support. Commission prepared a questionnaire for collecting information on various aspects of personnel reforms from stakeholders (**Annexure-I**). Copies of the questionnaire were printed and circulated to various stakeholders including Secretaries to Government, Heads of Departments, Service/Pension Organisations and representatives of serving and retired employees.

A workshop was held on 07.01.2019 for wider consultations. Executive summary of the workshop is enclosed in **Annexure-II**. The Commission also held consultations/discussions with service organizations and pension organisations (List is enclosed as **Appendix-I**), Chairman, Kerala Public Service Commission, serving and retired Secretaries to Government (List at **Appendix-II**) and Heads of Departments (**Appendix-III**).

CMD conducted sample study in the departments of Excise, Scheduled Tribes Development, Agriculture, Panchayat, Urban Affairs, Land Revenue and Legal Metrology.

CHAPTER 1

Personnel Administration - Acts, Rules and Manuals

- 1.1 The administration and functioning of Government employees are regulated by specific Acts, Rules, Special Rules, and Manuals, etc. Most of these have their origin in British Indian administration and were adopted post-independence with suitable amendments. Many provisions in these rules and regulations are obsolete, do not reflect changes in the society and inhibit the civil servants from responding to demands of technological innovations and changing perception of people about accessing Government services. Periodical review, updating, deletion, repeal of these Acts and Rules is critical to ensure accurate reflection of changing policies and practices of the government, governance and public needs. Some of these laws and regulations may require consolidation, simplification and amendments to reflect changes occurring over a period of time and for improving efficiency and effectiveness of the Civil Service. Service Rules, Acts, Special Rules are to be updated to reflect changes in the way administration is carried out and incorporate changes resulting from increased adoption of technology including Information technology. Acts and Rules concerning functioning of departments were formulated along with the formation of departments with minor amendments in the course of its existence. Many provisions in these Acts and Rules and sometimes the legislation/guideline itself would have become obsolete and needs updating to suit governance which increasingly relies on application of technology to improve delivery of services. The Acts and Rules that form basis of administration needs to be reviewed by an Expert Committee or agency appointed by the Government. The review should enable personnel management to move away from an administration system based on mistrust/control and micro management to a system which is more open, is based on trust and have a broader perspective of human resource management – a new management model.
- 1.2 Commission has highlighted few provisions of certain Acts and Rules to bring to attention of Government urgency for reforms.
- 1.3 The Kerala Public Services Act, 1968**
- The Kerala Public Services Act, 1968 regulates the recruitment and conditions of service of persons appointed to public services and posts in connection with the affairs of the State of Kerala. There is lack of clarity regarding the departments/organisations that come within the purview of Public Services

Act (1968) in the Rules governed by the Act. The Rules (for example, KSR and KS&SSRs) do not specify whether it is applicable only to government departments or include Public Sector Undertakings, autonomous and quasi government institutions.

1.4 Recommendation

Rules under the Kerala Public Services Act, 1968 shall be reviewed and clarity brought in about the departments/ organisations that come within the purview of the Act.

1.5 Kerala Service Rules (KSR)

KSR lays down service conditions of all employees of the Government. These include general conditions of service, pay fixation, leave, joining time, Foreign Service, Travelling Allowance and pension.

- (i) KSR Appendix VII Section II 1(i) provides for special casual leave for infectious diseases like smallpox, plague, cholera, typhoid, acute influenza, pneumonia, diphtheria, cerebro-spinal meningitis, etc. but do not include infectious diseases like dengue, chikungunya, and other virus infections which have become more prevalent in the last few years.
- (ii) KSR currently has no provision to provide for the employees who are prevented from performing their duties due to debilitating illnesses, permanent disability, etc. that occurred while they are in service. This issue requires urgent attention of government as the families of the affected government employee have to undergo the hardship of caring for the employee and meeting the family expenses without any financial support. Their circumstances become worse than that of the family of an employee who dies while in service. Currently government grants relief to such employees on a case by case basis.

Box 1: Invalid Pension- A Case

Shri. M. Sharaff, now an invalid pensioner, joined government service on 16/6/2001. While working as Senior Clerk in the Panchayat department, he met with a major road accident on 04/07/2015 and was paralysed by spinal cord injury. He was certified as permanently incapacitated for further service and was granted invalid pension as per rule. On 31/01/16, he retired from service on invalid pension. His family comprises of unemployed wife and two children. He is now living in a rented house and struggling to meet the financial expenses including his medical treatments and medicines. The

pension amount is not enough to meet the daily expenses and medical care of Shri. Sharaff. The family has no other permanent source of income. Quality of life of Shri. Sharaff's family, at present, is abysmally lower than what it would have been if Shri. Sharaff continued in service or if he had succumbed to the injuries.

Sri. Sharaff have made repeated requests to the authorities requesting employment assistance to his dependents on compassionate grounds. But his petitions were rejected on the ground that there is no provision under Compassionate Employment Scheme, to provide employment to the dependents of government servants who have availed Invalid pension.

1.6 Recommendations

- (i) Employees affected by infirmity/prolonged illness/disability preventing them from discharging duties and leading a normal life shall be referred to a medical board by the Appointing Authority. Based on the report of the medical board, the Appointing Authority shall decide to, (1) Continue paying salary if the infirmity/ prolonged illness/disability is of temporary nature, and (2) Grant relief commensurate with the benefits given to the family of a civil servant who dies while in service. The Commission recommends that KSR shall be reviewed to incorporate the above recommendation.
- (ii) Rules in KSR Part I, Appendix XII A, XII C is on Leave without Allowance for employment abroad and joining spouse. The rules allow service benefits even after prolonged absence, which is detrimental to service delivery and public interest. Commission recommends that Government shall re-examine benefits given to employees who avail long term leave for personal purposes including employment abroad or for joining spouse, but excluding study leave.
- (iii) The KSR Appendix VII section II 1(i) shall be amended to include infectious diseases like dengue, H1N1, Chikungunya, Leptospirosis, Varicella chicken pox, etc. and other viral infections which have become more prevalent in the last few years, as eligible for special casual leave and include provision for inclusion of any infectious disease as and when it is identified.
- (iv) KSR and KS&SSRs shall classify employees. For this purpose government may adopt Commission's recommendation of classifying employees for training (2nd Report of ARC- Capacity Development of Civil Servants

Kerala, Chapter 9, paragraph 9.2) or adopt classification followed by Government of India.

- (v) KSR- TA rules and TA bill forms TR47 and TR56 shall be modified and simplified. Instead of government fixing TA ceiling limit, provision shall be made to fix TA ceiling by the respective departments.

1.7 Kerala State and Subordinate Services Rules, 1958 (KS&SSRs)

Kerala State and Subordinate Service Rules, 1958 is framed by invoking Article 309 of the Constitution of India. These Rules were validated under Section 3 of the Kerala Public Services Act, 1968, at a later stage. KS&SS Rules lay down the service conditions of government employees including recruitment, appointment, seniority, probation, promotion, etc.

- There are no provisions or mechanisms in KS&SSRs to measure employees' performance or accountability.
- For convening Department Promotion Committee (DPC) KS&SSRs, i.e. rule 28 (b) (1) (6) stipulates that the number of persons to be included in the field of choice shall be thrice or at least twice the number of vacancies expected within a year plus the number of superseded officers of the previous year. But this is not followed while preparing the Select list by DPC. Anticipated vacancies are not considered in the approved list resulting in delay in filling up vacancies as and when vacancies arise.
- When a person enters service, she has to go through the processes of regularisation, probation, and confirmation. On confirmation, the employee gets lien to a post in the department. In most cases there is inordinate delay in declaring probation undermining the very purpose of probation. There are cases of eligible employees whose service is not confirmed till the end of their service. There are also cases where employees who have not qualified in probation tests, specified in the concerned special rules even after first three years of their service. Generally, these employees on attaining the age of 50 become eligible for all service benefits.

1.8 Recommendations

- (i) KS&SSRs shall be modified/re-written to ensure that mechanisms to assess merit based performance of Civil Servants are effectively implemented. Government may consider recommendations of this Commission on merit based performance assessment in the Report on 'Capacity Development of Civil Servants Kerala' (Chapter IV) and merit based promotion recommended in Chapter 2 [2.8 (xix)] of this Report.(Personnel Reforms-Civil Service in Kerala)

- (ii) Maximum required number of employees shall be included in the Select list if they are otherwise eligible so as to avoid convening ad-hoc DPCs and unnecessary delay in filling vacancies.
- (iii) The procedure for confirmation in service shall be simplified and expedited to ensure that employees are not adversely affected. ARC recommends that on successful completion of probation, an employee shall be confirmed in service without any further procedure.
- (iv) Maximum period of 3 years (i.e. 6 chances) shall be given to employees for passing probation test. Those who fail to do so shall be terminated from service as per the rules of probation. Relaxation in the prescribed period may be given if there is delay in conducting the test by KPSC.
- (v) Probation shall be only at two levels- in the entry cadres for Subordinate service and State service.

1.9 Kerala Government Servants Conduct Rules, 1960

Conduct Rules, 1960 stipulates what a civil servant can or cannot do in connection with the acquisition of properties, membership in societies or boards, acceptance of gifts, private trade and employment, relationship with MLAs, holding press meetings, etc. There is no provision that relates to the diligent and efficient performance of duties by a civil servant. Interestingly, a civil servant can show least interest in her work and still not attract provisions of Conduct Rules. Amendments to suit the changes that have occurred since 1960 have not been carried out. The Rules need to be re-examined in toto.

1.10 Recommendation

ARC recommends that Kerala Government Servants Conduct Rules shall be restructured to reflect changes that happened/are happening over the years. It should incorporate provisions on cyber laws and other issues relevant to the present context. Obsolete clauses shall be removed.

1.11 Kerala Civil Services (Classification, Control & Appeal) Rules, 1960 [KCS (CC&A) Rules]

Kerala Civil Services (Classification, Control & Appeal) Rules, 1960 specifies procedure for awarding punishment in departmental proceedings. A departmental proceeding involves a cumbersome process which often takes years to attain its final result. In a few cases, the punishment awarded is nullified by judiciary by citing procedural lapses. This happens as a by-

product of lack of clarity in the application of the relevant provisions in the Rules.

- In the case of minor penalty proceedings there is no explicit provision in the rules for personal hearing. But, the principles of natural justice demand that opportunity for hearing is given. If a decision is taken without giving an opportunity of being heard there is likelihood of setting aside of the proceedings by courts.
- Rule 27 of KCS (CC&A) Rules states that every 'appeal shall be submitted to the authority which made the order appealed against: Provided that if such authority is not the head of the office in which the appellant may be serving or if he is not in service, the head of the office in which he was last serving, or is not subordinate to the head of such office, the appeal shall be submitted to the head of such office who shall forward it forthwith to the said authority: Provided further that a copy of the appeal may be submitted direct to the appellate authority'. This provision allows the authority to use discretionary power and the presence of many provisos make it amenable to different interpretations.

1.12 Recommendations

- (i) For ensuring natural justice provision for personal hearing in all disciplinary action cases including those for minor penalty shall be incorporated in the Kerala Civil Services (Classification, Control & Appeal) Rules.
- (ii) Rules relating to appeal [Rule 27 of KCS (CC&A) Rules, 1960] by the delinquent employee to the Appellate Authority shall be amended so that appeal can be forwarded directly to the Appellate Authority. This will avoid delay in the appeal process and eliminate discretionary power of the Disciplinary Authority to withhold the appeal.

1.13 Special Rules

Special Rules specify qualification, method of recruitment, appointment, duration of probation, trainings and tests to be passed for promotion in each class or category of service. Special Rules are made through subordinate legislation. Where there is no Special Rules, executive order will prevail.

- Many departments including the Government Secretariat do not have special rules. Even if there is one, timely updating is not done. PSC procedures for recruitments are often delayed for want of Special Rules/updated amendments. A list of cases received from KPSC is at **Annexure-III**.

- Current procedure for framing special rules and effect amendments takes many years for finalisation. Special rules enactment gets delayed at all four stages, i.e. drafting, consultations with employees' organisations, consultation with PSC and final approval. Depending on differing interests of the employee unions and the different sections of employees they represent, drafting itself is prone to bias. Another unfortunate issue is that in this process, progressive elements that promote merit get carefully excluded out of the rules. Therefore, Secretariat often receives draft special rules that address only the qualification and promotion prospects for existing category.
- None of the special rules of the departments recognise acquisition of higher qualification or of certain minimum hours of professional training as a criterion for promotion. For example, Printing department has not adapted to the evolving and fast changing trends in printing technology and its poor quality of management and output can be attributed to the inherent flaw in their Special Rules. The department of Printing has neither adopted modern printing process nor modified their special rules to absorb professionals with required technical qualifications or equip existing employees with required skills. This is only one example in framing of Special rules without considering the purpose for which the department is constituted and end up as an attempt to preserve the benefits enjoyed by the existing employees.
- It is noticed that, even though most of the departments issued finalised Special Rules, a consolidated version of Special Rules is not available in most of the departments.

1.14 Recommendations

- (i) ARC recommends that Government shall direct all departments to frame special rules and special rule amendments within two years.
- (ii) A separate wing or mechanism shall be constituted in P&ARD for formulation and speeding up the processes related to special rules. Framework for drafting special rules shall be prepared by P&ARD outlining broad principles for formulation of special rules. All special rules framed in the government shall conform to this mandate in its form and substance.
- (iii) Government shall consider constituting a Consultative Committee with representatives from KPSC, departments and P&ARD for framing Special Rules and amendments.
- (iv) Government shall create a mechanism for prompt updating in special rules of

academic qualifications as and when such changes are adopted by Universities.

- (v) Government shall give directions to all HoDs to compile the full text of updated Special Rules with Malayalam version; and publish it in the website.

1.15 General Recommendations

- (i) Government is the authority to revise, amend or repeal existing rules & codes and enact new laws. ARC recommends constitution of an Expert Committee/external agency for reviewing the Acts and Rules concerning personnel management and make necessary amendments. The review should aim to transform the regulations for personnel management and enable civil servants to carry out their responsibility of service delivery efficiently and effectively.
- (ii) Commission recommends that the Committee/agency constituted for reviewing Acts and Rules shall be entrusted with formulation of a ‘ Kerala Civil Service Code’ combining KSR, KS&SSRs, Kerala Government Conduct Rules, 1960 and KCS(CC&A)Rules.
- (iii) Government have initiated action to publish translations of various Acts/Rules/Guidelines etc. in Malayalam. ARC recommends that Government may take urgent steps to make available Malayalam translation of Kerala Service Rules and Kerala State & Subordinate Service Rules and other Acts/Rules governing civil servants. Government shall ensure that translation is done in simple language that can be understood by all without seeking help for interpretation. Regulations should offer clarity not obfuscation.

CHAPTER 2

Recruitment and Cadre Management

- 2.1 First Administrative Reforms Commission, Government of India (1969) defined cadre as: *comprising of persons who have been adjudged suitable and recruited to hold a group of positions requiring similar skills -technical, professional and/or administrative; within a service there may be more than one grade arranged vertically according to the level of responsibility.* The government system in the state is classified based on the concept of service and posts are grouped into homogenous cadres under a common service. Most departments have defective cadre structure. There is no deficiency in cadre strength in majority of the departments. However, there are lacunae in providing time bound efficient services and achieving desired results. The main reason cited for the deficiency is that the existing cadre structure was designed in the beginning days of civil service and in the absence of periodical review, it fails to reflect changes required in present day administration. For instance, technical divisions like agriculture, animal husbandry, dairy, engineering etc, were created for utilising the professional knowledge and expertise of its employees in their respective field to provide better services to the citizens. Currently these experts are utilising lion's share of their time in dealing with administrative and clerical matters resulting in non-utilisation of their expertise for better service delivery. Thus, while reviewing the cadre strength, it is important to develop mechanisms that make provisions allowing full utilisation of their potential. There are various other aspects to be considered in order to have an ideal cadre structure. The existing cadres are structured in a manner that do not pay attention to the requirement of the department, current approach of the government towards governance, increased use of technology in governance, i.e. to say there is need to relook into cadres in the government departments from its functional, structural and personnel point of view. The issue of cadre strength is central to discussions that are significant in terms of both theory and policy about governance, administrative reforms and human resource capacity.
- 2.2 The progression of government focusing on citizen centric service delivery and reforms in public management systems has stimulated concern for cadre management. The existence of competent cadre system and cadres in government strengthens government structure. The need for efficient and relevant cadre of technocrats, professionals and others is needed by the departments to effectively carry out objectives of the department. Value inputs alone can provide tangible output. Scientific structures are required to

- revisit the cadre system in government. Cadre management relates to broad issues of personnel reforms in government. The cadre structure in government is framed at the time of formation of departments, and hence, there is recurrent call for cadre reassessment/restructuring.
- 2.3 Cadre management and review is instrumental in improving functional efficiency of government and service delivery that will help transforming the relationship between government and its stakeholders. Scientific reassessing and reviewing of cadre strength have emerged as an essential exercise for improved public administration structures and operations in the state.
- 2.4 Paradigm shift in the concept of governance from basic service delivery to right based service delivery to the satisfaction of the service receiver, changes in the nature of work from technological advancement over the years and in the functions of departments, has had a bearing on its cadres. Cadre management has become a complex exercise in the context of shift in the concept of governance. Several factors like changes in the role of departments, technological advancements, higher public expectations supported by a robust economic growth, thrust on greater participation of public in governance, etc. need to be taken care of to ensure relevance/need of a service/cadre in the present context of governance. Cadre review is advocated as a means for increasing efficiency and effectiveness of government, but most often end up as an exercise in up scaling work force or, in rare cases, a downsizing without any structural changes to enhance efficiency. Like others, in the past three decades Kerala government has also engaged in reforms in administration aimed at, among other things, increasing efficiency in recruitment and cadre management.
- 2.5 Proper planning of workforce needs advance projections of human resource requirements carried out through systematic study, at specific intervals. This is often not done in Government and results in improper cadre management and resultant issues in availability of competent employees in critical areas of service delivery. The Personnel and Administrative Reforms (P&AR) Department in the State deals with all matters related to work force management including conduct of work studies for cadre review of departments. Feedback received by ARC during discussions held with stakeholders is that there is an urgent need for a relook at the current system of work force planning and method of work study. The tools and techniques used currently needs to be made adaptable/updated to suit fast paced changes in governance structures. Work studies should have a scientific basis and be dynamic to keep reforming itself in tune with frequent and fast paced changes

in administration and governance. The current conventional method of work study based on existing conventional cadres in existence from the formation of the departments do not help to infuse professionalism in functioning of the departments. Use of modern tools and techniques in conduct of work studies will help in advising the departments to bring in much needed professionalism into administrative system, a process reengineering, to meet the challenges of a fast-growing economy and to ensure social justice and equal opportunities.

2.6 Cadre Review

Review of cadres in government is required to strike balance between career progression and functional requirement of the government. Cadre review will provide an opportunity to view cadres in departments in the light of changes that are taking place within the departments and the environment outside. Continuous and significant change in the concept of governance has made cadre management a complex exercise. The complexity in management is due to factors like changes in the role of departments, technological advancements, people centric service delivery and participation of public in governance, etc. This changed environment in governance demands a cadre that is relevant. Therefore, the restructuring exercise should be comprehensive and reviewed with the purpose of enabling departments to function efficiently. The restructuring exercise should be able to assess functionality of cadres and re-organise them accordingly.

- 2.6.1 Even though employees in many departments are insufficient, there are also departments that have sufficient as well as excess staff. Sufficiency is achieved mainly by scientifically redeploying the existing staff through adoption of opportunities provided by IT/E-Governance. The process of cadre review should involve redeploying qualified and suitably trained human resource to meet present demands. However, judicious distribution of employees remains a bottleneck. There is a need to have a more professional approach in cadre structuring/restructuring.
- 2.6.2 The sanctioned strength of departments has not been scientifically reviewed over the years. However, additional temporary posts in various grades and services are created from time to time for the smooth functioning of the departments. Departments are providing continuance sanction to these temporarily created posts. The number of posts and purpose of continuance sanction is department specific. Only a periodical review could give the real picture of the relevance of continuance sanction to posts. Thus, there is need to examine the continuance sanction of posts in departments and analyse the purpose for which the posts were originally created.

- 2.6.3 As part of new missions/projects by the government Special Purpose Vehicles (SPVs) are created. The usual practice is creation of skeletal staff in the preliminary stage and employees are appointed and the work is carried forward. But, appointments to these posts are not always done through a transparent process. As missions/ projects progress, new posts need to be created. The posting in such cases is also not transparent. Formalising these positions through PSC proceedings is initiated only at a very later stage.
- 2.6.4 There are departments that have several isolated posts which were required in the earlier days for specific purposes. These posts have become irrelevant/redundant in the present context of technological advancement and changing functions of departments. For example, the Rural Development department currently has 152 Women Development Extension Officers at Block level, 14 District Women Welfare Officers and two posts of State Co-ordinators. In the context of shifting schemes/programmes for women development to the newly formed Women and Child Development department these posts do not have any function to perform in Rural Development department.

2.7 Transfer, Promotion, Tenure and Deputation

Transfer, promotion and tenure are important aspects of public administration and are vital factors in any attempt for personnel reforms. They play a key role in ensuring efficiency of administration, morale of the employee and effective service delivery. Proper and transparent planning of transfers and promotions within a fixed time frame is essential for optimum utilisation of human resources available with Government. The period of deputation, extension, repatriation, etc. are governed by Rules. In the prevailing system merit and suitability of a person for holding a specific responsibility is given low priority while transfer, promotion and deputation are done. This, in turn, affects the quality of work and undermines public service. Apart from permanent employees Government also avail services of employees on contract, through working arrangement from permanent employees and through lateral entry in departments for specific jobs and for special categories of jobs that have to be performed by some or all departments from time to time.

- 2.7.1 Frequent transfer of employees has become the norm preventing civil servants from improving their skills and knowledge for handling subjects allotted to them and from gaining experience and expertise to perform well. Currently the transfer process is not transparent and political bias/interference in transfer and promotion has become the norm. All departments have transfer norms with well-defined criteria. However, these norms are not strictly adhered to indicating opaqueness of the process

- resulting in denial of postings as per norms, to eligible employees. Absence of transfer norms and non adherence to the norms where they exist, leads to harassment and demoralisation of employees.
- 2.7.2 For posting newly promoted employees mass transfers are often resorted to. Transfer norms are often changed, i.e. as and when there is change in government. This is mostly done to accommodate personal and political interests.
 - 2.7.3 Use of Information technology to streamline and ensure transparency in transfer, deputation and promotion is not explored in most departments.
 - 2.7.4 There are no specific guidelines for deputation of officials to various posts except regarding salary and perks of officials on deputation. Selection of officers for deputation is not based on any criteria and is ad-hoc and arbitrary. Politically connected officials find it easier to get deputation to an office of her choice. Currently, deputation is allowed on the basis of personal influence and convenience of individual employees and not in the interest of work/establishment. It is also a common practice that government posts officers in key posts in organisations where the government has a stake without considering the educational qualification, merit, experience and suitability of the person to hold the post.
 - 2.7.5 Processing of files for promotion get speeded up/delayed depending on the administration sections and the higher officers (at senior levels at the office of the Minister) and personal bias. Sometimes, delay arises due to delay in declaration of probation. There is considerable delay in processing files for promotion, convening of DPCs, publication of select list in the gazette and for issuing posting orders. List of officials prepared for convening DPC is often not according to rule 28 (b) (1) (6) of KS&SSRs.

2.8 Recommendations

- (i) The departments shall conduct periodic review of cadres to ensure balance between functional and structural requirements of the department/organization. Cadre review of the departments has to be undertaken to estimate the future human resource requirements on a scientific basis, restructure the cadre to meet the functional needs of the organisation and enhance effectiveness of the services/posts. On an average, the interval between two successive cadre reviews shall be a maximum of 10 years. It is essential that review should visualize the functions and roles of departments for at least the next 15 years and assess the skills that the officers would require to perform the visualised roles and responsibilities.

- (ii) The scope for cadre review should include assessment of future needs, rightsizing, deficiency in existing cadres and improving the efficiency of cadres. Departments shall set up a panel to carry out the cadre review. The aim of cadre review should be a holistic appraisal suggesting measures to ensure a cadre structure that will enhance functional efficiency, conforming to the optimal ratio. Departments are outsourcing various functions to external agencies. These aspects need to be taken into account while reviewing the cadre.
- (iii) Training module on scientific management practices for structuring and reviewing cadre, assessing cadre strength and on rules for fixing the cadre strength shall be developed by professional HR agencies or training institutions in the State like Institute of Management in Government (IMG), Centre for Management Development (CMD), etc.
- (iv) The officials in the P&AR Department shall be given training based on the modules developed on cadre management and review as they are given the responsibility for prescribing norms for formulation and evaluation of personnel policies in the Government, cadre review, cadre strength assessment and framing rules for fixing the cadre strength. It shall be ensured that the trained personnel serve in the P&AR Department for a minimum period of 5 years.
- (v) On the basis of the training received P&AR Department shall guide each department to formulate broad guidelines for cadre management. These guidelines on management of cadres shall be implemented by the respective departments.
- (vi) Government creates posts to meet specific purposes. Their relevance is lost once the purpose is achieved. These posts shall be identified within a fixed timeframe and shall be abolished or merged. SPARK database shall be utilised for this purpose. The employees who hold those posts may be absorbed to other cadres based on their qualifications, experience, capabilities and the requirement of departments. Identification of posts for accommodating officials holding posts to be abolished/merged shall be done along with identification of posts for abolition/merger. If sufficient number of posts for accommodating the officials cannot be identified the officials who are found surplus may be posted to departments facing deficiency in human resources, after imparting necessary skill and training to hold the posts. Such posts have to be identical in pay scales and qualification.
- (vii) As a result of work study or cadre review there may be instances of excess or insufficient staff in a particular department or post. Excess staff so identified

shall be redeployed to departments or posts where there is insufficiency in their cadre, without affecting their seniority and service benefits in the parent department. Their functional control shall be transferred to the new department while all other service matters rest with the parent department. All these arrangements of redeployment shall be coordinated by P&AR department.

- (viii) There is absence of job description and job clarity for the various posts in government. Existing posts in the state mostly have multiple roles. In some posts functional needs and requirements of the post are overlooked and employees are assigned functions which do not conform to their area of operation. This discounts original objective of the department and results in ineffective service delivery. Each post in a department shall have a job description detailing the functions to be performed by an employee in that particular post.
- (ix) Appointments to SPVs and mission mode institutions shall be by as per well laid out job description, required skill sets and utilisation of available in-house skills.
- (x) Application for transfer and its processing shall be done online and linked to SPARK.
- (xi) Tenure shall be fixed for each post and employees shall be allowed to continue till completion of the fixed term. Tenure for each job maybe based on the duties to be performed and objectives of the job.
- (xii) Transfer of large number of employees for accommodating newly promoted employees shall be avoided. Newly promoted officials shall be posted in existing vacancies and they should be considered for transfer only in the next general transfer order. It should be ensured that general transfer is done in all the departments once in a year, before reopening of educational institutions.
- (xiii) A Joint Consultative Committee may be constituted with adequate representation of service organizations in each department to settle issues related to transfer.
- (xiv) Transfer norms once framed shall be in force for at least ten years. Change of Government in the intervening period shall not be a reason for alteration in transfer norms.
- (xv) Government shall formulate a system to assess competence and suitability of the applicants for deputation to discharge their responsibilities in the borrowing department. The organisation/department that needs a person on deputation shall file a request elaborating the need for the service of the

person on deputation and requirements of the job before the Committee of senior officials formed for the purpose. This shall be examined by the Committee including the head of the borrowing organisation. This meeting can be in person for senior level posts and for junior level posts by circulation.

- (xvi) Before promotion to a category it shall be ensured that the person to be promoted has acquired skills required to officiate in the promoted position. Introduction of eligibility test for promotion may be considered.
- (xvii) ARC recommends that Government may consider conduct of tests for promotion from subordinate service to state service and for promotion to higher posts in state service. Exemption may be given to employees for promotion from subordinate service to state service if they have less than one year of service in the promoted cadre.
- (xviii) DPC shall be convened at specified intervals adhering to Rule 28 (b) (1) (6) of the KS&SSRs. The number of persons is to be included in the select list shall be thrice or at least twice the number of vacancies expected within a year plus the number of persons who were not promoted from the existing select list.
- (xix) Commission in its second report 'Capacity Development of Civil Servants in Kerala' has dealt in detail about the requirement for restructuring the performance appraisal system and has recommended a new format for PAR. In continuation of those recommendations Government shall consider the following recommendations.
 - Performance indicators in PAR shall include evaluation by peers and stakeholders. Promotions to officers above the second gazetted post shall be made only after assessment of merit and ability of the official to hold the post. A comprehensive merit assessment and reward system, as outlined below, maybe formulated. This system shall be used as a mechanism for considering employees for promotion.
 - A good performance appraisal shall provide input for promotion of the employee. Merit assessment should include identification of Key Performance Indicators (KPA). The critical functions associated with a given role may be called as KPA. Performance has to be appraised against these key functions and objectives that have been agreed by the employee and the reporting officer. Performance Appraisal system shall include the qualities-creativity, initiative, contribution to the development of department/organisation, etc. It should focus on identifying the factors that help or hinder good performance and should have the ability to appraise and identify these key factors. Considering the above aspects design elements of a suggested

Merit Assessment Mechanism in the government - till formulation of a comprehensive merit assessment mechanism-may be adopted as follows. (Based on the recommendations in the report of 10th Pay Revision Commission)

- To begin with, experience can be given a weightage of 80 percent and efficiency of 20 percent. Gradually, over the next five years, experience and efficiency should be given equal weightage.
- Opportunity should be provided to the employee to contest her score (on grounds of clerical mistakes only) to the Services Selection Board constituted for the Department which can issue proceedings correcting the mistake if found valid.
- As a measure of transparency, scores from the proposed system (e.g. as worked out based on the scheme illustrated in **Annexure-IV**) may be published and the responses of the employees solicited.
- A suggested scheme that is applicable to promotions is illustrated below. This can be refined using the services of reputed HR Consultants.
- The principle on which the proposed scheme has been worked out is that scores are assigned to each category of employees above the second Gazetted post in any cadre who are in the zone of consideration for a promotion(s) to one or more posts at any given point in time. Between any two persons in the seniority list in the zone of consideration, a Position Point Score say 'a' is allocated. This means that the junior most in the zone of consideration would have a score of zero. The person senior to her would have 'a', the next senior person would have '2a' and so on. For example, assume that the value of 'a' is fixed at 10 and that Employee XXX is three positions above the junior most person in the seniority list, then the Position Point Score of that person would be $3 \times 10 = 30$ points.
- Based on seniority of the joining date for each day one point should be added to the Position Point Score. This means that Employee XXX above has joined the service on Jan 1, 2014, and the junior most person in the zone of consideration has joined on Jan 1, 2016, Employee XXX would have a score of 730 (2×365). This is also added to the Position Point Score to determine the Experience Point Score (EPS) of the second employee. In this example, EPS of the junior most employees would be zero. The EPS of Employee XXX would be $30 + 730 = 760$ points. Promotions should be given against existing vacancies using the score computed. Detailed Scheme is at **Annexure-IV**.

2.9 Recruitment

Personnel reforms in government aims at increasing efficiency, effectiveness and improving the quality of service delivery to the public. The efficiency and effectiveness of governance largely depend on human resources available in the departments. The availability of competent personnel does not happen by chance but through scientific recruitment process. Recruitment is therefore an important aspect of personnel reforms. Recruitment is a process followed for obtaining sufficient number of right people at the right time for the right purpose. An effective recruitment process should be able to absorb best candidates to meet the needs of the work place, and develop and maintain qualified and adequate personnel through which an organisation can fulfil its human resource plan that lead to achieving the organisational goal. Recruitment process should begin by explaining the human resource requirements (numbers, skills mix, levels, and timeframe) and begins once the workforce planning is complete.

- 2.9.1 Recruitment mechanism of any state should be inclusive and include qualified individuals from all sections of society. Selection and appointment should be determined solely on the basis of ability, knowledge and skills, after fair and open competition that assures equal opportunity. Scientific management of recruitment is practiced in the state to a great extent.
- 2.9.2 Selection to the posts of the State and Subordinate Services of all departments are made through Kerala Public Service Commission. Public Service Commission is a constitutional body established under article 320 of the constitution. Its mandate includes publishing notifications, inviting applications for selection to various posts as per the requisitions of the appointing authorities, conduct of written test and/or practical tests, physical efficiency test and interview, preparation of rank list based on the performance of the candidates and advise candidates for appointment based on their merit and observing the rules of reservation, as and when vacancies are reported.

2.10 Human Resource Planning

Human Resource planning is a futuristic systematic approach to make optimum use of human resources for the betterment of an organisation or department. Effective Human Resource planning ensures appointing best fit employees to the departments avoiding shortage and surplus of employees. Human Resource planning by departments are not of the required quality affecting effectiveness of the recruitment and selection process. This has led to a situation where departments do not possess accurate information on

human resource needs. Establishment of objectives of recruitment is an important aspect of recruitment planning and none of the departments have set clear objectives for recruitment. In the absence of clear objectives development of an effective recruitment strategy becomes difficult.

2.11 Delay in Completing the Recruitment Process

The recruitment process includes reporting of vacancies by the departments/organisations, process of notification, scrutiny, conduct of examinations, evaluation, interview and preparation of rank lists and finally advising appropriate candidates. Currently, the process takes more than a year. One of the reasons reported for this long duration is the delay in reporting of vacancies by the departments. The current practice of reporting vacancies arising at the district level to the headquarters and in turn by the headquarter office to the Public Service Commission is identified as one of the reasons for delay in reporting.

- 2.11.1 While reporting vacancies to PSC, the departments often fail to inform, with clarity, qualification/equivalent qualification in special rules or executive orders for the post for which recruitment is to be done. This leads to future litigations contributing to delay in recruitment.
- 2.11.2 After receiving appointment order there is lack of clarity among the officials and incumbents regarding specified extension of joining time, if it's to be availed. If a selected candidate does not report for duty within the period specified for joining duty, the matter shall be reported to PSC as "Not Joining Duty Vacancies (NJD)". However, there is a lack of clarity regarding reporting of NJD vacancies to PSC.

2.12 No Special Criteria for Filling up Socially Sensitive Posts

No specific criteria are being followed for filling up socially sensitive posts. Posting is made from the common candidates which create an unprofessional approach towards the work involved. Outlook and dedication of the personnel entrusted with the responsibility is important in the delivery of service to vulnerable groups. Departments like Social Justice require employees who have affinity/inclination towards social service for dealing with issues of senior citizens, persons with disability, etc. Similarly the wardens and other officers responsible for managing hostels for scheduled castes/scheduled tribes students, welfare institutions, juvenile homes and hostels for other vulnerable groups need to be equipped with special skills. Currently, personnel appointed in the ministerial cadre are given the responsibility of hostel warden in many of the hostels. Regular promotions without training may not provide suitable persons with the right aptitude and

attitude for handling socially sensitive issues and managing people with special needs.

2.13 Number of Appearances

Currently, there is no limit in the number of times a candidate is allowed to appear for recruitment test for a specific post in government. A person can appear for the test any number of times till attaining the upper age limit of 35 for general category and 40 for SC/ST candidates. Innumerable number of attempts for specific posts and higher age limit has an impact on quality of candidates selected.

2.14 Lateral Entry and Merit

Entry into government service is the outcome of a process of selection carried out by constitutional bodies like PSC, SSC, UPSC, etc. Most of the selections are direct recruitment. In addition to direct recruitment, selection to government service is also done through lateral entry. Modes of lateral entry include: compassionate employment, sports quota, by transfer appointment etc. Out of the above modes, compassionate employment appointments and appointments to sports quota are being done without any selection test. By transfer appointment is done through two methods, by-transfer selection through PSC and by transfer appointments done by departments without any role for PSC. Except by-transfer appointment through PSC, all the other modes of lateral entry are done without any filtration for quality and assessment of skill required to handle the responsibilities to be assigned to the recruited leading to a situation where a section of the Civil Service maybe less effective.

2.15 Scheme for Compassionate Employment

As per GO (P) No. 12/99/P&ARD dated 24/05/1999 Government have issued orders in supersession of all the existing orders to regulate appointment under the compassionate employment scheme. It has prescribed the date of effect, eligibility, family income, dependents, minimum service, category of appointment, qualification for the post, age limit, and time for preferring application and procedure for appointment. In practice, stress of the present scheme is not on providing immediate relief and support to the family of the deceased.

2.16 Kerala Public Service Commission

Kerala Public Service Commission is constituted for conducting recruitment for Government. Conducting of departmental tests and convening of Departmental Promotion Committees are other major responsibilities of

PSC. Currently the responsibility of recruitment to various cooperatives, Universities, public sector undertakings, etc. is entrusted to PSC. However, the ever increasing work load of PSC causes delay in recruitment process and responsibilities like conduct of DPCs and Departmental tests, core functions of PSC. The enormity in the number of applications received by PSC for many of the posts makes their task daunting. Still PSC has been carrying out the responsibilities entrusted to them to the best of their ability, with credibility and efficiently.

- 2.16.1 Increased use of technology and optimum use of human resource will not alone help in managing the increasing burden of PSC. Increasing human resource of PSC also may not improve its efficiency beyond a certain point.

2.17 Recruitment of Persons with Disability

Recruitment of persons with disability to government service needs to have clarity regarding suitability of posts with respect to the type of disability.

2.18 Age of Retirement

Average life expectancy at birth in India is 67.9 and in Kerala it is 74.9- the highest in India. However, the age of retirement for government employees in Kerala excluding those under NPS is 56, the lowest among all other Indian states. In Government of India age of retirement is 60 years and the pre-budget Economic Survey 2019 has suggested raising the age of retirement further in stages.

2.19 Recommendations

- (i) Lack of human resource planning is a major issue in the recruitment process. P&AR Department shall ensure that all departments prepare a human resource plan based on the goals of the department. Periodic work study will facilitate effective human resource planning. It is recommended that departments should undertake work study at least once in 10 years. It should be a continuous process. In the age of digital administration, work-study may be automated through integrated data manipulation taking into account the government policies, budgeting, programme implementation, resources and cause and effect management. This can be done through professionally qualified and authorised external agencies, if required.
- (ii) The appointing authorities shall report vacancies estimated for one year in each category of post to PSC, separately, after exercising extreme diligence and ensuring accuracy. Once vacancies are reported to PSC, they should neither be cancelled nor reduced. They should also note that the date of occurrence of vacancy should be treated as the crucial date for deciding the

method for appointment. The practice of filling up of vacancies by promotion/transfer after reporting vacancies to the KPSC shall be discontinued. Provisional appointments through employment exchanges shall not be resorted to in respect of any posts for which a valid PSC rank list exists.

- (iii) According to the instructions in force (Circular No. 96060/ Advc3/94/P&ARD dated 22/11/1994) the candidates advised for appointments by PSC are required to join duty within the joining time specified in the appointment order. In deserving cases, the appointing authority can grant extension of joining time up to a maximum period of 45 days from the date of appointment order. Joining time beyond 45 days can be granted by government to those candidates who are in the midst of any educational course or undergoing training. Before Non Joining Duty (NJD) report is sent to KPSC, the appointing authority should ensure that no request for extension of joining time is under consideration by the government in respect of that candidate. In the appointment order, the appointing authority should specify last date for joining the service. Vague terms such as 'joining forthwith', 'Join immediately' shall not be used. The application, if any, for extension of joining time beyond forty-five days should be submitted by the candidate through the authority she has to report for duty.
- (iv) A separate cadre of employees with necessary qualification shall be created within departments with socially sensitive posts. Required training shall be imparted to employees selected/promoted to such posts. For example, wardens in SC/ST hostels, specific posts in Social Justice Department, etc.
- (v) The process of developing customized modules in SPARK is in progress. The Spark Payroll System (SPARK) can be utilised for ensuring effective use of technological advances in recruitment. ARC suggests linking Spark Payroll System (SPARK) to the IT system of Government. There should be a module written in SPARK that will assess vacancies arising in government and predict the chain of promotions and estimate the resulting vacancies to be reported to PSC.
- (vi) GO (P) No. 55/2019/Fin dated 04/05/2019 of Finance (Pension-B) department lays down that the list of employees retiring on first of January and July for the coming 18 months shall be prepared well in advance and shall be submitted to departmental heads. This information can be utilised for assessing arising vacancies and same can be reported by the government to PSC. This will facilitate timely reporting of vacancies to PSC and may reduce the time taken for the recruitment process. Based on this information Appointing Authority can report arising vacancies, may be twice in a year

(January-June). GO (P) No. 55/2019/Fin dated 4/05/2019 can be adapted and used for identifying arising vacancies. The government shall ensure that recruitment process from notification to posting is completed within a year by adoption of these measures.

- (vii) All modes of By-transfer appointments shall be made through a due selection process through PSC and the rank lists so prepared shall have the validity co-terminus with that of the main rank list for that post.
- (viii) Selection for all appointments to Government shall be through a competitive examination, except for appointments on compassionate grounds and sports quota.
- (ix) Persons appointed on compassionate grounds and sports quota shall pass a qualifying examination, in addition to obligatory departmental tests, to be eligible for promotion enabling Government to ensure that only qualified persons are promoted.
- (x) Lateral entry of professionals, experts, etc. in to any service, when required, shall be only on contract basis.
- (xi) While reporting vacancies, the appointing authority shall inform KPSC minimum eligibility qualifications/equivalent qualifications, etc. for the post including eligibility fixed through executive orders. The request for recruitment shall have clarity and contain all required information.
- (xii) As done by the Staff Selection Commission (SSC), KPSC may be equipped to conduct examinations and prepare rank list every year or, to begin with, at least once in two years. For posts which are of common nature and have large number of vacancies like LDC and Secretariat Assistant etc. Government shall identify posts for which recruitment can be done to implement the recommendation of ARC.
- (xiii) ARC recommends that Government may request KPSC to form a Consultative Group of educational experts for consultations and preparation of questions and formation of a question bank to improve efficiency and ensure timeliness in the conduct of examination.
- (xiv) Application fee, as decided by Government, shall be introduced to dissuade non-serious candidates and to reduce financial burden of PSC.
- (xv) A valid rank list shall be readily available with PSC at all times. While advertising for various posts it shall be made clear that the validity of the rank list for the posts is up to December of that year and that a new rank list will be in effect from January.

- (xvi) Grouping of posts may be done on the basis of qualification and job requirement. Applicants shall be allowed to opt for departments of their choice in the application itself as done by SSC for Combined Graduate Level Examination (CGL) and UPSC for Civil Services Examination. Opportunity to change the option may also be allowed within a specified period after publication of results. Candidates may be allowed to move only to higher options.
- (xvii) ARC recommends creation of common service based on functions, as there is a need for moving away from compartmentalised/specialised administration to a more broad/inclusive system. Common service can include cadres with common basic qualification across departments and posting shall be done as per requirement of departments from the common service. Examples of Common services may be State Ministerial Service, State Engineering Service, State Medical Service, State Agriculture Service, State Veterinary Service, etc. Service matters including seniority of employees in Common services shall be dealt by a separate authority. Common service will help in minimising repeated recruitment to posts with same minimum qualification for different organisations. Change to pool system will ensure horizontal integration between similar functions in departments. Government shall fix a time frame for switching over to the new system.
- (xviii) Commission recommends that the number of attempts for attending PSC examinations (for specific posts) shall be fixed as 4 for general category and 5 for OBC's. Candidates from Scheduled castes and Scheduled Tribes may be allowed unlimited chances. Minimum age for applying to entry level posts may be fixed as 19 years and upper age limit maybe reduced to 32 years. Reduction in upper age limit shall be done in stages. Age of eligibility for SC/ST and OBC candidates may also be re-fixed accordingly.
- (xix) The 3rd ARC (Fourth Report- Personnel Reforms- Part I, 2.4.iii) had suggested setting up of an autonomous 'Notified Sector's Recruitment Commission' to handle 'recruitment in Public Sector, and other sectors as notified by Government from time to time. The organisation will have to be created by legislation and vested with all the autonomy and independence of PSC.... Another aspect to be ensured is that it should be a compact body of, say, three members, selected exclusively from among competent and well reputed professionals. The Commission could be supported by a small well-structured secretariat'. To reduce the workload and improve efficiency of PSC, the commission is reiterating the suggestion of 3rd ARC to form an autonomous 'Notified Sector's Commission' which

may be entrusted with recruitments of Public Sector Undertakings, autonomous institutions, Cooperatives, Universities and any other Government entity notified by government.

- (xx) Commission recommends that Government shall consider raising the age of retirement to 60 years, in stages, considering that average life expectancy in Kerala at 74.9, is the highest among states in India.
- (xxi) Commission recommends that Government shall ensure speedy recruitment to posts identified as suitable for recruitment of persons with disability and ensure that there is clarity regarding suitability of posts with respect to the type of disability. Norms fixed by UPSC may be considered by Government for ensuring clarity.
- (xxii) Recommendations of the '***Committee for Formulation of Modalities for Implementation of 4% Reservation for Persons with Disabilities in Appointments***', constituted by Social Justice Department, Kerala shall be implemented without delay, for streamlining the recruitment of Persons with Disability (PwD). ARC also recommends that Government shall establish a system for proper monitoring of recruitment of PwDs.
- (xxiii) Tenth Pay Revision Commission (PRC) had made an in-depth study of the existing scheme for Compassionate employment and recommended its restructuring as a scheme for immediate relief and support to the dependants of a deceased employee and not a scheme for getting undue advantage by way of seniority (by persons who got employment under the scheme) over regular recruits who are better qualified and underwent the due process of selection. The same situation is prevalent in the case of sports quota appointments also, and leads to dissatisfaction among the regular recruits. Government may consider placing persons recruited under compassionate employment scheme and sports quota below the regular recruits in a year.
- (xxiv) ARC studied the recommendations of 10th PRC in this regard and recommends that Government shall take immediate steps to adopt these recommendations for appointments under compassionate employment scheme and sports quota. It will be a step forward in professionalising the civil service of the State. Recommendations of the PRC are at **Annexures V and VI** respectively.

CHAPTER 3

SPARK and Service Matters

3.1 Service and Payroll Administrative Repository of Kerala (SPARK)

Information Communication and Technology is a key element in improving performance of Government. The state of Kerala is increasingly utilizing the opportunities provided by Information and Communications Technology (ICT) to deliver services efficiently and effectively. Service and Payroll Administrative Repository of Kerala (SPARK) is one such initiative introduced as part of Modernising Government Programme (MGP). SPARK is a complete HR package for the state Government employees including employees of Aided educational institutions. This system caters to all requirements of HR related activities and Payroll functions. E-Service Book (e-SB), SPARK on mobile App, and online GPF module are the latest developments in this field. Employee Human Resource Management Information System is another component of this system. SPARK allots Permanent Employee Number (PEN) on registration of service details of the employee as per Rule 13A, Part I KSR. Thereafter PEN will be the important code to identify the employee in the SPARK database. It will also capture the details of Loans, Advances and other subscriptions like LIC, SLI, GIS, and FBS, etc.

3.1.1 SPARK requires high capacity high speed communication lines for ensuring efficiency in providing services. The present infrastructure and architecture of SPARK needs to be upgraded to make it a complete HR and pay roll package as envisaged. There are processing and procedure delays in SPARK. The Call Centre service is not equipped to timely resolve issues faced by employees. SPARK even now has no penetration and rollout throughout all offices in the state. Even though envisaged as complete HR and accounting software, SPARK deals only with payments from Consolidated Fund of the State. Employees of Local Self Government Institutions are currently outside the purview of SPARK. Thus a sizable portion of employees are excluded from a complete HR and accounting facility and thereby Attendance Monitoring linked to SPARK data base. Some other issues:

- Bill generation for all claims relating to employees who retired before introduction of PEN.
- Absence of facility for online Report of Transfer of Charge (RTC).
- The Accountant General (AG) maintains records of increment, leave, transfer,

promotion, allowances, etc. of Gazetted Officers. But there is no integration between SPARK and GEMS (Gazetted Entitlements Management System) in the office of the AG.

- Absence of SMS alerts for transactions in TSB accounts.
- The system for problem resolution at district level is not effective compelling employees to travel from various districts to SPARK PMU in Thiruvananthapuram. There is a queue system for registration. Normally only a few minutes is taken to resolve the issue. But time taken for travelling by an employee is between 1 and 3 days. Number of visitors everyday at SPARK PMU shows inadequacy of the present system at district level.
- Another important issue that came to the notice of the Commission is the use of office working time by employees for settling or sorting out their service matters. Whenever an issue about service matters arise, it is the responsibility of the employee concerned and not of the officer/DDO/person dealing with the matter to solve the issue. Therefore, the aggrieved employee is constrained to use working hours for sorting out personal matters, thereby denying services to the public which is her primary responsibility resulting in dereliction of duty.
- SPARK is a Modernising Government Programme (MGP) initiative envisaged as a complete HR package of all government employees in Kerala. Hence Administrative Departments should have a major role in the administration of SPARK.

3.2 Recommendations

- (i) SPARK shall be developed in to a complete HR and payroll package. A proper and scientific review of the SPARK system should be done by a professional agency outside the National Informatics Centre (The NIC has done an excellent job in developing the software for SPARK – but a review by NIC of their own software may result in an inadequate weighing of the functionality vis-à-vis best practices elsewhere).
- (ii) Vacancy position and data on sanctioned strength of each category of post shall be generated using SPARK.
- (iii) Online transfer module shall be developed in SPARK and rolled out to all departments.
- (iv) Government may consider of integrating service matters of local self government institution's employees with SPARK, otherwise it will remain a partial repository of employees in Kerala.
- (v) Module for processing all GPF related matters shall be developed in SPARK.

- (vi) Bill generation for all claims relating to employees retired before introduction of 'PEN' is time consuming. Manual processing of procedures in such cases shall be simplified.
- (vii) Online facility for Report of Transfer of Charge (RTC) shall be made available in SPARK.
- (viii) Government shall consult AG on the possibility of integration of SPARK with GEMS (Gazetted Entitlements Management System) to streamline issuing of pay-slip on transfer, promotion, etc.
- (ix) SMS alerts for all transactions in TSB accounts shall be facilitated.
- (x) As the SPARK is developed as a complete HR package, district level support system shall be strengthened by providing permanent employees through re-deployment from Administrative and Finance Departments of the Secretariat. No additional post creation is recommended.
- (xi) Commission also recommends that SPARK PMU shall have adequate representation from Administrative Department, at all levels.
- (xii) All DDOs and supporting employees shall be responsible for sorting out all service related matters. No individual employee shall be liable for settling or sorting out issues if any, with their service matters. In short, maintenance and upkeep of service records of employees shall be the responsibility of the Officers/DDOs concerned.

3.3 Leave Management

Leave management, the process of sanctioning/rejecting leave, is considered as a simple HR activity. However, it is a crucial process that involves responsibility of taking care of various aspects like, ensuring availability of employees at all times for effective functioning of the system, compliance with the leave policies, rules and regulations and management of employee satisfaction, etc. Therefore, leave management is one of the crucial areas of Government service. An effective leave management system is necessary for efficient governance. Poor leave management practices also have negative effects on employee performance.

- 3.3.1 There are clear definitions on leave, type of leaves, eligibility of various leaves, etc. in the Service Rules of government employees. There are types of leaves for which leave accounts are to be maintained, such as Half Pay Leave, Earned Leave, etc. Some of them are periodic in nature and some are for special category of employees. However, leave is not the right of an employee. It has to be approved/sanctioned by higher authorities based on the application and supporting documents. Discretion of sanctioning leave is on the authority.

- 3.3.2 Process of application and sanction of leave is done manually in the offices. The offline procedure creates delay in sanctioning leave, is time consuming and increases paper work. Effective tracking of leave account is also difficult in the manual system. Over the years, technological advancements and ever increasing demand on performance has necessitated government to come up with innovative ways to manage leave.
- 3.3.3 There are provisions in Kerala Service Rules regarding Leave Without Allowance (LWA) for taking employment on Foreign Service. However, it is understood that there are cases of unauthorized absence as many employees take other assignments outside the government without following the due procedure. Such practice by the employees causes shortage of personnel in the department, thereby adversely affecting the functioning of the department and service delivery. It is also noted that majority of these cases end up in disciplinary proceedings.

3.4 Recommendations

- (i) Online leave management system shall be introduced in all offices and organisations in Government. Applications for leave, its process, approval and rejection, etc. shall be done through online leave management system. It will be beneficial to make use of SPARK for this purpose. However, it may be taken in to account that a sizable number of employees in Local Self Government Institutions and similar institutions are excluded from the purview of SPARK as they are not drawing salary from the Consolidated Fund of the State. Government may take note of this issue and explore the possibility of including these employees also in SPARK.
- (ii) The attendance monitoring and leave management system shall be linked with the payroll administrative system. Attendance monitoring system has been linked with SPARK in Government Secretariat. This shall be extended to all departments within a fixed timeframe.
- (iii) A mechanism shall be developed to ensure that service delivery and functioning of the office is not affected due to absence of an employee on leave or otherwise. It is to be ensured that sufficient number of employees are available at all times in offices visited frequently by the public. The 'link officer' system followed in the Government Secretariat shall be implemented in other departments and 'Automatic Charge Arrangement' can be considered to reduce the problems faced by the public by the absence of employees in a particular seat or section on any ground.

- (iv) Details of leave or absence of employees shall be available to the public. This can be done as responses to telephone or mobile phone calls, display on notice boards, etc. Updated details of contact numbers shall be made available on the website.
- (v) Meetings of field staff shall be conducted on fixed days. Information in this regard shall be made available on the website. Use of information technology enabled services (ITES) and Video Conferencing shall be encouraged, as far as possible, to reduce absence of employees from the offices.

3.5 Working Days and Working Hours

The work week and weekend are complementary parts of the week devoted to labour and rest. In most parts of the world work week is from Monday to Friday and weekend is on Saturday and Sunday.

- 3.5.1 Present day concept of ‘weekend’ first arose in the industrial north of Britain in the early part of the 19th Century (weekend-origin and meaning—Online Etymology Dictionary) and was a voluntary arrangement between factory owners and workers allowing Saturday afternoon off from 2 pm in agreement that staff would be available for work sober and refreshed on Monday morning. The Oxford Dictionary traces the first use of the term “weekend” to the British Magazine ‘Notes & Queries’ (a quarterly scholarly journal) in 1879.
- 3.5.2 Henry Ford, founder of Ford Motor Company changed work policy of his factory to a 40-hour week with 5 working days without any reduction in wages, on September 25, 1926. He believed “It is high time to rid ourselves of the notion that leisure for workmen is either “lost time” or a class privilege”. His son Edsel Ford took forward his father’s philosophy. In his opinion “Every man needs more than one day a week for rest and recreation.... We believe that in order to live properly every man should have more time to spend with his family.”

3.6 Working week and working hours in Kerala: The working hours of various Government departments and Secretariat is defined in the Manual of Office Procedures and Secretariat Office Manual respectively. Six-day work week is followed in all government departments in Kerala. Modernisation has fundamentally changed the way we live and work. Nature of governance has also changed and requires critical thinking, problem-solving, and creativity. There is an increasing attention in the society on work-life balance. The demand for better work-life balance and change in working hours is an issue which the Government should give serious attention.

3.7 Benefits of 5-day work week: Six-day work in a week is considered stressful mostly for the employees especially women, who normally get to do manifold chores in the house in preparation for the succeeding week. It would be appropriate to give a two-day break that coincides with the weekend breaks of academic institutions. This would also provide more time for family members to spend together.

3.7.1 Employees who get a 2-day break will return to office refreshed and will be capable of working with more dedication. Employees get more time to spend with their families and take care of them leading to better stress management and happier families and healthier work force. Spending more time with family creates better social harmony as more family time is good for society. 5-day work week can promote better cultural growth as employees get time for their hobbies and also to foster hobbies of their children.

3.7.2 5-day week will result in lesser fuel consumption, resultant reduction in expenses for the employees and conservation of energy for government. Another benefit will be reduction in traffic congestion which will be beneficial for a state like Kerala with high density of population and limitations in developing infrastructure, especially roads.

3.7.3 The New Economic Foundations- a British Think-tank that promotes social, economic & environmental justice (New Economics Foundation website- what we do). Founded in 1986 by leaders of 'The other Economic Summit' (ToES)- a counter summit to the annual G-7 summits- includes diverse group of economists greens community activists- recommended moving to a 21 hour standard work week to address the problems of unemployment, high carbon emissions, low wellbeing, entrenched inequalities, over working, family care and the general lack of free time.

3.7.4 The Centre for Economic Policy and Research states that reducing the length of the work week would slow climate change and have other environmental benefits. Many research and corporate case studies suggests that a transition to shorter work week would lead to increased productivity and improved health and that working time reduction has an important role in a sustainable economy.

3.7.5 Government of India introduced 5-day working week in the civil administrative offices from June, 1985. States in India which have introduced 5-day work week include, Tamil Nadu, West Bengal, Uttar Pradesh, Punjab, Rajasthan, Delhi, Bihar, and Goa. The latest is Sikkim which introduced 5-day week on 31/05/19. There is demand in Karnataka for introduction of 5-day week.

- 3.7.6 Third Administrative Reforms Committee in its report published about 20 years ago had suggested introduction of 5-day week. Government has not considered this suggestion so far. This suggestion assumes greater significance in the current scenario.
- 3.7.7 Another area of concern is the never-ending demand for declaring new holidays and the tendency to change restricted holidays to holidays. In the year 2019, total number of public holidays excluding Second Saturdays, and Sundays is 27.

3.8 Recommendations

- (i) The Commission recommends changing the working days from six days a week to five days a week. Offices shall remain closed on all Saturdays and Sundays. To make up lost hours due to closed Saturday, working hours per day shall be increased by one hour thirty minutes. Working hours shall be from 9.00 am to 5.30 pm with half an hour lunch break between 1 pm and 2.00 pm. Timings of public transport including buses and trains shall be adjusted to suit the change in office hours in consultation with Railways/Bus operators and other stakeholders.
- (ii) In addition to change in office working hours, number of public holidays should be reduced subject to rationalisation in the number of Casual Leaves and holidays. Holidays shall be divided into three categories, viz. (1) Public Holidays, (2) Special Holidays, and (3) Restricted Holidays. Public holidays shall be limited to Republic Day, Independence Day, Gandhi Jayanti, May Day, Onam (2 days), Christmas, Id-ul-Fitr, Mahanavami. Remaining holidays are to be converted as Special holidays, allowing each employee to avail 8 special holidays, on request, irrespective of their religion/caste. Existing Restricted holidays shall continue as such. Number of Casual leave shall be restricted to 12. A combined effect of all these steps will reduce inconveniences, if any, resulting from making all Saturdays as holidays. The Commission is also of the view that the e-governance and m-governance initiatives presently at various stages of implementation will reduce difficulties and delays in service delivery faced by people and ultimately result in lesser number of visits to offices by public.
- (iii) The Commission recommend that Government shall implement the above recommendations as a package and avoiding singled out implementation of any component. Before taking a final decision on these recommendations, Government may publish the proposal for public opinion and shall hold discussions with all stakeholders.

- (iv) Commission recommends to government to analyse the possibility of implementing flexible timing in working hours. The commission is of the opinion that flexi-time can avoid the inconveniences of travelling during rush hours to a large extent, avoid traffic or travelling stress and help them to come to work more refreshed and motivated to start their day right. In this context entry and exit to the office shall be recorded using modern technology like scanning of ID card at entry and exit points to maintain discipline and ensure their availability in the seats.
- (v) Bio-metric Attendance Monitoring System shall be extended to all offices and in operation immediately.
- (vi) Every exit of an employee outside office premises/campuses during working hours shall be recorded in the Movement Register kept with concerned head of office.
- (vii) It is recommended that working of schools may begin one hour prior to office time.

CHAPTER 4

Office Infrastructure & Facilities for Staff

- 4.1 Office infrastructure, ambience of workplace and facilities for employees play crucial role in determining level of employee motivation, performance and productivity. Many studies on work environment have shown that lighting, ventilation, free air movement, access to natural light, temperature, and suitable acoustics are significant in productivity and work satisfaction. Good office infrastructure and ambience have positive influence on employees' health and thus employees' productivity.
- 4.2 Government should change public perception that public offices function in dilapidated buildings and poorly maintained premises. Job enabling environment should be ensured in all government offices. It is also to be ensured that there is quality furniture and fixtures with ergonomic design, timely replacement of computers and other gadgets, timely Annual Maintenance Contracts (AMC) for machines and equipments, etc. Government should ensure hygienic toilets which suit persons with disabilities and all gender. Proper signage, notice boards, customer facilitation centres or help-desks, proper space for visitors lounge, drinking water and parking space for vehicles, etc. need to be provided in all offices.

4.3 Recommendations

- (i) Physical infrastructure facilities are required in terms of rooms for visitors with accessible toilets and baby feeding cabins. Ramp and accessible lift for physically disabled shall be provided. Efficient housekeeping is required for maintaining the office and premises neat and clean. The responsibility may be assigned to a particular section within the office.
- (ii) A quick response team has to be formed in Public Works Department at district level to cater to the urgent needs of various departments for maintenance/repairs/replacement work within 24 hours. The Commission is examining this issue in detail in its ongoing study on 'Infrastructure Development and Maintenance' and a detailed recommendation will be submitted in that Report.

- (iii) The government employees spend most of their time in the workplace. Therefore, office infrastructure and ambience and pleasant work environment are to be ensured. Well maintained buildings, toilets with running water, drinking water, dining rooms, and accessible parking space for both employees and public shall be provided. Every government office shall have a Front Office and a Visitors lounge. Office complexes shall have Visitor's Facilitation Centres. Front Office shall be adjacent to Visitors' lounge.
- (iv) Regular cleaning is an important practice as it helps to remove potentially harmful germs and debris and maintain a healthy environment. It involves use of chemicals and requires proper cleaning techniques. Hence sweepers and cleaning staff need to be trained in their job and supervision of cleaning shall be entrusted to an officer who is in charge of housekeeping in the office. There should be adherence to 'green protocol' and 'cleaning protocol' and timely audit to be done by employing an independent agency or Suchitwa Mission.
- (v) In case of unavailability of regular staff for cleaning, the task may be outsourced through external agencies like Kudumbasree. Regular staff connected with housekeeping shall be phased out in future and the job shall be outsourced.
- (vi) Lawn/gardening and landscaping shall be promoted in office premises to improve the ambience of the offices.
- (vii) Specific space and notice boards may be allotted to various service organisations for affixing their posters so that office premises can be kept clean. Flags, festoons and other decorations shall not be allowed in office premises, compound wall and on office buildings.
- (viii) All Government offices shall be disabled friendly. In the case of a multi-storeyed building there should be accessible lift/ramp and seating facilities on the ground floor for persons with disability. The Commission has already recommended to Government that all existing buildings under government and private ownership shall be made disabled friendly in a phased manner and within a time frame of two years (Chapter 4, para 4.4, Report on Welfare to Rights- Implementation of Select Legislations: A Review; 4th ARC). The Commission reiterates that recommendation.
- (ix) State/district level committees shall be formed to locate vacant spaces available in government-owned buildings to accommodate offices under different departments functioning in rented buildings.

- (x) Commission recommends that the Government may consider colour schemes for office buildings. Offices under one department may have the same colour scheme. A colour scheme for different departmental offices will enhance attractiveness and ambience of government offices. Government may consider uniform architecture for offices of uniform nature and adoption of Green Building Concept in construction of new buildings.
- (xi) An updated Asset Register in prescribed form shall be maintained in all offices with details of land, buildings, furniture and fixtures and other ancillary infrastructure such as computers, peripherals, etc.
- xii) Disposal of old furniture, computers, peripherals, vehicles etc cluttering up the offices and its premises is a major issue. Inordinate delay in disposal of these articles affects hygiene of the office and health of employees and visitors. Commission recommends that Government shall develop Standard Operating Procedures (SOPs) in this regard and monitor its strict implementation.

4.4 Accommodation Facility for Government Staff

Welfare facilities for employees are increasingly becoming important in organisations. Employees are the major determinants of efficient service delivery. Therefore, well-being of employees is of utmost importance. Only a miniscule of government employees is fortunate in residing within fifteen kilometres radius of the office where they are working. Majority of the employees have to travel longer distances. Absence of an efficient public transport system compounds the problem. The employees posted in remote areas like Kasaragod, Wayanad, Idukki, etc. are facing acute shortage of accommodation facilities forcing employees to commute to long distances. This in turn adversely affects governance in those districts as presence of employees on all working days cannot be assured. Providing accommodation facility for the workforce is considered as one of the important factors for ensuring optimal performance. Sufficient numbers of government quarters are presently not available to meet demand from employees. There are long-pending applications for government quarters.

- 4.4.1 In this context it is meaningful to note the proviso under Rule 93A of Kerala Government Servants' Conduct Rules, 1960. Rule 93A reads as follows:

All government servants shall ordinarily reside, within the limit of their Headquarters Stations. Whenever any Government servant finds it necessary to live outside the prescribed Headquarters, he shall obtain specific sanction of the Head of Office or other Competent Authority. Permission to reside outside the Headquarters will be granted only in exceptional case, each case being considered on its merit and in accordance with administrative convenience.

4.5 Recommendations

- (i) Rule 93A of Kerala Government Servants' Conduct Rules, 1960 stipulates that all government servants shall ordinarily reside within the limits of their Head Quarters station and for that purpose government servants other than Medical Officers of department of Health Services, Homoeopathy, Indian Systems of Medicine and Medical Colleges (in their case the limit is eight kilometre) shall reside within a limit of 15 km radius from their Head Quarters stations. Considering the better transportation facilities available, prescribed distance between office and residence may be increased to 20 kilometre. In respect of Medical Officers, it may be enhanced to 10 kilometres. Necessary amendments may be made in Rule 93A of Kerala Government Servants' Conduct Rules, 1960.
- (ii) If the Government insist on strict adherence to Rule 93 A of Kerala Government Servants' Conduct Rules - yes, rules are for strict adherence- it is the bounden duty of the Government to provide appropriate accommodation facilities within the limits prescribed for all employees. Otherwise, HRA commensurate with market rates of rent, as a fixed percentage of basic pay, shall be made entitled to those who are compelled to reside within the prescribed limits, as per rules. Differential rates for rural and urban offices may also be fixed.
- (iii) Departments such as Revenue, Health, Police, Fire and Rescue and Panchayats/Local Self Governments are considered as highly citizen-centric and core service departments. Hence, they shall be provided with centralized accommodation facilities within their campus or nearby places. Priority in allotment of government quarters shall be given to employees of these departments.
- (iv) Government shall construct Staff Quarters for the accommodation of employees through budgetary funds or through extra budgetary

resources like PPP, KIIFB funding, etc. A certain portion or blocks of Quarters complexes shall be earmarked for single occupancy with minimum required facilities.

- (v) ARC recommends that Government shall provide Day care facilities in all office complexes and staff quarters. For children of employees working in standalone/isolated offices Day care facilities shall be provided through Government agencies/ NGOs.

4.6 Use of Government Vehicles

A large number of vehicles are used by Government. The use of Government vehicles is restricted for official purpose. Travelling of employees between their homes and office is prohibited except for those employees who are entitled and those who are engaged in fieldwork subject to duties and cadres. Insufficient number of vehicles, repair and maintenance of vehicles, insufficient allocation for POL, condemnation of old vehicles and indiscriminate use of vehicles are some of the main issues. Some departments like Health, Police, Fire and Rescue, Excise, Revenue (village offices), Commercial taxes, Motor Vehicles, Local Self Governments are in dire need of vehicles.

4.7 Recommendations

- (i) Considering the nature of activity undertaken by the department and eligibility of the officer heading or in-charge of the office, a suitable vehicle (two-wheeler/four-wheeler) may be allotted to the office. Field offices like Village office, Grama Panchayat office, Krishi Bhavans, Veterinary clinics, Primary Health Centres and Family Health Centres, etc. shall be provided with two-wheelers. Sufficient allotment for Fuel Charges may be sanctioned to such offices.
- (ii) Vehicles used for more than 10 years shall be auctioned without delay.
- (iii) Fuel allowances to entitled officers who use own vehicle for official purposes may be considered.
- (iv) While purchasing vehicles government should foresee technological advances and decide on purchase of electric/hybrid vehicles. Government shall be a model in encouraging fuel efficient and eco-friendly technologies.

- (v) The government should discourage the practice of purchase of new vehicles. Alternatively, public servants/offices can hire vehicles on contract basis from vehicle providers and leverage upon professional services offered by car rental companies. This will ensure that the expenses on this account will be brought down considerably and at the same time quality and professional transport services will be ensured. The drivers and related staff can be re-skilled to work as office assistants. Existing system followed for hiring vehicles can be continued.
- (vi) In order to reduce/minimise travel, official meetings and conferences shall be conducted through video conferencing. Use of latest communication technologies shall be adopted for dissemination of information so that usage of vehicles for delivery of letters, documents and other communications can be minimised.

CHAPTER 5

Accountability

- 5.1 Governments focus on reforms and transformation to improve efficiency and effectiveness in delivering services. In administration, it is of utmost importance to adopt principles to improve citizen's trust. Accountability is the acknowledgement and assumption of responsibility for action or inaction on the part of a civil servant. It is used as a synonym for good governance and indicates that personnel involved in public matters, manage public funds, and guarantee services free from corruption, bias and as per rule of law. Accountability refers to adhering to government rules while implementing government programmes and ensuring highest quality in delivering services within the stipulated time frame without any misuse of government funds. In other words, accountability refers to the responsibility of a civil servant in safeguarding the interests of the public. The citizens are entitled to get service of good quality measured against responsibilities and duties entrusted to the employees. They are answerable to decisions taken and activities done and are subject to scrutiny by various authorities and courts.
- 5.2 Accountability failures in India have been elaborately discussed by Department of Administrative Reforms and Public Grievances (DAR&PG), Government of India in the discussion note 'Civil Services-Accountability to People'. Accountability is defined in the note as "the obligation of those holding authority to take responsibility and be held answerable for their behaviour and actions. It is a relational concept, as it concerns the relationship between those who perform an action or deliver a service and those on whom the services have an effect. Accordingly, accountability has an answerability element and an enforcement element". The note analyses the concept of accountability, core analytical principles for accountability to the people and offers few preliminary thoughts on mechanisms and institutions through which accountability, as conceptualised, can be actualized (**Annexure-VII**). The Commission is of opinion that it can serve as a base document for further discussions on accountability. Commission is studying in detail accountability mechanisms and issues in its study on '*Accountability Mechanisms in government and Public Grievance Redress*'.
- 5.3 Implementation of right based Acts like the Right to Information Act (2005) and the Right to Service Act (2012) have not been completely effective in ensuring accountability.

- 5.4 Ethical behaviour of civil servants is not only, not being corrupt but includes working in accordance with moral values, standards and rules. Improving ethical behaviour of civil servants is essential for establishing trust with various stakeholders, most importantly citizens. However, adherence to values, standards and rules are not always up to the desired level.
- 5.5 Role clarity is a prerequisite for enforcing accountability. Most of the employees are ignorant of their role in the organisation where they work. Duties, responsibilities and functions of each post under various departments need to be spelt out and updated for fixing accountability. Job description will create awareness in the employee and to the public about duties and responsibilities of the employee.
- 5.6 Citizen Charters are envisaged as a tool for ensuring accountability. Right to Service Act, 2012 is another attempt of government in this direction. But there is no synchronisation between these two tools.
- 5.7 There is no proper system to monitor service delivery and institutionalise incentives for performance. Even if monitoring is done, it is undertaken on the basis of targets and achievements rather than on outputs and outcomes.
- 5.8 It is difficult for the people to access information on public expenditure. Budget documents do not report actual expenditure of a particular scheme. The only available document is audit reports but the language used in audit reports is not easily comprehensible to the public.
- 5.9 Social accountability practices such as social audit is not being used mandatorily in all departments.
- 5.10 Informational asymmetries- lack of access to information on government processes and performance- are still widespread despite RTI.
- 5.11 Delegation of roles and responsibilities are not accompanied by the delegation of resources to allow functionaries to fulfil their roles.
- 5.12 Rewards and incentives encourage performance of employees regardless of the type of incentives and motivate them to develop skills, capacity and abilities needed to improve efficiency and effectiveness of departments/organisations. Many studies have assessed influence of various types of rewards on job satisfaction and have found that both financial and nonfinancial rewards impact job satisfaction and motivation of employees. Employee recognition in terms of acknowledgement, appreciation of the positive accomplishments, etc. creates confidence in their ability to contribute and their importance in effective governance.

- 5.13 In practice, good work seldom gets incentivised and poor/ irresponsible work never gets penalised in government. This develops the ground for civil servants to avoid responsibilities, postpone actions and decisions. Existing government system does not have any motivational elements to inspire the proactive performer. In few cases, such employees are harassed and made accountable for minor lapses. This results in risk averseness and becomes an inherent weakness of government machinery.

5.14 Recommendations

- (i) One of the methods for ensuring accountability is to link accountability with duties and responsibilities. Performance of every employee shall be reviewed quarterly on the basis of job description/ job chart. This shall be done in a participatory and transparent manner. Remedial measures shall be insisted on if the performance indices are below average for two consecutive reviews. The evaluating officer shall report and the superior officer shall impose remedial measures. Non-performance and deficiency in service shall be disincentivised and penalised.
- (ii) The services of HR Consultants shall be utilised to develop measurable parameters and quantifiable outputs and outcomes, capturing the quality of output and outcome for the work done by every employee. Measuring timeliness shall ideally be linked to Right to Service Act and Citizen Charter.
- (iii) Efficiency, effectiveness and credibility of the administrative system shall be ensured by making the administrative process transparent through office automation and file tracking system. This will also make the officials more accountable and help in reducing corruption.
- (iv) To simplify the file processing system in the state, following recommendations are made:
 - a) A single digital file processing application shall be developed for Secretariat, departments, autonomous institutions, local bodies and other offices under Government.
 - b) There shall be a single number for each file from its origin to its closure, e.g. a file generated in Village office with number xxx will have the same file number till final decision/closure.
 - c) Instead of sending letters for getting remarks, clarification, concurrence, etc. the same file shall be sent to higher offices, till its final decision/closure.
 - d) There should be a provision to retain a copy of the file in a repository to view the file for future references by the departments who offered remarks/advice.

- e) After final decision/closure, the file shall be preserved in a digital archive for retrieving for future use, by the respective offices.
- f) The disposed files shall be made available online for public view for ensuring transparency in governance. This may lead to reduction in RTI applications.
- (v) Each department shall come out with a simple but comprehensive document on the services they render. It should be synchronised with Right to Service Act. Departments may publish information on the services that people are entitled to, cost of service, details of grievance redressal mechanism and its procedures.
- (vi) All official documents shall be in plain and simple language to make them citizen-friendly. Information shall be made available through electronic and print media as well as online portals and on mobile phones. Application of m-governance is one of the best ways of bringing the Right to Service Act, 2012 to people.
- (vii) ARC recommends integration of various e-governance systems and web portals in to a single portal for effective service delivery and monitoring.
- (viii) As a tool for timely monitoring and evaluation the Commission recommends adoption of Result Frame work Document (RFD) and its mandatory implementation in all departments. RFD can be a tool to assist government in developing a more robust system for monitoring and evaluating the performance against standards, priority indicators, time-lines etc. set in advance. Heads of offices shall conduct monthly review meetings based on RFD and report the results through a well-articulated MIS.
- (ix) Public participation is vital to the effectiveness of measures taken by the Government. ARC recommends use of Social Audit as a tool to understand administrative effectiveness from the perspective of the people for whom the institutional/ administrative system is promoted and legitimised.
- (x) Government shall develop service specific performance indicators in close consultation with elected representatives, citizens, officials, service organisations and professionals involved in service delivery. Public feedback indicators shall be taken into account by decision makers. As per GO (P) No. 260/2004/GAD dated 20/09/2004, the government has drafted service delivery policy. In this, the service delivery principles have been specified as people centeredness, laying down clear standards, equity, transparency, accountability, integrity, fairness, good behaviour, rationality, efficiency, convergence, right to service delivery, grievance redressal, continuous

improvement, changing attitudes and improving skills, sustainability, inclusion and holistic approach. Performance indicators shall be developed on the basis of these principles.

- (xi) Proper rewards and incentives shall be given to dedicated and efficient service personnel to increase the morale and efficiency of the employees and make government machinery result oriented. A system for incentivising good performance shall be institutionalized in government.
- (xii) Best practices and innovations in jobs shall be recognized. ARC recommends that meritorious services rendered by the employees shall be recognised through a citation/certificate. Those employees who receives certificates more than once in 5-years of service may be rewarded with special increments and monetary awards. These employees shall be honoured in public meetings on special days. A system of outcome assessment coupled with output measurement has to be developed for every responsibility prescribed in the job description/job profile. In the present context of technological advancements, the quantity and quality of work done by an employee can be analysed using IT tools to ensure objectivity. The rewards and incentives shall be made free from all extraneous/political influence.
- (xiii) Annual health check-up shall be conducted for the employees. Commission recommends to government that an annual health check-up allowance shall be made available to government employees as implemented by Government of India.
- (xiv) Community Score Card which is a good tool for monitoring and evaluation of public services shall be introduced in all departments with frequent public interface. This tool enables the citizens to assess the quality of public services such as health care, schools, public transport, drinking water, waste disposal, etc. Model of a Community Score Card is at **Annexure-VIII**.

5.15 Political/Extraneous Influence

The basic component of Indian governance planning is the concept of an unbiased, honest, efficient and valiant Civil Service which is the core of the executive-the pillar sustaining Governance. It is the stable structure that support and sustain Indian administrative system. Indian Civil Service, a continuance of the pre independence civil service structure, and reforms in Civil Service continue to be modelled substantially, on Max Weber's model of the ideal type of administration which operate according to a set of rules and procedures.

- 5.16 In the parliamentary system of democracy adopted by India the political executives- Ministers- selected from the elected peoples' representatives- shoulder the responsibility for managing administration. The council of Ministers is collectively responsible to the Legislature and forms the interface between legislature and the executive. They formulate policies and programmes. The responsibility of aiding and advising the ministers in formulation of policies and programmes and its implementation rests with the civil service. The realm in which the political executive and the civil service perform their responsibilities are thus clearly mandated. However, these lines often blur and with the passage of time civil service which was envisioned as a 'steel frame' by Sardar Patel started gathering rust and resultant weakening.
- 5.17 Political executives have a strong incentive to motivate civil servants to improve governance, and political participation in the execution of government policies and programmes often has a positive influence. Political authorities and civil service are mutually complementary and contributory to each other for taking just and right decisions and implementing them. But there are occasions when the realms of the civil service are subjected to influences that are external to the normal functioning of the system. This happens mainly through representatives of political parties who are in power, service organisations sympathetic to the ruling party, and often by the political executives themselves through oral instructions contrary to rules and procedures and veiled threats of adverse action, transfer etc, against civil servants unwilling to bend to unconstitutional directions. Such actions prevent civil servants from being professional in the discharge of their duties and in ensuring delivery of services and redress of grievances impartially, without fear or favour. Tendency on the part of the political executive to resent advice ill-suited to their short-term political interests is also a reason for friction between the two. Lack of transparency in the functioning of Government systems is a major factor that invite negative extraneous influence.
- 5.18 An issue, debated often in governance, is how civil servants perceive their relationship with the political executive in the process of governance. Complete freedom to civil servants may lead to misuse of authority. Bureaucracy and politics are like two sides of a coin and a desirable interference of one on the other will facilitate good governance. Political executives have to supervise functioning of the civil service in delivery of services and implementation of policy decisions and programmes and civil servants have to keep the political executive informed of implementation

plans, progress and hurdles. Decisions must be taken only after making the political leadership aware of administrative procedure bound by Acts, Rules and Regulations. There should be enabling environment that allow officers to carry forward right and just interventions. Every civil servant shall be controlled by a legal framework which shall be un-interfered by political authorities.

- 5.19 As in the rest of the States in the country extraneous influence in administration has complicated the governance process in Kerala too. The various service rules and Rules of Business in the case of Secretariat functioning clearly define the role of departments, Ministers and the civil service that supports the functioning of the departments. Each department have delegation of powers. Conflicts arise when there is undue interference where powers are delegated or influence in decision making process and pressure to bend rules in favour of vested interests. Very often informal pressures are used and no written order is issued to influence decision making which results in harassment of officers and end in conflicts. Frequent transfer of officers due to conflicts and accepting passive/inefficient officers to replace efficient and upright officers reflect poorly on Governance and affects service delivery. Undue informal powers acquired by offices of Ministers also hinder smooth functioning of departments. All blame cannot be resting on politicians alone -pliability of officers for personal benefit, rent seeking, inefficient functioning of departments which compels Ministers personal staff to become proactive, reluctance to use delegated powers, all these affect the fine balance that should exist between political executives and civil service. The RTI Act, media scrutiny, social media, government's own initiatives in information dissemination, judicial activism etc have to some extent improved transparency.
- 5.20 There should be provisions for political executives to be able to enter into a dialogue with the civil service, on terms of mutual respect. The political executive should participate in the execution of decisions and not impede it or misdirect it to selfish political or personal ends that may not be in the best of public interest.
- 5.21 The importance of relationship between the extraneous factors and bureaucrats on one hand and conflict between these on the other hand continue to exist. Theoretically, this relationship is considered as complex as it reflects conflict between technical efficiency on the one hand and democratic responsibility on the other.

5.22 Recommendations

- (i) Duties and responsibilities of each employee shall be clearly outlined and published in electronic form and shall be disseminated to create awareness among employees, stakeholders and the public about duties and responsibilities of each employee. This will reduce the opportunities for exerting extraneous influence, and dissuade the employees from succumbing to such influences. Recommendations on job analysis and job description discussed in cadre management section of this report may be used as a base for this exercise. In all induction training programmes of employees, roles and responsibilities and delegated powers must be part of the curriculum so that ignorance of procedures does not lead to conflict.
- (ii) There has to be a realisation that democracy does not confer absolute power on any one wing of the Government and the principle of rule of law should prevail. Though, in Kerala general education and awareness are high among political representatives a familiarisation booklet or interaction on roles and responsibilities of various actors and delegated powers will assist in updating of information to them.
- (iii) Personal staff of Ministers, who are from outside the governance system, shall be given training on major acts, rules and procedures that govern government functions. All members of the personal staff shall also be given orientation in the respective roles of the political executive and the civil service.

Commission is reproducing Sardar Patel's vision of Indian Civil Service while arguing before the Constituent Assembly for continuance of the existing civil service structure in independent India.

"It needs hardly to be emphasized that an efficient, disciplined and contented civil service assured of its prospects as a result of diligent and honest work, is a sine-qua-non of sound administration under democratic regime.... The service must be above party and we should ensure that political considerations, either in recruitment or in its discipline and control, are reduced to the minimum if not eliminated altogether".

CHAPTER 6

Discipline & Disciplinary Proceedings

- 6.1 Discipline is a critical aspect of excellence in public service and guides how a person speak, behave, respond to situations and interact with others. Government departments comprise of group of employees who are interdependent, and work together to provide services to public. Their job roles, conduct, functioning, interaction with one another and with the public is based on rules, regulations, procedures and guidelines on maintaining discipline. These are designed to maintain proper and balanced behaviour between employer and employee and towards the public. Therefore, discipline and rules, procedures and guidelines, concerning discipline form an integral part of government rules and regulations.
- 6.2 Appointment to Government Service is made on receipt of advice from Kerala Public Service Commission (KPSC) and is made provisionally pending verification of character and antecedents of the candidates selected. Appointments are made absolute after getting the report of verification of character and antecedents. Recruitment to Kerala State/Subordinate Service is made through KPSC by a well-accepted transparent process based on the special rules published by Government. Special rules prescribe qualification to be attained by the candidates seeking a job in public service, and method of appointment. Qualification for a post is prescribed considering the general, technical and special nature of service to be delivered by an employee. Hence a person enters in public service after acquiring required qualification, experience, if prescribed, verification of character and antecedents and successful completion of the due process of selection by PSC. Besides these, she is on probation for a prescribed period. Completion of probation is declared after evaluating work and conduct and passing of tests, if prescribed.
- 6.3 It is to be presumed that appropriate candidates will get selected and appointed and they will pursue and maintain integrity throughout their service. However, there are several instances of corruption and misconduct on the part of government employees. In order to contain such instances, Government has enacted various laws such as KCS (CC&A) rules 1960, Kerala Government Servants Conduct Rules 1960, Prevention of Corruption Act 1988, etc. Other statutory rules and regulations also contain various measures to maintain discipline and integrity. Besides these, there are many procedural regulations including Manual of Disciplinary Proceedings (MDP).

- 6.4 Efforts have to be taken by the concerned authorities to develop ability and capacity of employees. It is also the responsibility of these authorities to ensure that a delinquent employee is not left unpunished and for this proper comprehension of rules and procedures in respect of disciplinary proceedings in the relevant laws is necessary.
- 6.5 The Commission in its second report on 'Capacity Development of Civil Servants' (Chapter 5- Ethics & Civil Service Code) has recommended promotion of values and ethics in Civil Service. In order to imbibe civil service values by the civil servants, the Commission recommended preparation of a civil service 'Code of Ethics'. This will promote discipline and ensure continuous improvement in service delivery.
- 6.6 Major challenges in conducting disciplinary proceedings include limited awareness, absence of internal vigilance mechanism in departments, delays in conducting inquiries, procedural lapses and its implications, lack of sufficient skills on part of supervisors, bias towards employees and failure in upkeep of personal records of employees. In most of the departments the officials conduct disciplinary proceedings in addition to their routine official duties and responsibilities. This causes undue delay in completing the procedures. Administrative departments are not always prompt in finalizing proceedings within a reasonable time and approaches Vigilance Department, years later, to concur with a minor punishment of censure, withholding increment without cumulative effect, etc. even in the case of major irregularities.
- 6.7 It is also seen that disciplinary authorities are evading their responsibilities in initiating disciplinary action as entrusted in KCS (CC&A) Rules, 1960. Rule 13 (2) (a) of KCS (CC&A) Rules 1960 stipulates that the authority to impose penalties of, (1) censure, (2) fine, and (3) withholding of increments (temporarily) on a member of subordinate service shall be her immediate superior gazetted officer or any higher authority. Most often these disciplinary powers are not exercised by those officers and the responsibility is shifted to the higher authorities without assigning sufficient reason. This takes precious time of HoDs/higher authorities who are burdened with higher administrative duties.
- 6.8 A crucial function of the disciplinary authorities while initiating action for imposing major penalties is the conduct of formal enquiry on the misconduct charged against the employee. It is a quasi-judicial function. But the appointed enquiry officers are not often aware of the procedures to be followed or application of the principles of natural justice. Flaws/ deficiencies in conduct of formal enquiry leads to violation of natural justice

and quashing of punishment awarded, by court of law. Departmental vigilance officers/enquiry officers are generally not equipped with necessary legal knowledge to conduct formal enquiry in a proper and legal manner.

- 6.9 KCS (VT) Rules, 1960, Rule 4(1) prescribes that Government may refer to Vigilance Tribunal any case or classes of cases, which they consider should be dealt with by Tribunal provided that all cases relating to gazetted officers in respect of matters involving corruption on the part of such officers in discharge of their official duties shall be referred to the Tribunal. Study by the Commission shows that very few cases are referred to the Tribunal and there is inordinate delay in the disposal of even these cases.
- 6.10 Substantial time of departments is spent to deal with disciplinary cases of employees who are on LWA and do not join duty on expiry of leave. Proper monitoring of the expiry of leave and rejoining of the employees will reduce the instances of irregularities in this regard. Unauthorized absence is a charge which attracts major penalty.

6.11 Recommendations

- (i) One of the recommendations of the 3rd ARC was to form 'Punctuality Groups' in all government offices, with representation being given to all categories of staff. This recommendation has not been implemented so far. Punctuality of employees is the hallmark of discipline in offices. Majority of the employees are punctual in performing their duties. Commission reiterates the recommendation of 3rd ARC of forming Punctuality Groups. Methodology for formation of the group may be finalised after discussion with the stakeholders (Report of the 3rd Kerala Administrative Reforms Committee, Annexure-VI, May 2001).
- (ii) Government shall immediately constitute Internal Vigilance Cells in all departments where it is not constituted so far. Preferably Addl. Director/Jt. Director shall head the Cell. In offices where Addl. Director/Jt. Director posts are not available, senior most officer may head the Cell. Functions, roles and duties of the vigilance cell shall have clarity. Internal Vigilance Cell should have complete information about disciplinary cases in the department recording stages of disciplinary actions against the employees. The Cell can track various stages of action through a centralised automated online monitoring system. Employees posted in the Internal Vigilance Cell shall be trained in all aspects of disciplinary proceedings. The commission has taken up a study on accountability mechanisms in government, including internal vigilance. Further recommendations in this regard shall be submitted in that report.

- (iii) Movement of staff from office during office hours shall be recorded in the Movement Register for enforcing discipline in the office.
- (iv) CCTV may be installed in the offices for recording movement of employees and behaviour of employees to the public.
- (v) Punching system shall be linked to SPARK in all the departments and deductions in leave account/emoluments shall be done compulsorily.
- (vi) All employees shall be given training in the laws relating to disciplinary proceedings to create awareness in handling cases and to avoid delay.
- (vii) The Manual of Disciplinary Proceedings (MDP) warrants that departmental enquiry shall be completed without delay and once taken up the enquiry should be continued and completed at a stretch. But unnecessary delays are seen in the finalisation of disciplinary cases. In the circumstances, specific time frame shall be fixed for finalisation of disciplinary action. Commission recommends that cases involving minor penalties shall be finalised within a period of six months and major penalties within one year. Necessary amendments shall be made in the relevant rules. Relaxation in this regard shall be permitted by the higher authority only in extraordinary circumstances and decisions in this regard shall be taken within 15 days.
- (viii) Presently, appeals in disciplinary cases are forwarded to the Appellate Authority through the Disciplinary Authority. At times, disciplinary authorities withhold the appeal or delay forwarding of the appeals. Therefore, rule (rule 27 KCS (CC&A) Rules 1960) relating to submission of appeal shall be amended enabling submission of appeals directly to the Appellate Authority.
- (ix) Officials posted as enquiry officer shall have minimum remaining service of two years so that retirement of the enquiry officer does not affect the disciplinary proceedings. Similarly, it shall be ensured that once an officer is appointed as enquiry officer she shall continue as enquiry officer till completion of disciplinary proceedings, despite transfer or promotion.
- (x) ARC recommends that Government may study the functioning of Vigilance Tribunals to assess its effectiveness in finalisation of disciplinary action cases, especially those involving corruption.
- (xi) Most of the employees on Leave Without Allowance (LWA) do not furnish their latest residential address to the concerned heads of department. Hence when disciplinary action is initiated against an employee for wilful absence the disciplinary authority is unable to inform initiation of action and subsequent communications. This compels authorities to initiate ex-parte

proceedings resulting in delay in finalisation of disciplinary proceedings. To avoid difficulties in this regard, HoDs shall be in possession of complete details of the officers on LWA. It shall be the responsibility of the employees on LWA to furnish latest residential address at the beginning of each calendar year. Necessary changes in this regard shall be made in the concerned rules. It is to be ensured that at no point of time any officer continues on LWA without prior sanction from the authorities. Data base of details of employees on LWA shall be maintained and linked to SPARK.

- (xii) KCS (CC&A) Rules, 1960 and provisions in MDP stipulates that accused government servant shall not have the right to demand copies of any record to which she has right to access, but she shall be allowed to take extracts from such records under supervision. It is to be ensured that for fair defending of the case against her the accused government servant shall be given copies of the documents/statements requested by her for preparing written statement of defence. The cost involved in this regard shall be borne by the accused, as decided by government.
- (xiii) In the formal enquiry in connection with major penalties the Presenting Officer assisting the Inquiring Authority and government servant/retired government servant assisting accused government servant [see Rule 15 (6) of KCS (CC&A) Rules, 1960], shall be given equal rights in examination of witnesses.

CHAPTER 7

Retirement & Post Retirement Scenario

- 7.1 Retirement marks a transition from active involvement in serving people through work to leisure and non participation. The concept of retirement means different things to different people. While some persons view it positively and await it with happiness, others have negative perceptions about retirement as they associate that stage of life with boredom, financial issues and ill health. Life after retirement needs detailed planning and strategy to effectively make use of valuable time and expertise. Retirement should open new opportunities to one who plans it effectively and positively. The need to prepare the employees for retirement life should be considered as a critical issue both by employers and employees. Policies should be put in place to plan for life after retirement, since there is significant difference between life in service and life afterwards and its impact on the retired person's life.

7.2 Recommendations

- (i) Experienced people are assets to the society. Average life expectancy in Kerala is 74.9 years. Most government employees retire from service at the age of 56 which is the lowest retirement age for employees anywhere in India. At 56, the retirees still have the potential and the experience for a very active role in public service. Commission recommends that retired employees interested in contributing their expertise in collaborating with government activities shall be encouraged. A pool of retired employees may be created for this purpose. They shall be rewarded with an honorarium.
- (ii) Database of retired employees shall be created by each department indicating their area of expertise. Resource group of retired employees shall be formed at State, District, Taluk, and Panchayath level. Retired employees interested in joining the resource groups shall be requested to register specifying their area of expertise/interest.
- (iii) Pre-retirement counselling may be given to employees in the last year of their retirement. Responsibility for conducting counselling for facilitating better post-retirement lives may be entrusted to Institute of Management in Government (IMG) or similar organisations/Non-Governmental Organisations.
- (iv) The counselling sessions shall involve guidance by experts on various post retirement opportunities and the way forward. Sessions on stress management and financial management shall be included in the programme.

7.3 Pension Benefits

An employee governed by the Pension Scheme gets a recurring monthly payment for life and a lump sum gratuity at the time of retirement. The pension benefits are determined by the length of service and the last pay drawn by the employee. Pension is an entitlement in consideration of past service. Only misconduct/ malpractice of the gravest nature can lead to denial of pension.

- 7.3.1 A number of Government orders/circulars are in force to ensure timely disbursement of pensionary claims. But, the laxity in following these directions is the main reason for delay in disbursement of pension. Recently, the Government has issued GO (P) No. 55/2019/Fin dated 04/05/2019 emphasising timely disbursement of pensionary claims.
- 7.3.2 Automation/online procedures for applying for various claims alone can reduce the delay in processing and sanctioning of the claims. Online pension applications using 'PRISM' rolled out in Government Secretariat is a positive approach in ensuring hassle-free and timely settling of pensionary claims. The facility for status updating of applications is very helpful to applicants. Online data transfer to AG system (GEMS) is now in operation and complete rollout of the system to all government departments will be an effective step in this connection.
- 7.3.3 It is observed that pension claims are not being processed as per prescribed procedure and timelines. It is also seen that pension claims are initiated with incomplete records, documents which results in delay in disbursement of pension.
- 7.3.4 At present, the employee has to produce required documents and follow up its processing for settlement of pensionary claims instead of concerned departments maintaining required documents. Another issue in timely settlement of pensionary claims is the delay in getting Non Liability Certificate (NLC) from various offices where the employee worked during last three years of service. Delay in conduct of various audits result in delay in issuing Liability Certificate/Non-Liability Certificate which in turn delays disbursement of pension.
- 7.3.5 Web application for submitting Group Insurance Scheme (GIS) closure is already available and the same for State Life Insurance (SLI), etc. are in pipeline. However, the procedure for the closure of GIS and SLI continues to be cumbersome.

- 7.3.6 It is brought to the notice of the Commission that there is inordinate delay in issuing policy certificates of GIS and SLI.

7.4 Recommendations

- (i) Settling of pensionary claims shall be the responsibility of departments. Directions in GO (P) No. 55/2019/Fin dated 04/05/2019 on sending SMS alert to the retiring employee through SPARK every month starting 18 months before retirement shall be followed strictly.
- (ii) Personal record of every employee shall be digitised and kept up to date as a dossier by the concerned sections. This dossier shall be maintained as a module in SPARK. Number of the dossier may be same as PEN. The record shall also include information on disciplinary cases and recovery proceedings.
- (iii) All pending disciplinary cases including vigilance cases, recovery proceedings, etc. shall be completed at least one month before retirement. Deliberate delay on the part of officials to sanction and settle pension shall invite penalty involving fine to be recovered from the officers concerned.
- (iv) A simple formal farewell ceremony recognising the service of the employee shall be held for the retiring employees at the cost of government and the retirement benefits shall be released on the same day.
- (v) Government shall take urgent steps for simplification of procedures for closure of GIS and SLI. Government shall also take steps to ensure that policy certificates of GIS and SLI are issued on receipt of first premium.

Conclusion

Civil Service is the pillar on which the edifice of Government and governance systems is built. Any reform measure to alter/improve public service systems and public service delivery hence have to start from ensuring the strength of the pillar to shoulder the changes brought in through reforms. This strengthening requires a relook at the acts, rules and procedures that govern functioning of the civil service. Infrastructure, amenities, working environment, other facilities and enabling legal framework is to be made available to the employees to ensure optimum utilisation of their talents and through that an effective public delivery system.

In the report on 'Personnel Reforms' the Commission has studied matters from recruitment of an employee to retirement and post retirement with the intent of enabling employees to stimulate changes in the way services are delivered to the people. Recommendations in this report include measures for timely recruitment of best available human resources ensuring equality of opportunity, the necessity for review of Acts, Rules and Procedures of personnel management and need for modifications/amendments/deletion of obsolete clauses in Acts like The Kerala Public Service Act (1968), Kerala Service Rules, Kerala State and Subordinate Service Rules (1958), Kerala Government Servants' Conduct Rules (1960), Kerala Civil Service (Classification, Control and Appeal) Rules (1960) and Special Rules. The present system of transfer, deputation, promotion and tenure is reviewed and suitable recommendations are made.

Information Communication Technology (ICT) is a key element in improving governance. ARC has recommended review and upgrading of SPARK as a complete HR package for the state government employees. Other recommendations include leave management, change in working days and working hours, infrastructure support and better amenities to the employees, setting up of front office, easy access for employees and visitors with disabilities to all government buildings and accommodation facility for government staff including day care centres for their children. Recommendations are made to ensure accountability of the employees and on need to eliminate political/ extraneous influence to ensure neutrality and objectivity in decision making. Commission has recommended to make required changes in procedures for timely completion of disciplinary proceedings as delay in finalisation of disciplinary proceedings hinders career prospects of employees, delays disbursement of pension benefits and affects morale of the employee leading to deficiency in service delivery.

ARC has recommended raising the retirement age of employees to sixty considering the higher average life expectancy of the people of the State. Government shall

devise methods to utilise the services of retired employees in areas selected by government. An employee retiring at the age of fifty-six has the vitality and a wealth of experience to continue to serve the people pro bono or for an honorarium.

The recommendations are finalised after consultations with all stakeholders and include inputs from experts. ARC presents this report to Government with the expectation that it will form the basis for an overhauling of the existing system of personnel administration.

Annexure-I

QUESTIONNAIRE ON PERSONNEL REFORMS

September 2018

Background

The state of Kerala has undertaken extensive reforms to its civil service since the 1st Administrative Reforms Committee. These reforms were introduced to make the civil service motivated, meritocratic, efficient, performance and service oriented. Personnel reform in government requires a systematic approach that design reforms in the context of the environment in which civil servants discharge their duties and responsibilities. These include reforms in recruitment, staffing, operational efficiencies, etc. There is need to periodically relook into sufficiency/insufficiency in cadre strength of various departments, method of recruitment, need for timely modification of Acts, Rules, Special Rules, Manuals, Codes, etc. applicable to civil servants and others. There is an urgent need to bring reforms in discipline/disciplinary procedure, rewards and incentives, reporting of vacancies to KPSC, providing accommodation to civil servants and equipping civil servants to deal with life, post retirement.

Administrative Reforms Commission (ARC) as part of its study on personnel reforms intends to collect information on various aspects of personnel reforms from selected stakeholders. This information will form the basis for recommendations on personnel reforms by the Commission. The questionnaire is prepared based on inputs from members of the expert group formed to assist the Commission in preparation of the report, and considering the reality that many of the Acts, Rules, procedures, systems, etc. need to be amended/revised to deal with the current scenario and changing needs.

With your rich and varied experience of working with Government in various capacities you are capable of providing ARC detailed views on each of the following questions. Information furnished for each question will enable us to arrive at appropriate recommendations.

- ▶ **You may provide descriptive answers and additional sheets provided can be used for this purpose.**
- ▶ **If you wish to provide any documents that substantiate your views please attach copy of the same.**
- ▶ **Answers can be either in Malayalam or English.**

- ▶ **Identity of the participant and information furnished will be kept confidential.**
- ▶ **Questions that do not relate to your department/field of experience may be left blank. However, it is appreciable if you can offer general comments in such cases also.**

We request you to return the duly filled-in Questionnaire **on or before 26th October, 2018**. In case of any difficulty in filling the Questionnaire, please email your query to **admrefcom4@gmail.com**.

As the information provided by you will be used for framing recommendations on personnel reforms, your participation and opinions are most valuable for ARC.

Thank you for your participation.

Sd/-

Member Secretary

Administrative Reforms Commission

Government of Kerala

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6. **Commitment to Citizen Needs**
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10. **Leave Management**
11. **SPARK**
12. **Working Days and Office Hours**
13. **Rewards/ Incentives**
14. **Office Infrastructure and Ambience**
15. **Use of Govt. Vehicles**
16. **Accommodation Facility for Govt. Servants**
17. **Discipline/Disciplinary Proceedings**
18. **Disbursement of Service/Pensionary Benefits**
19. **Post Retirement Scenario**
20. **Space for additional comments, if any**

Name

Name of Department/Office/Organisation you represent:

Years of service in Government:

1. Cadre Strength Sufficiency/Insufficiency in various Departments

1. Sufficiency/insufficiency of posts in the department/organisation to meet present requirements.
2. Has any function of the department/organisation transferred to the local governments?

Yes ☐ No ☐

If yes, specify number of posts deployed.

3. Please specify the number of posts which are lying vacant for more than 3 years and the reason there of.
4. Number of persons working in your department on contract/daily wage basis, against sanctioned strength/over and above the sanctioned strength.
5. Are there posts that require continuance sanction from government?

Yes ☐ No ☐

What is the current status of continuance sanction of the posts?

6. Did the department undertake any work study since its formation? And since 1996 the year in which powers were decentralised and functions effectively transferred to LSGs?
7. How areas that require professional inputs like use of Information Technology, Computer Application, Marketing, Public Relation, etc. managed in the department/ organisation?
8. How many posts are filled up from common pool like Statisticians, Librarians, Confidential Assistants, etc.? Please specify the number.
9. Give your opinion regarding adding more posts to the common pool. (specify posts)

10. Are there posts filled up through lateral entry?

Yes ☐ No ☐

Specify the posts, number of vacancies and nature of recruitment.

11. Any Special Purpose Vehicles (SPV) like Authority, Mission, etc. are created by the govt. in the areas assigned to the department and how these posts are filled up.
12. It is found that actual number of vacancies is often not reported to KPSC in spite of repeated directions from Govt. What are the difficulties faced by the appointing authorities in timely reporting of vacancies?

2. Recruitment

1. In your opinion what shall be the duration for completing a recruitment process. Offer your suggestions for filling up of reported vacancies on time.

2. Suggest measures to reduce workload and streamline functioning of KPSC.
Can conduct of departmental tests and miscellaneous activities entrusted to other government/empanelled agencies?
Yes ☐ No ☐
3. Can redefining the role and strengthening of Employment Exchanges facilitate speedy recruitment of selected posts?
Yes ☐ No ☐
4. Suggest modifications required, if any, in preparing lists for common cadres like, LDC, Assistants, Engineers, Doctors, etc.
5. Any amendment required in the general rules for facilitating recruitment to common cadres to ensure career advancement irrespective of departmental promotions.
Yes ☐ No ☐
Provide suggestions.
6. Offer your comments regarding filling up certain number of posts through Lateral Entry. If so, what should be the method for recruitment/selection?
- 7 (a) Provide the mechanism followed in your department for fixing staff strength.
(b) If excess staff is identified, can they be redeployed without affecting their lien to the parent department?
Yes ☐ No ☐
8. If your department have socially sensitive posts (example: warden in a tribal hostel, projects for disabled and other vulnerable groups), is there any specific criteria for filling up of such posts.

3. Act, Rules, Special Rules, Manuals, Codes, etc.

1. Please provide your suggestions (item-wise) on modifications to be made to various Acts, Rules, Special Rules, Manuals, Codes, etc. pertaining to your department, considering the changes that have occurred from time to time.
2. Mention changes, if any, required for Public Services Act, 1968.
3. Organisations/Departments that come under Public Services Act 1968 are not clearly specified in the Act. For clarity in this regard, suggest Departments/Organisations that are to be included in the Act.
4. Please make suggestions for changes, (in major areas) if required, in Kerala Service Rules (KSR).
5. Is there any Act/Rule pertaining to your department that needs to be modified in consonance with modifications in KSR?
Yes ☐ No ☐
If any, please specify the Act/Rule.

6. Please suggest modifications, if required, in Kerala Govt. Servants Conduct Rules (1960) to make it relevant to the present scenario.

7. Is it necessary to revisit MoP, Secretariat Office Manual, DoM, etc. to suit present office procedures?

Yes ☐ No ☐

8. Are Special Rules framed for your department?

Yes ☐ No ☐

If not, does an executive order exist in its place?

Yes ☐ No ☐

9. Please suggest measures to speed up the process of framing special rules.

10. Is the department facing any constraints in imparting trainings on Acts, Rules and other relevant areas?

Yes ☐ No ☐

If so, suggest measures to overcome the constraints.

11. Does your department have transferred institution under Kerala Panchayat Raj Act?

Yes ☐ No ☐

Is the department facing any constraints/problems with regard to personnel administration of these institutions?

Yes ☐ No ☐

Suggest measures to overcome these constraints/problems.

4. Placement, Transfer, Deputation, Promotion, Tenure

1. Do you agree with the transfer of a civil servant to any seat/office in public interest/administrative convenience?

Yes ☐ No ☐

2. Is there clarity in the prevailing policy and guidelines on transfer of officers within the department and to other departments, including to other districts?

Yes ☐ No ☐

If no, offer your suggestions to bring in clarity along with modality for special considerations on each aspect.

3. Is there need of specific/special policy for placement of employees to different seats/posts in an office/department/organisation based on competency suited for the job description/specifications?

Yes ☐ No ☐

4. Do you consider that a statutory system like Govt. Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act 2005 of Maharashtra is advisable for Kerala?

Yes ☐ No ☐

5. Provide your opinion on the merits and demerits of the prevailing policy/guideline pertaining to deputation of an officer to departments/organizations including PSUs.
6. Suggest measures to implement the process of deputation in an acceptable manner.
7. Is there scope for relooking into the general rules and special rules concerned with promotion in government service?

Yes ☐ No ☐

If so, suggest the criteria of various aspects to be relooked.

8. a) Is there requirement to revisit the prevalent rules of giving promotions to all officials whether good/ average/ or bad?

Yes ☐ No ☐

If yes, provide your suggestion for restructuring the system for promotion by ensuring quality.

- (b) Is there delay in ordering promotion?

Yes ☐ No ☐

If yes, please mention reasons, in your perception, and provide suggestions to overcome the delay.

- (c) Is the prevailing system of writing confidential report fair in all aspects?

Yes ☐ No ☐

If no, give your views and provide suggestions to overcome deficiencies.

- (d) Is rules relating to Departmental Promotion Committee perfect?

Yes ☐ No ☐

If no, give suggestions for improvement.

- (e) Are disciplinary proceedings completed on time?

Yes ☐ No ☐

If no, suggest measures for timely completion of disciplinary proceedings.

9. Can weightage for promotion given for seniority, annual confidential report and written examination based on Govt/Departmental functioning and rules, conducted by an independent government agency (like the Public Service Commission.)
10. What, according to you, shall be the minimum tenure for an officer in a post, both general and special?

5. Accountability

1. What does accountability in government means to you? How can accountability be linked to duties/responsibilities?
2. Measures taken for ensuring accountability in your department/organisation.
3. Does it relate to duties/ responsibilities attached to a post/officer?

Yes ☐ No ☐

4. How can we redefine accountability in the present scenario?
5. Has enactment of the Right to Service Act and Right to Information Act and introduction of Citizens Charter strengthened mechanisms of accountability in your department?

Yes ☐ No ☐

If no, suggest measures to ensure accountability.

6. Is Social Audit an effective/proper tool for measuring and enforcing accountability?

Yes ☐ No ☐

7. Do you think that Adalaths in departments will improve accountability?

Yes ☐ No ☐

If **no**, give reasons.

8. Do you think performance audit will ensure accountability and service delivery?

Yes ☐ No ☐

If **no**, why?

9. Can training and knowledge of rules and regulations contribute to ensuring accountability?

Yes ☐ No ☐

10. Do disciplinary rules have any role in ensuring accountability?

Yes ☐ No ☐

6. Commitment to Citizen Needs

1. Do the employees in your department have clarity regarding the services specific to their position?

Yes ☐ No ☐

If **no**, reasons and how can this be resolved.

2. Have your department/organisation adopted Citizen Charter?

Yes ☐ No ☐

If **yes**, is it updated periodically?

Yes ☐

No ☐

If **no**, how can it be introduced?

3. Has your department/organisation adopted Right to Service Act?

Yes ☐ No ☐

If **no**, why it is not adopted?

Has your department/organisation received any petition under the Act?

Yes ☐ No ☐

4. Are you able to complete the tasks assigned to you on time to ensure adherence to Citizen Charter/Service Delivery Act?

Yes ☐ No ☐

If **no**, mention the constraints faced in completing the tasks.

5. Is the work environment congenial to perform the tasks assigned to you?

Yes ☐ No ☐

If **no**, give your comments with suggestions to create congenial working environment.

6. How do you respond to the needs of service seekers at your office?

7. Does cordial interpersonal relationship exist in your department?

Yes ☐ No ☐

If **no**, describe the situation and suggest measures to overcome it.

8. Do you judiciously use office resources like power, water, stationery, etc.?

Yes ☐ No ☐

If **no**, how can we ensure judicious use of resources in government?

7. Synergy among Departments

Do you agree/disagree with the following statements?

1. Inter-departmental collaboration is essential for the effective execution of Projects.

(a) Highly agree ☐ (b) Agree ☐ (c) Neutral ☐

(d) Disagree ☐ (e) Highly disagree ☐

2. Inter-departmental collaboration is not effective in the execution of projects in Kerala.

(a) Highly agree ☐ (b) Agree ☐ (c) Neutral ☐

(d) Disagree ☐ (e) Highly disagree ☐

3. Inter-departmental collaboration does not take place because of personal issues among functionaries of departments concerned.

(a) Highly agree ☐ (b) Agree ☐ (c) Neutral ☐

(d) Disagree ☐ (e) Highly disagree ☐

4. Inter-departmental collaboration can be ensured if top officials/political executives insist for the same
 (a) Highly agree ☐ (b) Agree ☐ (c) Neutral ☐
 (d) Disagree ☐ (e) Highly disagree ☐
5. Workshops/departmental consultations etc. may help ensuring interdepartmental synergy.
 (a) Highly agree ☐ (b) Agree ☐ (c) Neutral ☐
 (d) Disagree ☐ (e) Highly disagree ☐
6. Functionaries of departments need to be exposed to best practices of inter-departmental collaboration in other states of India/other countries.
 (a) Highly agree ☐ (b) Agree ☐ (c) Neutral ☐
 (d) Disagree ☐ (e) Highly disagree ☐
7. A permanent structure of Inter-departmental consultation at state/district and below may help in ensuring effective interdepartmental collaboration in the execution of projects.
 (a) Highly agree ☐ (b) Agree ☐ (c) Neutral ☐
 (d) Disagree ☐ (e) Highly disagree ☐
8. Dissemination of Project details with all stake holders in advance may avoid inter-departmental conflicts and wastage of resources.
 (a) Highly agree ☐ (b) Agree ☐ (c) Neutral ☐
 (d) Disagree ☐ (e) Highly disagree ☐
9. Does your department work in collaboration with other departments?
 Yes ☐ No ☐
 If **no**, what are the constraints?
10. Any other suggestions you would like to make to ensure inter departmental synergy.

8. Outcome based Administrative Process

1. Are you concerned about satisfaction of the service seeker?
 Yes ☐ No ☐
 If **yes**, what are the measures taken by you to ensure satisfaction?
2. Does your department have a system to assess output and outcome of services rendered by your department?
 Yes ☐ No ☐
 If **yes**, provide details of the system.
3. Do you have any system for collecting feedback from citizens?
 Yes ☐ No ☐

If **yes**, what are the initiatives undertaken to enhance efficiency in functioning of your department based on the feedback?

4. Did you or your department receive any recognition for services rendered?

Yes ☐ No ☐

If **yes**, mention the award and criteria for selection.

5. Are you able to complete the tasks assigned to you within the specified time?

Yes ☐ No ☐

If **no**, provide reasons and suggest measures to overcome constraints.

6. Are the employees able to utilise their knowledge and skills at the work place?

Yes ☐ No ☐

If **no**, what inhibits them in using their knowledge and skills?

9. Extraneous Influence

1. Is there any kind of external influence in the functioning/activities of the department? (political parties, political executives with legal authority, superior officers and others)

Yes ☐ No ☐

If **yes**, mention influences that hamper/promote functioning.

2. Is it necessary or desirable that bureaucracy should have absolute freedom and insulation from interference by political authorities?

Yes ☐ No ☐

Give your opinion citing merits and demerits.

3. Can political interference help in taking just and right decisions by the bureaucracy or does it obstruct the bureaucracy from taking just and right decisions?
4. What according to you is a healthy relation between political executive and the civil service?

10. Leave Management

1. Are the various types of leaves now available under Government of Kerala sufficient to cater to the needs of employees properly?

Yes ☐ No ☐

If **no**, why?

2. Can Government of Kerala adopt various types of leaves adopted by Government of India, other State Governments and UTs (e.g. child care leave) or any other leave?

Yes ☐ No ☐

If **yes**, which types of leave can be adopted?

3. Whether online mode for submitting applications for leave can be adopted and that can be linked to SPARK?

Yes ☐ No ☐

If **no**, explain reasons.

4. Suggest modifications, if any, in procedure for sanctioning of leave and production of supporting documents.
5. Give suggestions to modify the existing leave rules to simplify the process.
6. To ensure uninterrupted service delivery to the citizens, is it required to introduce a system of compensatory leave if officials work on government holidays?

Yes ☐ No ☐

11. SPARK

1. How do you perceive SPARK as “complete HR and payroll package” and as a user friendly tool for better planning, generating statistics and data analysis?
2. List out the merits and demerits of various modules available in SPARK from user level experience with suggestions to improve the modules and make it more user-friendly.
3. Major errors identified, if any, that are not as per existing rules.
4. What will be the consequences, if the complete data pertaining to an employee is made available (in the form of e-SB or e-GER) in her/his individual login?
5. Give suggestions on the process re-engineering required to improve workflows, Standard Operating Procedures (SOP) etc. of SPARK?
6. Give your opinion on extending the similar package for PSUs, Universities, Grant in Aid Institutions, Boards, etc.
7. Can submission of leave application, GPF advances, medical reimbursement claims, TA claims, etc. be done online?

Yes ☐ No ☐

If **no**, why?

8. Did you observe any improvement in service delivery to the employees after implementation of SPARK?

Yes ☐ No ☐

If **yes**, suggestion for further improvement (such as providing mobile app, OTP based logins, etc.) and if **not**, why?

12. Working Days and Office Hours

1. Should there be any change in six-day week of working?

Yes ☐ No ☐

If **no**, give your suggestions.

2. Whether 5-day week with change in office hours be suggested?

Yes ☐ No ☐

3. Is the present working hour of 10:00 am - 5:00 pm convenient?

Yes ☐ No ☐

If **no**, give your suggestion for a convenient working day and working hour combination with its merits.

4. Suggest the scope of flexible timing in working hours and the possibility of introduction of “work at home” in the new e-office scenario.

5. Is it necessary to revisit the shift system followed in offices working 24x7?

Yes ☐ No ☐

If **yes**, give reasons.

13. Rewards/Incentives

1. What are the steps now being taken to recognise/promote good performers in service?

What is your opinion on the present practices, if any?

2. In the present context of technological advancement is change required in assessing performance and giving recognition in the form of rewards/incentives. Give suggestions.

3. Can we adopt methods followed by private sector in measuring performance?

Yes ☐ No ☐

4. In either case, suggest indicators that can be adopted to measure performance.

5. What are the constraints faced by employees in pro-actively performing their job?

Will incentives/rewards enable employees to work pro-actively?

Yes ☐ No ☐

6. Can financial incentives and moral incentives be introduced?

Yes ☐ No ☐

How?

7. Employees in Govt. Service are becoming risk averse as there is no external motivation for risk taking and hardworking employees. Employees who take risks in the interest of better service delivery may be punished if things go wrong. How could we have a change in the above situation?

8. Will introduction of awards to best civil servants make them motivated?

Yes ☐ No ☐

How can we develop a proper mechanism in this regard?

9. Can job enrichment be introduced as a tool for motivation of employees in government?

Yes ☐ No ☐

If yes, how it can be implemented?

14. Office Infrastructure and Ambience

1. Do you consider the existing office buildings and furniture and other infrastructure (office space, chairs, tables, storage space, computers with high speed internet connection etc.) in the State Govt. Offices enable better performance of employees?

Yes ☐ No ☐

If no, what are the areas to be looked into and improved?

2. Is it possible for the State Govt. to make improvements and construct new infrastructure?

Yes ☐ No ☐

If so, suggest measures that can be adopted to create better facilities.

3. Is your office building disabled-friendly?

Yes ☐ No ☐

4. Is there an effective housekeeping system in your department/organisation?

Yes ☐ No ☐

If no, how this system can be introduced?

5. Does your department/organisation have front office and visitors lounge?

Yes ☐ No ☐

If yes, is it adequate? Yes ☐ No ☐

If no, is it required? Yes ☐ No ☐

6. Does your department have drinking water and accessible toilet facilities for the staff as well as visitors?

Yes ☐ No ☐

What is your opinion about the facilities now provided?

If existing facilities are inadequate, what are the additional facilities to be provided?

7. Does your office have sufficient space for parking four wheelers and two wheelers?

Yes ☐ No ☐

If no, how it can be resolved?

Is there ear-marked parking space for persons with disability?

Yes ☐ No ☐

8. Give your suggestions to improve ambience of the offices for both employees and visitors.
9. What is your opinion regarding introduction of a system of grading level of cleanliness and exhibiting the same in the premises based on the assessment of an independent agency?

15. Use of Govt. Vehicles

1. Are you aware of rules in the use of government vehicles?
Yes ☐ No ☐
If yes, is it being followed?
2. If the rules related to vehicle use are not followed, how it can be enforced?
3. Can you suggest a system by which misuse can be controlled effectively?
4. Can you suggest criteria to decide the number of vehicles required by various government departments based on their functions?
5. In your opinion, which is the best option, purchasing own vehicle by government departments or hiring on contract basis? Give reasons for your opinion?
6. If vehicles are hired, how can the existing drivers of the departments be redeployed?
7. If own vehicles are purchased, how services of drivers can be utilised during their idle time.
Can introduction of pool system ensure efficient use of cars and drivers?
Yes ☐ No ☐
8. Is the current system for repairs of Govt. vehicles efficient?
Yes ☐ No ☐
If **not**, what can be done to improve the system?
Will introduction of Annual Maintenance Contract (AMC) for repairs on expiry of warranty period of vehicles help in rationalising expenditure in this regard?
Yes ☐ No ☐
9. Is it advisable to have a system of reimbursement of fuel expenses if entitled officials are allowed to use personal vehicles for official purpose?
Yes ☐ No ☐

16. Accommodation Facility for Govt. Servants

1. Please furnish details and existing procedure followed in allocating quarters for the employees of various categories in your department.
2. Is it being followed without any bias?
Yes ☐ No ☐
If **no**, explain the bias you have noticed and suggest measures to overcome.

3. If there is no accommodation facility in the department, please indicate availability of government land for construction of such facility in your department.
4. Is your department/institution giving special sanction to its staff to reside beyond 15 Km from the Head Quarters?
Yes ☐ No ☐
If yes, state reasons.
5. Please explain in detail the steps that have been taken by your department to provide residential facilities to those who reside beyond 15 Km from Head Quarters.
6. Is it necessary to enhance the existing 15 Km Head Quarters limit in the context of improved transportation facilities?
Yes ☐ No ☐
7. Can a scheme to provide ready to occupy apartments (single/family occupancy) through salary deduction scheme help in solving accommodation issues.
Yes ☐ No ☐

17. Discipline/Disciplinary Proceedings

1. Discipline of employees at work place is very important for good governance. What are the measures that are taken in offices to ensure discipline among employees?
2. Are officials aware of disciplinary procedure/rules?
Yes ☐ No ☐
3. Do the enquiry officers get sufficient tenure for completing the enquiry?
Yes ☐ No ☐
4. Is Internal Vigilance mechanism effectively implemented in your department/ institution and vigilance officers appointed?
5. Is there any delay in completing the disciplinary proceedings?
Yes ☐ No ☐
If yes, what are the causes for this delay and how can it be resolved?
6. It is found that procedural lapses are usual while taking disciplinary action and hence number of litigations is pending in Courts/Tribunals. Suggest measures to solve this problem.
7. Is it necessary to consult KPSC for awarding major penalties in all cases?
Yes ☐ No ☐
Is it being followed?
Yes ☐ No ☐

Is there clarity in this regard in the existing rules?

Yes ☐ No ☐

8. Power to award major penalty to staff of State Service rest with Government. Are there instances of initiating disciplinary actions in such cases by HoDs/subordinate officers on the basis of directions from higher authorities? Please explain the position.

9. What according to you is the best way to ensure discipline in government?

10. Is it necessary to extend the period fixed for filing appeal?

Yes ☐ No ☐

Can it be allowed to submit appeal directly to appellate authority?

Yes ☐ No ☐

11. Suspension is not a punishment in the eye of law. Is the suspension done judiciously considering prevailing circumstances and public interest?

Yes ☐ No ☐

If **no**, give your views.

12. Unauthorised absence of employees is one of the reasons for initiating disciplinary action for major punishment and termination from service. Repeated guidelines were issued by Government in this regard. What are the difficulties in taking timely action in such cases?

Can you suggest a mechanism for completing the disciplinary proceedings on time?

18. Disbursement of Service/Pensionary Benefits

1. Is there any bottle neck in the existing procedure for closure of various accounts and benefits on retirement? Specify.
2. What are the reasons in general for delay in sanctioning pension? Give your suggestions for timely sanction.
3. Are the existing rules for settling claims in advance sufficient?

Yes ☐ No ☐

If **no**, offer your suggestions to modify the same.

4. Any advantage of using a common application for request for closure of all the benefits (PF, SLI, GIS, FBS etc.) including pension than insisting for separate applications for each claim?
5. Give suggestions to implement a better and transparent system (including provisional settlement) to issue NLC.
6. Is there any advantage in allotting PPO number or Pension Index Number one year prior to retirement?

Yes ☐ No ☐

7. Do you feel that strict rules are required with penal conditions for prolonged delay in settling pensionary claims?

Yes ☐ No ☐

If so, suggest refinements in penal conditions for delay in settlement of claims.

8. Any suggestion for initiation of action from the employer to process retirement benefits in advance than waiting for application from the person going to retire.
9. Speedy disbursement of claims in electronic mode is now possible in the IFMS scenario. Provide your suggestions to make it efficient.

19. Post Retirement Scenario

1. Is there a need for pre-retirement counselling for the employees?

Yes ☐ No ☐

If yes, how can this be done?

2. Government employees who retire from service are experienced and resourceful in various areas. How can their post retirement period be utilized for better governance of our State?

Is it more effective if we can form a common pool of retired employees at Taluk/District level to utilise their experience through consultancy/voluntary services, etc. to Government?

Yes ☐ No ☐

Signature:

Name:.....

Mob:/Phone No.

Annexure-II

Executive Summary of the Workshop on Personnel Reforms

Background

Timely modification in administration is inevitable for delivering efficient services to the public. Removing obsolete processes and adapting citizen centric approach enrich the administration and contribute new dimensions in governance. It is undeniable that revamping the structures which improve the efficiency of civil servants has to be examined with a higher cognizance. A detailed study on various domains of a civil servant helps in availing information regarding existing constraints in delivering efficient service and also, the best practises.

In this context, a workshop on Personnel Reforms was conducted by Administrative Reforms Commission on 7th January 2018 at Silver Jubilee Hall, Centre for Management Development, Thiruvananthapuram. The one day workshop consisted of 4 sessions including opening session, discussion session, presentation session and closing session. A total of 56 participants attended the workshop including representatives from civil servants, service organisation and retired employees who have expertise in administration and governance (Annexure-I).

The one day workshop was conducted with an aim to get in depth knowledge regarding various domains of an employee including:

- Recruitment
- Acts, Rules including special rules, manuals, codes pertaining to personnel administration
- Placement, Transfer, deputation, promotion, tenure
- Cadre strength
- Accountability
- Political interference and freedom of bureaucracy
- Outcome based administrative process
- Disbursement of service/pensioner benefits
- Working days and office hours Rewards/incentives
- Leave Management
- Discipline and Disciplinary Proceedings
- Filling up of vacancies

- SPARK
- Accommodation Facility for government staff
- Office infrastructure and ambiance
- Post Retirement Life Scenario of government employees

The participants were divided in to 5 groups and topics were given at the time of registration itself for the purpose of discussion.

Executive Summary

Smt. Sheela Thomas, Member Secretary of ARC, welcomed the distinguished guests and the participants to the workshop. The Member Secretary briefed the formation of ARC its activities and studies conducted. She stated that the prime responsibility of government is to serve the public. Then pointed out the importance of providing better facilities for civil servants and enabling them to provide fruitful service to the public. Even though various outdated rules, processes and guidelines have been revised, still there exist a gap between government and public. So she urged the participants to contribute to the workshop with productive suggestions to reduce those gaps. She introduced the eminent persons in the dais to deliver their valuable speech and suggestions on personnel reforms.

Shri. V.S. Achuthanandan, Chairman of ARC, in his inaugural speech briefed the aim and functions of the department P&ARD. The department functions in a way to ensure efficient and satisfactory governance. The Chairman stated that the commission decided to conduct study on bureaucratic system as there was a need to examine whether that satisfaction and efficiency exists in our governance. He appreciated the employees and service organisations for their suggestions on personal reforms gathered through the questionnaire prepared by the expert committee. He emphasised the importance of earlier studies and its suggestions, and also acknowledge the contributions of service organisations, experts and those who involved in framing recommendations on personal reforms. He concluded his speech stating all the services and welfare activities of government should ultimately reach the public, where, government is the driving force for that and the employees are the catalyst.

In the opening speech, Shri. C.P. Nair, Member of Administrative Reforms Commission shared his perspective and suggestions in the area of personal management. He stressed the need for conducting a study on corruption not only in public service, but also in public life. He observed the absence of a proper rule to confiscate the illegally earned wealth of a civil servant. Framing a draft legislation on attachment of illegally earned assets will be a pioneer and landmark effort in India like Commission's first report on vigilance system.

Even though Kerala is one of the pioneer states which implemented the Right to Information Act, the general public has not received its real benefits. So it is necessary to examine how far the act could be achieved and the reason for the flaws, whether it may be the legislation including the rules or the implementation process.

The member stated that instead of academically brilliant or academically acceptable report, a report which is capable of implementation is needed. He also added valuable suggestions in the area of recruitment and training of civil servants, Public Service Commission and annual assessment report of the employee. He mentioned that the intermediary levels of submission of files are the major factor contributing to delay in secretariat and all public offices. He expressed faith in the participants in enriching the workshop by providing innovative ideas and suggestion to make the bureaucratic system and the service delivery more efficient.

Shri. S.M. Vijayanand, former chief secretary to government of Kerala commenced the key note address by suggesting ARC to define personal reforms more precisely. He appreciated ARC for following a good methodology. Initially he put forward various suggestions to mould the study more productively. He suggested conducting a Focus Group Discussion of HoD's of various departments and formal consultation with the PSC to get their feedback. By referring various reports of studies available in the finance and P&ARD department, examining the personnel management of southern states of India and conducting brainstorming on all laws, rules and master GO's relating to personal administration will enrich the study on personnel reforms.

He pointed out absence of proper norms on special rules, special employment, placement in secretariat and selection of members in various commissions. He mentioned need for rectifying the issues relating to reservation of SC/ST and the disabled. Revisiting the staff composition, introduction of functional classification and man power planning ensures efficient service delivery. According to him an annual work plan with targets and achievements is inevitable in a healthy democratic system. In the light of recently occurred flood in Kerala, he affirmed the need of new disciplines and jobs in government service. He also went through other major areas including performance appraisal and retirement. He concluded suggesting the need for convergence among department.

Dr. Padma Ramakrishnan [Professor (Rtd.)] in her special address enlightened the participants with various best practises in governance all around the globe. She emphasised the importance of providing training to the civil servants for better service delivery. She opined that those who have qualification in public administration should only be allowed to enter in government service. She suggested that all reforms should be in a way which brings the citizen to government and government to the citizen.

Shri. T.S. Praveen Kumar, Under Secretary of ARC, elaborated the modus operandi for conducting the discussion and presentation. Each group has a group leader and a moderator (Annexure-III). The group leader was selected by the group members and expert committee members were the moderators. The group discussion prolonged for 3 hours and an active involvement from every group members was observed in the discussion.

Dr. Sumesh Divakaran, (Professor and Head, Department of Computer Science and Engineering, Government Engineering College, Idukki) presented view points of their group on the topic **cadre strength, recruitment, placement, transfer, deputation, promotion and tenure**. He appreciated the active participation of group members. Major suggestion of the group 1 is summarised as follows:

- The age limit prescribed for government service should not be reduced to 30 from 35 years.
- There is no necessity to limit the number of opportunities to appear a PSC test to 5 as at present examinations are conducted for each posts.
- PSC should prepare an exam calendar and conduct exams at regular intervals.
- PSC has to publish proper time line of exams and interviews at the time of notification itself.
- Applicant should be asked to confirm their intention to appear the test and allow only those who confirm their interest.
- A mandatory service of minimum years should be insisted in case of post where applicants are less compared to the vacancies.
- Recruitment can be made after ascertaining the vacancies through SPARK, but should be with the authenticity of the concerned administrative head.
- There is no necessity for exempting PSC from the responsibilities of departmental tests and department promotion committee.
- A Notified Sector Recruitment Commission incorporating various recruitment boards such as Co-operative recruitment board and Devaswom recruitment board can be formed for conducting recruitment in public sector undertakings and universities.
- If there are norms on transfer in all departments which can be computerized, transfer could be made without issues through software like SPARK.
- A Joint Consultative Committee for the entire state can be introduced to settle issues related to transfer.

avoided. Such officers are to be posted in existing vacancies and they should be considered only in general transfer, ensuring there is general transfer once in a year in all the departments.

- District recruitment boards are relevant even today as there is dearth for suitable employees in some of the backward districts.
- Suggestion to recruit employees from those who have passed in the screening test once in three years is not practicable. Instead PSC has to modify the question paper more scientifically.
- Posting from a pool created on functionality basis would be better than from a general pool as the nature of work carried out by the different department differs considerably.
- Tenure of posts can be made permanent by linking it to the transfer norms.
- The suggestion to conduct a screening test for the students who qualified plus two and admitting them to the graduate and post graduate courses in development administration and public administration with the intention for creating a dedicated employees is acceptable, if all the students are ensured jobs on completion of their courses,
- The practice of deputation has to be retained in its preset status. However the salary should be disbursed by the parent department and it should be reimbursed by the foreign department later.
- The date of retirement should be unified as in the case of education department. So that need for interim transfers can be avoided.
- A study has to be undertaken by an external agency for restructuring the employees, considering the requirements of various department
- Pay revision once in 5 years can be continued as at present as it does not create additional liabilities.

Shri. Manu S., Section Officer, Govt. Secretariat presented the suggestions of the group 2. The major suggestions on the topic **service rules, manuals, codes, extraneous influence, discipline and disciplinary proceedings** derived from the group are listed below:

- The present practice of classification of employees based on basic pay may be continued
- There is a need for modification in the Public Services Act 1968 as clarification is required in its applicability. For instance whether it is applicable for Govt. departments alone or for public sector undertakings also.

- Timely modifications in KSR and KS&SSRs are required by deleting obsolete rules and addition of new rules consequent on the changes, so that litigations based on service rules can be avoided. Other suggestions related to modification in KSR and KS&SSRs rules are as follows:
 - o It is necessary to have a Malayalam translation of KSR and KS&SSRs.
 - o Facility of special casual leaves has to be extended to all contagious diseases.
 - o The present limit of 42 days leave to women employees for miscarriage/hysterectomy has to be raised.
 - o Timely modification in TA rules is required by removing unnecessary technicalities.
 - o KSR rules has to be modified ensuring a minimum of one increment in case of regular promotion to those employees who already obtained time bound higher grade.
 - o Provision has to be made for providing pre service training for those who are posted on Compassionate appointment.
 - o Rules in KSR & KS&SSRs allowing employees who are on continuous loss of pay leave to avail the service benefits should be changed.
 - o Head of the department should be permitted to sanction office tour in case of exigencies.
- Time limit should be fixed in finalizing disciplinary proceedings against the employees is much required. Cases involving minor punishment should be completed within a six months and major punishment by one year.
- Training in the disciplinary proceedings involving quasi judicial functions has to be imparted to the officers, so that delay in disciplinary proceedings can be avoided.
- Rules relating to forwarding of appeal of the delinquent employees to the appellate authority should be amended so that appeal is forwarded without any delay, avoiding the discretionary powers of the disciplinary authority to withhold the appeal.
- KCS (CC&A) rule are to be amended in the light of the judgment of the Honorable Supreme Court of India in disciplinary proceedings under Article 311 of the Indian Constitution, so that avoidable intervention of the courts in disciplinary proceedings can be omitted.

- Officers who failed to pass the probationary examinations within the time limit should be terminated subject to the delay in conducting test by the PSC.
- Right to Service Act, Right to Information, KCS (CC&A) Rules, Conduct Rules and KS&SSR should be included in the departmental test for promotion.
- In order to make the under/inadequate performers more efficient, a redeployment of such officials considering their aptitude and a scientific work distribution following such redeployment is required in government service.
- Adequate training has to be imparted to the employees for ensuring their skill/knowledge updation.
- Work efficiency can be ensured through scientific work distribution and regular monitoring.
- The post of typist, C.A, office assistant, roneo operator and binder need not be terminated based on the advancement in science and technology.

He concluded stating that practical rather than theoretical recommendations are required.

Shri. G. Jose, Additional Secretary (Rtd.), presented their suggestions on **outcome based on administrative process, synergy among departments, accountability and commitment to citizen needs, rewards and incentives and audit, inspections and vigilance reports**. The major points are as follows:

- Each department has to set up a target to be achieved for a year through a discussion considering the availability of fund and infrastructure facilities. A plan to achieve this target should be prepared and published. Progress in the work has to be evaluated timely.
- The model RFD published by the Government of India can be followed in this regard.
- Whenever the service renders involve more than one department, it should be the responsibility of the department that renders service to co-ordinate all the activities of the different departments. The beneficiary should not be made to approach different departments.
- A cluster of departments of identical work has to be made and deployment of employees should be made without affecting their service conditions.
- Officers have to attend their duties without any failure. In order to ensure this, duties and responsibilities of each posts has to be published.
- Training intended to increase the knowledge and efficiency to carry out their

work properly has to be given.

- Transfer and promotion of the employees should be transparent and justifiable.
- Officers should not be punished for the mistakes committed unintentionally
- Superior officials should be always available for clarifying the doubts of the employees regarding the work.
- Rewards to the employees for their efficiency in service should be given without external influence.
- Appreciation to those employees who extend their service over and above their assigned duties aimed at serving the people should be encouraged and they should be honoured in public gatherings.
- Audit should not be resorted as a tool of punishment; rather it should aim at strengthening the government.
- Every department should have a strong and efficient internal audit wing and there should be only one external audit.
- Internal audit, in all respects including rectification of findings should be completed in the particular year itself and external audit of a particular year has to be completed prior to the next financial year.
- Delinquent employees should be given an opportunity to appeal before a statutory commission consisting of representatives of particular agency and the government
- In case it is decided to file a vigilance enquiry against an employee on a complaint, it should be done only after the sanction from district level empowered committee through a confidential process.

Dr. E.K. Easwaran, Chief Forest Veterinary Officer, presented the suggestion of the group 4 on the topic **working days, office hours, leave management, SPARK and management of Government vehicles**. The suggestions include:

- Reducing the number of working days in a week to 5 and at the same time increase in office hours of a day can be considered.
- Essential services may be provided on holidays also..
- Working of schools should begin one hour prior to office time.
- Number of public holidays can be reduced subject to increase in the casual leaves to 25 where 15 days of casual leaves should be as at present and remaining should be restricted casual leaves which can be availed by the

employees irrespective of their religion caste etc., But exempting Christmas, Muharam, etc. as public holidays should be only after due discussion.

- Leave with allowance for study purpose can be considered in those subjects notified by the government which enable the government employees to offer better service to general public. The present practice may be continued in the case of subjects which benefits only the individual employees.
- Payment of subsistence allowance to the bedridden employees due to illness or accidents can be considered for a fixed period with the approval of the medical board.
- The “link officer” system followed in the secretariat and Automatic Charge Arrangement can be considered to alleviate the problems faced by the general public consequent on absence of employees of particular sections on any ground.
- The officers of the different department have to put much interest in the SPARK system and adequate steps have to be taken to make SPARK a user friendly one. Proper training in handling SPARK should be given to the new employees.
- Connecting SPARK to PSC has to be improved much so that timely actions can be taken by the PSC on the vacancies report by the department heads.
- The decision already taken to entrust many of the works done by the AG (A&E) to the finance and establishment section of the government secretariat can be implemented in stage by stage only in due course.
- The present classification of State service and Sub-ordinate service has to be continued to have an efficient control over the administration. Unification may make the already complicated issues related to DPC much worse.
- Pooling system of vehicles in departmental level can be practiced to avoid misutilization of vehicles. Payment towards fuel allowance to officers who own vehicle for the official purpose can be considered only at regional level. Definite yardsticks such as fuel efficiency and eco friendliness should be the guiding factors in purchasing vehicles.
- The details relating to casual leave are to be incorporated in LPC.
- Group discussion at office level, with a provision to include retired experts in the concerned fields, can be considered for disposing files for offering better service.

Shri. G.K. Suresh Kumar, Tahsildar presented the suggestions of the group 5 on the topic **accommodation, office infrastructure, post retirement life and disbursement of service pensionary benefits**. The suggestions are as follows:

- In the light of better transportation facilities, the distance between the office and place of residents can be increased to 20-25 km.
- Centralized accommodation facilities should be provided to the employees coming under priority departments such as revenue, health and police so that they can reach the office on time.
- Government should construct quarters for accommodation of the employees in remote area either by itself or through BOT and PPP basis. Construction of bachelor quarters with kitchen facilities is also to be considered.
- Government should consider enhancement of HRA to those employees who are residing in rented building because of the lack of quarters facilities.
- Eligibility for allotting quarters by the revenue department must be only with a certificate from the parent department as to whether such employee possesses own building or availed house loan facilities.
- The employees of the department should have a say in the construction of their office building.
- Each office should consist of a front office.
- Specific spaces should be allotted to the different association of the department for affixing their posters so that office premises can be kept clean.
- Government offices have to be disabled friendly. In the case of multistoried building, there should be lift/ramp and seating facilities should be provided in the first floor.
- A state/district level committee has to be formed to locate the vacant spaces available in government owned buildings so that the offices under different departments now functioning in rented buildings can be shifted to such vacant spaces.
- Maximum service period for an employee should be limited to 35 years.
- Retirement benefits should be released at the time of retirement itself and farewell ceremony to such employees should be conducted compulsorily by the government at its own cost.
- An awareness as to the future course of action including utilization of the fund should be imparted to retired employees with the assistance of training centers.

- Procedures related to pension should be completed within a time bound plan by the government itself.
- A grievance redressal cell at department level incorporating representatives of various unions should be formed to settle complaints within a period of 15 days, so that unnecessary, time consuming and costly litigation can be avoided.
- A data base on retired employees has to be created so that the service of experienced employees can be utilized effectively.
- Facilities should be made so that beneficiaries come to know the preset status of the file through mobile phones thereby avoiding frequent visit to the concerned office.
- A time limit should be fixed on appointment on compassionate ground or an amount instead of appointment should be fixed and released immediately to the dependents to meet their financial difficulties.

Shri. T.S. Praveen Kumar, Under Secretary, ARC conveyed the vote of thanks and expressed his gratitude for the active participation of the participants with creative suggestions which can be incorporated in the recommendations on personnel reforms.

Annexure-III**Delay in Recruitment Process for want of Special Rules/Amendment in
Special Rules- List of Posts**

Sl. No.	Name of Department	Name of Post
1.	Medical Education Department	Assistant Professor in Cardio Vascular & Thoracic Surgery
		Anaesthetic Technician Gr. II
		Assistant Professor in Paediatric Surgery
		Assistant Professor in Physical Medicine & Rehabilitation
		Assistant Professor in Plastic & Reconstructive Surgery
		Assistant Professor in Nephrology
		Assistant Professor in Genito Urinary (Urology)
2.	Ayurveda Medical Education	Panchakarma Assistant
		Technician-Pharmacy
		Technical Assistant-Visha
		Assistant Professor in Rachanasharir
		Assistant Professor in Agathathanthra & Vidhi Ayurveda
		Assistant Professor in Kriyasharir
		Assistant Professor in Swastha vritha
		Assistant Professor in Prasoothishasthra and Sthree roga
		Assistant Professor in Shalakyathanthra
		Assistant Professor in Kayachikitsa
		X-Ray Technician Grade II / Radiographer Grade II
		Assistant Professor in Kaumarabhrithya
		Assistant Professor in Roganidana
		Assistant Professor in Panchakarma
		Lecturer in Dravyaguna

3.	Collegiate Education Department	Lecturer in Sanskrit
		Matron
		Lecturer in BBA
		Librarian Gr. IV (Kannada knowing)
4.	Environment and Climate Change	Data Entry Operator
5.	Museum and Zoo	Biologist
6.	Fisheries Department	Inspector of Fisheries
		Sub Inspector of Fisheries
7.	Port Department	Assistant Marine Surveyor
		Navigator
		Chief Mechanical Engineer
		Officer in Charge
		Draftsman Gr. II, Hydrographic Survey Wing
		Turner
8.	Printing Department	Supervisor (Plate Making)
		Retouching Artist Gr. II
		Plate Maker Grade II
9.	Technical Education Department	Studio Attender (Applied Art)
		Studio Attender (Painting)
		Studio Assistant Gr. I in Sculpture
		Workshop Instructor/Instructor/Demonstrator-Electronics
		Workshop Instructor/Instructor Gr. II/Demonstrator Gr. II Comp. Engg.)
		Junior Instructor - Rattan work
10.	Land Use Board	Draftsman Grade II
		System Administrator
		Technical Assistant
		Geological Assistant

Annexure-IV

EVALUATING EXPERIENCE			
Position Points for seniority (points earned for each position above the junior most in the zone of consideration)		a	
Experience Point score of Junior most candidate in the zone of consideration	(base)	0	
Incremental difference of nth candidate (No. of days on which the nth candidate in the list has joined after the junior most (base) candidate)		d_n	
Point score on Experience of the nth candidate	E_n	$a \times n + d_n$	
e.g. If an Employee YYY is the 15th candidate (ranked from the junior most) and has joined 650 days before the junior most candidate and Position Point (points for a difference of 1 position) is set as 10, i.e. $p=10$ then that candidate in the zone of consideration would have secured 800 Experience Points	E_{15}	$10 \times 15 + 650$	800
If there are N candidates in the zone of consideration, the point score on account of Experience denoted as E_N for the senior most candidate in the zone of consideration will be	E_N	$a \times N + d_N$	
e.g. If senior most candidate in the zone of consideration has joined 933 days before the junior most candidate and is 23 positions up in the approved seniority list of the department, then the point score of the senior most candidate works out to $10 \times 23 + 933$	E_{23}	$(10 \times 23 + 933)$	1163
EVALUATING PERFORMANCE BASED ON PAR SCORING			
Using the Scoring Mechanism indicated in the PRC Report, the scores on PARs are worked out.			
Assume that the Minimum and Maximum Scores in percentage (as shown in Page 32-34 of the PRC Report Vol. II) are M_1 and M_2 for the N candidates in the zone of consideration.			

A scaling factor F for the performance will be worked out as $F = dN \div (M2 - M1)$	$F =$	$dN \div M2 - M1$	
So if the nth candidate has secured a score of M_n points on the PARs, this will work out to a Performance Score of $P_n = F \times (M_n - M1)$	$P_n =$	$F \times M_n$	
In any given year, if the relative weightages given to Experience and Performance are e and p respectively	$S_n =$	$e \times E_n + p \times P_n$	
If the weightages given to Experience and Performance are 80% and 20% respectively, then the total Score secured would be $0.8 \times E_n + 0.2 \times P_n$	$S_n =$	$0.8 \times E_n + 0.2 \times P_n$	
If say M1 is 54% and M2 is 93%, in the above example the scaling factor F would be out to $933 \div (93 - 54)$	$F =$	23.92	
For the nth candidate in the example has secured a score on the PAR of $M\%$ then the Performance score $P_n = F \times (M - M1)$	P_n	$F \times (M - M1)$	
If the 15th candidate referred to for the Experience Scoring secures 72% on the PAR Evaluation, then the Performance Point Score would be $23.92 \times (72 - 54)$	P_{15}	$23.92 \times (72 - 54)$	430.56
Total Score of the 15th candidate in this illustration would be	S_{15}	$0.8 \times 800 + 0.2 \times 430.56$	726.11

Annexure-V

Extract of Tenth Pay Revision Report- Compassionate Employment Scheme

Recommendations: The scheme for compassionate employment may be restructured, ensuring that this is a scheme for immediate relief and support to the dependants of a deceased employee and not a scheme for getting undue advantage by way of seniority (by persons who got employment under the scheme) over normal recruits who are better qualified and underwent the due process of selection. The Commission's recommendations in the matter are as follows:

1. The indiscriminate waiting period of more than 21 years as explained above may be dispensed with and the waiting period for getting employment may be reduced to 3 years as in Government of India.
2. If the spouse of the employee is qualified he or she is bound to accept the appointment as the scheme is for immediate relief and support to the family.
3. He /she can renounce the claim for appointment in favour of son or daughter only if he/she will get only less than 10 years of service, if appointed.
4. The system of giving employment to brother or sister whether married or unmarried may be dispensed with as that will not afford real solace and support of the family of the deceased.
5. If the claimants as above are not accepting or not getting employment within three years, they can opt for a system of the spouse getting the last salary drawn by the deceased. The spouse or in his/her absence, unmarried son or daughter can opt for payment of last salary drawn by the deceased till the normal date of retirement of the deceased or 15 years whichever is earlier. However, in case of sons it will be 25 years of age or their getting employed, whichever is earlier. In case of daughters it will be till marriage or employment or 15 years, whichever is earlier. Income restrictions as in the case of family pension will be applicable here also. This will be instead of family pension for such period the last salary is being drawn. They will be eligible for normal rate of family pension after expiry of the limit for getting last drawn salary. If the spouse is employed, the son or daughter may claim employment within a period of three years. If not claimed, they may opt for getting last drawn salary for the prescribed period. It may be also open to them to opt the last salary immediately after the demise of the employee.
6. The appointment under Compassionate scheme shall strictly be only to Class

III or IV irrespective of qualification of the applicant. Under no circumstances, appointment shall exceed 5% of the posts in the particular Department. The vacancies in a particular department may be set apart for those who worked in the same department and died in harness. Dependents of others will be considered only if there are no claimants of former employees of the same department. Once the system of payment of salary for dependents for 15 years or less is accepted, there will be no need for appointment in excess of 5% of vacancies. In that event, appointment in vacancies in excess of 5% shall not be resorted to. Such appointments shall be provisional and they can be assigned seniority in service only after they complete initial training for normal recruits and complete the period of probation including passing of department test.

7. Their seniority shall be fixed below the last person appointed based on a Public Service Commission notification for recruitment to the same post after the applicant has acquired the required qualification for the post.

Annexure-VI

Extract of Tenth Pay Revision Commission Report- Sports Quota

Appointment under Sports Quota: There is a scheme for giving appointment in Government Service for meritorious performance in Sports and Games. Here also, what is happening is that there is no process of selection except performance in sports. But it is true that they are doing service to State or Nation and deserves to be recognized properly. The present system is that they can attend ½ day in office and the rest of the day for Sports practice. Here, there is no real gain for Government in making them work for ½ day in the office. They can be permitted to undergo sports practice for all the day and better their performance. Once they retire from active sports, they can join the department and work on a full time basis. But they will have to undergo the required training cum orientation as in the case of other employees. While in service there may be occasions when such persons make further achievements in the sports field. There were occasions when they were given promotions to higher post based on such achievements. Commission does not consider this as a good practice as such promotions will dampen the spirit of the other officers in the Department and may cause distress among them. For such achievement, it is recommended that they may be given either lump sum cash award or additional increment(s) that may be sufficient recognition for the achievement.

Annexure-VII

Civil Services - Accountability to People: A Discussion Note

Introduction

It is widely recognized that governance in India today faces a serious crisis of accountability. The very fact that despite significant economic growth, and substantial increases in social sector expenditures, India continues to perform far worse than countries much poorer than her on key development parameters is an indicator of just how deep the problem of accountability is. Accountability failures have meant that absenteeism, incompetence, inefficiency and corruption characterize every core service that the state is obliged to deliver to its citizens.

This discussion note examines the crisis of accountability in the context of the Indian civil services. It argues for the importance of creating mechanisms for direct accountability of the civil services to citizens and attempts a preliminary articulation of mechanisms and instruments by which this accountability can be achieved.

The paper is structured as follows: **Section 1** analyzes the concept of accountability. It begins with an overview of the notion of accountability and goes on to tackle the question of why civil service accountability to people is not just desirable but also necessary. **Section 2** details some core analytical principles that offer the building blocks for designing a system for accountability to the people. **Section 3** offers some preliminary thoughts on mechanisms and instruments through which to actualize this form of accountability.

Section 1: Understanding Accountability: A diagnostic

Accountability can broadly be defined as the obligation of those holding power to take responsibility and be held answerable for their behavior and actions. This obligation might stem out of a moral-ethical need to account for one's behavior, or out of a legal requirement. It is a relational concept, as it concerns the relationship between those that perform an action or deliver a service and those on whom the service has an effect. At its core accountability can be conceptualized in terms of principles and agents, where accountability is a relationship between a principal X and an agent Y acting on behalf of Principal X¹. There are two critical elements to actualizing this notion of accountability. The first is the question of determining who should be accountable to whom and for what? Second is that of developing institutional mechanisms and an incentive structure for sanctions and rewards on the

1. World Bank (2006), 'India Inclusive Growth and Service Delivery: Building on India's Success', Development Policy Review.

basis of which accountability is realized. Accordingly, accountability has an *answerability* element- the need for justification of actions, and an *enforcement* element- the sanctions that can be imposed if actions or justifications are judged unsatisfactory.²

Public accountability- the need for the institutions of the state to be accountable for its actions - stems out of a social contract that citizen's share with the state. There are institutional provisions to ensure that the state respects this contract. On the one hand, there are mechanisms for **external** accountability or accountability directly to citizens. In democracies, elections are the chief institutional mechanism through which this is achieved. There are also mechanisms for **internal** accountability – institutional checks and balances and internal oversight. The constitutional separation of powers into the judiciary, executive and the legislature, internal performance monitoring and official oversight including bodies like the auditor general and ombudsmen are some examples of internal accountability.

Public accountability is realized through a 'long route' where external and internal accountability - the two arms of the long route- operate in tandem.³ First, citizens must be able to draw on external accountability mechanisms to express their preferences and hold the state- politicians and senior levels of the administrative bureaucracy- to account for the fulfillment of these preferences. The state in turn, acting as an agent for its citizens, must be able to activate internal accountability mechanisms to transmit these demands to the actual provider of services (line agencies, departments, public sector bodies) and hold them accountable for service provided. Accountability is ensured when the incentives to service providers are aligned to the ultimate preference of citizens and providers are made directly accountable to people.

The long route of accountability fails when on the one hand, external accountability is weak and the state does not succeed in taking cognizance of its citizenry's needs and demands and on the other, the state is unable to create incentives for providers to satisfy citizen's wishes and be accountable to them. India's public administration framework is a classic example of the complete failure of this long route of accountability. There are a number of reasons for this.

2. Goetz, AM and Gaventa, J (2001), 'Bringing Client Voice and Client Focus in Service Delivery', IDS Working Paper No. 138, www.ids.ac.uk

3. The notion of the 'long route' to accountability was first mooted by the World Bank in its analysis of accountability in the World Development Report. World Development Report (2004), 'Making Services Work for the Poor', World Bank, www.worldbank.org

Weak Accountability of Policy Makers

In India, mechanisms for ensuring external accountability of policy makers are extremely limited. Emanating in part as a consequence of its colonial legacy which necessitated an opaque administration that was distanced from its people- administrative or civil service accountability in India has always been internal. External accountability is conceptualized in the narrow framework of elections and demanded specifically of elected representatives. In this framework, civil service accountability to the people is at best ‘indirect’ through accountability to the political class. This notion has two problems worth highlighting.

First, it erodes accountability of the civil services for policy related decisions and relevant outcomes. The civil services, particularly at the higher echelons of the administrative hierarchy play a critical role both in determining policy choices as well as charting the course through which policy is implemented. Internal accountability insulates the policy making process- basis on which decisions are taken, standards set and performance judged- from public scrutiny. This results in information asymmetries. Citizens have no means of accessing information on how decisions are made or on the basis of decisions. Moreover, there are no mechanisms for measuring outcomes of policy decisions as there is no information on standards and goals that policies seek to achieve. As a result, accountability breaks down.

Overlaid on this, is the hierarchical nature of the bureaucracy which privileges a top down approach to policy making. In this framework, power is centralized at the level of the line agency which sets service standards and at the same time tightly controls the implementation, including resource allocation, of services. There are many problems with this approach. From the perspective of accountability, its greatest failing has been the complete absence of citizens’ participation in bureaucratic decision making. Consequently, policies and programs bear little resemblance to citizen’s needs and preferences. Box 1 examines this problem illustratively through the lens of the evolution on policy to address the sanitation problem. It highlights that top down approaches can result in the wrong problem being addressed leading to a complete disconnect between stated outcomes and real impact of policies. Consequently, accountability suffers.

Box 1: Top down policy making compromises accountability: The case of sanitation policy

In 1986, the Government of India launched the Central Rural Sanitation Program (CRSP) to construct latrines in every village. There was little traction for the program and coverage remained low – at 20% in 2001. But more troubling was the fact that when latrines were constructed, they were rarely used. In Himachal Pradesh alone, of the 4 lakh toilets constructed a mere 3% were being used. In Maharashtra, 1.7 million toilets were constructed between 1997 and 2000, but by the government's own estimation, 53% were used for purposes other than toilets. The CRSP experience was a clear case of identification of the wrong solution and developing a program that did not bear any reflection with people's needs and preferences. The problem was not one of infrastructure rather it was one of a poor understanding of the relationship between sanitation and health pointing to the need for a public health intervention rather than an infrastructure one. A review of the program in light of this experience and shift in focus towards a behaviour change model that emphasizes public health outcomes has met with far greater success than the toilet construction drive.

One argument often made in favor of internal accountability of the civil services is that accountability to the people is achieved indirectly through accountability to the political class, who in turn are accountable to the people through the electoral process. This notion of accountability is premised on the assumption that there exists a clear separation of powers between the legislature and the executive where the legislature determines policy and the executive implements policies with clear legislative oversight. In practice, this separation is extremely weak.

For a variety of reasons, elections as an instrument for external accountability have some well known weaknesses.⁴ In India, these weaknesses are exacerbated by the particular nature of the evolution of Indian democracy. Politics is marked by a conception of competition where to hold the state accountable is to gain access to its power and the goods it provides. Clientelism and patronage are rife and voters are mobilized more on the politics of caste, regional or religious identity than on the politics of accountability and initiatives that bring long term benefits to the public as a whole.⁵ Consequently, the state and its apparatus, including the bureaucracy are treated not so much as a means of generating public goods but as a means of generating benefits for the particular group that controls the state.

4. Weaknesses in elections as an accountability mechanism have been the subject of much analysis. For one thing, elections occur only once in every few years, but they also force an incredible diversity of opinions and evaluations together into one single vote, this makes them a rather blunt instrument to convey accountability signals to individual office holders.
5. Mehta BP (2008), 'Citizenship and Accountability: The Case of India' (forthcoming).

Rampant politicization of the bureaucracy is an outcome of this politics. Frequent transfers, arbitrary promotions and appointments made by political bosses are the norm in the bureaucracy today. According to one estimate, Uttar Pradesh witnessed over a 1,000 transfers in a period of two years between 1996 and 1998. Under one head of government, transfers ran at an average of seven per day!⁶ Politicization has resulted in a collusion of interests between the legislature and the executive, curbing any incentive for instituting internal accountability. As Box 2 illustrates, when interests collude, policy decisions are based on the achievement of short-term political gains rather than citizen preferences. Moreover, incentives for performance are weak and corruption becomes unavoidable.

Box 2: Where the legislature and the executive collude: The case of education in Uttar Pradesh*

A recent analysis of the political economy of education in Uttar Pradesh by Kingdon and Muzamil (2003) reveals that teachers are strongly unionized and command significant political clout. Many teachers are active politicians themselves. Kingdon and Muzamil estimate that the proportion of teachers elected to the Upper House in UP range varies from 13% to 22% of the total members. In the lower house, teachers accounted for 10.8% of all elected MLAs in the 1993 election and 8.7% in the 1996 election. Their share of cabinet posts was even higher at 16.3% in 1991-92. This rather high representation of teachers in the UP politics persists till today. Smt. Mayawati, the current UP Chief Minister, was herself a teacher before she took the political plunge. What does this collusion mean for accountability? When interests so clearly collide, the system is rid of any incentives to make policy choices that go against teacher's interests or create mechanisms for imposing sanctions for poor performance. This is one the primary reasons for the persistence of absenteeism and poor learning achievement levels in India.

*Kingdon and Muzzamil (2003), 'The political economy of education in India', Oxford.

Politics aside, oversight of the executive by the legislature is further compromised by the fact that institutional mechanisms through which this oversight function is realized are ineffective. Box 3 examines this in the context of Parliamentary Questions – arguably one of the chief instruments through which the legislature can hold the executive to account. Another instance of ineffective oversight is the failure of Parliament to enforce governmental compliance with audit findings. Parliamentary procedure requires that all audit reports be tabled in parliament. The Public Accounts Committee (PAC) scrutinizes these reports and recommends action to be taken. In practice, the PAC has failed to ensure enforcement. The figures speak for themselves. According to the Comptroller and Auditor General of India, of 9,000 audit paras included in reports tabled in Parliament between 1994 and 2008, over 3,000 are yet to be responded to.⁷

6. Jalan, B (2005), 'The Future of India', Politics, Economics and Governance', Penguin

7. CAG speech, 2008, www.cag.gov.in

Box 3: Whose questioning whom? Are Parliamentary questions an effective means of holding the executive to account?

Formally, Parliamentary questions offer the principal means by which the legislature can hold the executive to account. Constitutionally, any Member of Parliament (MP) can ask government questions. Ministers are obliged to respond to these questions in Parliament either orally (starred) or in written (unstarred). In practice, the number of questions is limited. 20 starred and 230 unstarred questions can be responded to on any given day. Questions tabled by members are prioritized through a secret ballot. But what happens to questions that do not make their way to the secret ballot? Parliamentary rules have no mechanism to ensure that questions that are left out of the priority list get responses outside of Parliamentary sittings. Consequently, critical issues never get questioned, debated or discussed in Parliament and accountability is weak. Procedural issues apart, in recent times the relative decline of parliamentary procedure, in particular the reduction in the number of sittings per session (the 14th Lok Sabha hit an all time low with a 50 day sitting in 2008-09) as well as poor quality of questions asked has further diminished the importance of question hour as a means of ensuring accountability in India's governance systems.

Weak Accountability of Service Providers

As mentioned, for the long route of accountability to be realized, policy makers must be able to activate internal accountability mechanisms and create institutional incentives, through which providers act in the interests of people and accountability is ensured.

A key element of ensuring accountability is the ability of policy makers to monitor service provision and institutionalize incentives for performance. In administrative and managerial parlance, this refers to the 'contract' or 'compact' between policy makers, line departments and front-line service providers on the basis of which services are delivered. As the history of implementation of programs and schemes in India amply demonstrates, the sheer size and scale of government operations makes direct monitoring- even for the best intentioned civil servant- of the front-line service provider almost impossible. On occasions where monitoring does happen, it is undertaken necessarily on the basis of inputs – buildings built, roads constructed, hand pumps constructed, rather than on outcomes of what these buildings, roads and hand pumps yield. Thus performance, when judged, is not based on any 'real' indicators of service provision removing any real incentive for performance.

Box 4: The importance of being measured

There is a growing body of public policy literature that argues for the importance of measuring outcomes as the real indicator through which performance of policy decisions can be determined. This emphasis is a consequence of the recognition that there is a weak correlation between financial input and outcomes. On this view, measuring impact of public policy and expenditures incurred to implement policy requires going beyond an input orientation to determining what these expenditures yield. Does for instance, the construction of a road lead to greater connectivity? Does access to a public health center improve health conditions? Does building a school lead to quality education? Measuring performance through outcomes can enhance accountability in many ways. For one thing it makes explicit, the objectives, outputs and outcomes expected from public expenditures. In doing so, it articulates clear benchmarks on the basis of which performance of policy objectives can be measured. To be effective, measurement must be accompanied by increased information on how well stated objectives are being met.

Another factor that has contributed to ineffective monitoring is the fact that information on public expenditures is weak. Ideally, expenditure information should be made available through central and state budget documents. But in practice, budget documents never report on actual expenditures for schemes. These are only available through audit documents tabled in Parliaments and state legislatures. As discussed, the audit system has its own set of problems including delays and weak enforcement of audit findings. In the absence of adequate mechanisms for expenditure tracking, there is no relationship between funds released and capacity and willingness to spend at the local level. Transparency in fund flows and expenditures is compromised and consequently, leakages and expenditure inefficiencies go unnoticed. The result: a complete breakdown of accountability.

How does this unfold in practice? Consider the case of India's primary health care sector. The central feature of the current public health care system is a network of primary health care centers (PHC) and sub centers where salaried, government appointed doctors and nurses are expected to treat patients. But what do patients encounter when they arrive at the PHCs. First, ***Vacancies***- a recent countrywide study estimated average vacancies to be 18% among doctors, 15% among nurses and 30% among paramedics. Second, ***absenteeism***- absenteeism rates across India average 40% with Bihar topping the list at 60%. Third, ***incompetence***- a recent study on the quality of medical care in Delhi found that the competence levels of a public sector MBBS doctor in a PHC were so poor that there was as high as a 50:50 chance of the doctor recommending a seriously harmful therapy. In treating diarrhea, a basic health problem that 70% of doctors report facing 'almost every day', the typical doctor recommended harmful treatment at least 75% of the time. Fourth ***corruption***,

according to a 2005 Transparency International study, health care services account for the largest share of bribes- 27%- paid for public services in India.⁸

The crux of the problem with the health care system is the failure to monitor performance and enforce sanctions. All doctors appointed to PHCs are hired, paid, monitored and therefore accountable only to state governments. Since monitoring is weak, and fund flows including salaries and infrastructure-related monies flow despite weak monitoring, a PHC doctor's performance has little to do with remuneration. If public doctors miss their clinic opening hours or give poor quality service, they still get their salary. So what is their incentive to perform?

These weaknesses in the long route to accountability point to the urgent need to revisit current conceptualizations of civil service accountability as something internal to the system and divorced from citizens towards one that engages more directly with citizens. This notion of greater accountability to the people is not without precedent. Across, the world, governments are experimenting with new ways of strengthening citizen engagement in policy making and administration. Often referred to as 'social accountability', representing a form of accountability that breaks the state monopoly on oversight functions and actively encourages citizens to participate in its institutions. India has long been considered one of the pioneers of this form of accountability-owing largely to efforts undertaken in the civil society space. Equally, and partly as a consequence of civil society efforts, there are some important examples of state initiated reforms that have attempted to strengthen social accountability with varying levels of success. Crucial amongst them are efforts to strengthen decentralization of government through the 73rd and 74th Constitutional Amendment, localization of monitoring through the creation of community based oversight bodies, citizen charters and the Right to Information Act.

Section 2:

Institutional Design for Accountability: Some Analytical Considerations

In the previous section we addressed the question of whom the civil services ought to be accountable to. In the next two sections we deal with the more practical challenge of designing an institutional structure through which accountability to the people can be realized. One way of thinking about this is to go back to first principles. What are the key underlying analytical criteria on the basis of which accountability to people can be ensured? We identify two key characteristics of an accountable system.

8. Chaudhury, N, Hammer, J, Kremer, M, Muralidharan, K, Rogers, HF (2006), 'Is there a Doctor in House', forthcoming and Das, J. and Hammer, J (2004a) "Which Doctor? Combining Vignettes and Item Response to Measure Doctor Quality." Policy Research Working Paper Series, #3301. The World Bank, forthcoming in *Journal of Development Economics*.

1. **Regular, reliable and relevant information:** As the previous discussion highlighted, informational asymmetries- lack of access to information on government processes and performance- lie at the heart of accountability failures. Transparency holds the key to strengthening accountability. The passage of the Right to Information Act in 2005 is a critical step in the direction of institutionalizing transparency in administrative structures. However, transparency while necessary is not itself sufficient to ensure accountability. For information to result in accountability it needs to be produced regularly, reliably and in a fashion that is relevant to citizens. Demystifying complex government records so that they are intelligible to citizens is key. For instance, access to complex budget documents or audit reports will play a limited role in strengthening accountability. However, if these reports are de-mystified, using a non-technical vocabulary, they can be made relevant to citizens and accountability better enforced.
2. **Clear delegation of roles and responsibilities with commensurate powers and resources:** External accountability requires reorganizing internal administrative procedures and accountability mechanisms. One important aspect of this is to ensure that every level of the administrative system has clearly defined roles and responsibilities with goals that are clearly specified. This allows the possibility of affixing accountability to specific levels of administration as well as developing benchmarks on the basis of which performance can be judged.

The challenge lies in determining the basis for this delegation. There needs to be a clear basis upon which specific roles and activities are assigned to specific levels of the system. Second, the delegation of roles and responsibilities must be accompanied by the delegation of resources that would allow functionaries to fulfill their roles. In the absence of this, delegation could end up confounding rather than strengthening accountability. Analysts have identified three key first principles of accountability on the basis of which role and responsibilities can be assigned :⁹

- a. *Degree of discretion:* A discretionary activity is one in which the successful delivery of a service requires for the frontline provider to adapt to local conditions instead of providing the same thing every time. Discretionary activities should be thus be assigned to front-line staff with the powers and

9. For a more detailed discussion on these first principles see Pritchett, L and Woolcock, M (2002), "Solutions when the solution is the problem: Arraying the Disarray in Development", Centre for Global Development, Working Paper No. 10. Also see Pande, V and Pritchett, L (2006), "Making primary education work for the rural poor: A proposal for effective decentralization", Social Development Working Paper Series No. 92, World Bank.

resources- including some flexibility over budgets so that the nature of the activity can be adjusted to adapt to local conditions.

- b. *Degree of transaction intensity*: Transaction intensive activities require repeated transactions at the local level. The greater the transaction intensity, the greater the need for local control.
- c. *Ability to observe performance*: Where can performance be best monitored? If the activity requires technical expertise, performance is best judged by experts. But if the activity is simple and with easily identifiable performance indicators, local level monitoring is best. So for instance in the case of education, curriculum development may require technical evaluation but monitoring teacher presence and children's learning achievement is best done locally.

When applied, these first principles will give different answers for different sectors and services. However, they do allow for the articulation of some broad steps that can be taken both to strengthen delegation as well as information flows to citizens. In the next section we offer some preliminary thoughts on what these steps might be.

Section 3:

Preliminary Thoughts on Mechanisms and Instruments for Accountability

As discussed in the first section, the notion of strengthening civil service accountability to the people has been at the forefront of many recent reform efforts within the civil services. This section is not an effort to re-invent the wheel. Rather, it hopes to offer inputs and discussion points that can build on on-going reforms and institutionalize mechanisms for direct citizen engagement with the civil services. The first principles detailed above offer the basis for these discussion points.

1. *Greater decentralization*

The 73rd and 74th amendments to the Indian constitution have sought to strengthen accountability by decentralizing power to smaller, local units of government. The process of devolution of power has proceeded unevenly with political decentralization (elections to local bodies) running far ahead of administrative decentralization- where functions, funds and functionaries (3F's) are yet to be devolved adequately. The rationale for decentralization stems from the assumption that bringing governments closer to people, enhances accountability by more accurately reflecting citizen needs and preferences and crucially, making it easier for citizens to monitor performance and thereby demand accountability. Yet, all would agree, that decentralization is no panacea. After all, simply plumping greater resources

functions, funds and functionaries (3F's) are yet to be devolved adequately. The rationale for decentralization stems from the assumption that bringing governments closer to people, enhances accountability by more accurately reflecting citizen needs and preferences and crucially, making it easier for citizens to monitor performance and thereby demand accountability. Yet, all would agree, that decentralization is no panacea. After all, simply plumping greater resources to local governments without systematic reforms is unlikely to have an impact. Decentralization however, precisely because of its logic of bringing governments closer to people, offers an important opportunity through for undertaking reforms and greater accountability to the people – provided the design is right.

What are the features of a well designed decentralized system of government? First and foremost, the funds, functions and functionaries must be aligned such that functions are clearly delegated at each level of government and funds and functionaries are made commensurate with functional responsibilities. For accountability to be ensured and if local governments are to accurately reflect citizens needs and desires, funds need to be transferred in a manner such that local governments have the power to take decisions over resource allocation. Crucially, this greater autonomy must be accompanied by greater public scrutiny. Strengthening public access to information on local government budgetary allocations is one possible way through which this can be achieved. In rural areas, for instance, information on budgets allocated could be made accessible by painting information on the Gram Panchayat building. Mandatory scrutiny of budget documents at the Gram Sabha is another mechanism. Advertisements on budgetary allocations could also be published in the local media and disseminated through local radio channels.

But how does one create incentives to ensure that information dissemination takes place? Many of the provisions for dissemination described above already exist. Yet, they never get implemented. One option is the creation of an independent regulatory agency that monitors information dissemination activities at the local level. Alternatively, proactive disclosure of budgetary details can be linked with the financial audit process such that failure to disseminate information gets a red flag in audit findings. We discuss this issue in greater detail in the section on social auditing.

2. *Greater monitoring of public expenditures*

As has been discussed earlier in this note, effective monitoring is crucial to accountability and for monitoring to be effective information on public expenditures is critical.

In 2008, the central government recommended the creation of a Central Plan Schemes Monitoring System (CPSMS) to track and monitor expenditures at the state and district level for centrally sponsored schemes. This is a welcome move. But is tracking funds to the district sufficient? After all, real expenditures are incurred at levels far below the district and usually the service delivery point- be it the school, the primary health centre or the public works site. Can systems be developed to track funds all the way down the system to the service delivery point? Lessons can be learnt from the web based information management system built by the government of Andhra Pradesh for the National Rural Employment Guarantee Act (Box 4) that reports on financial performance and progress at the level of the individual job card holder.

Box 5: Andhra Pradesh's MIS System for NREGA: Key features

In 2006, The Government of Andhra Pradesh (AP) instituted a process to develop an information management system (MIS) to track the implementation of the National Rural Employment Guarantee Act (NREGA) in the state.

The AP NREGA MIS is a web-based MIS. The Mandal Control Centre (MCC) is the lowest node where information entry happens. Each MCC is connected to the central database in Hyderabad through the district level. When wage-seekers apply for job-cards at the Gram Panchayat (GP), their details are registered into the MIS, and the MCC generates a job-card for the household, which is assigned a unique ID. Details of the works are also maintained in the Works Shelf part of the MIS. Once the work begins, the field assistant sends a weekly progress report on the work, along with the muster rolls to the MCC. Data entry happens at the MCC, and then payment orders are generated, which are sent to the GP for display. Payments are done either through the banks or the Post Offices, and these are also tracked on the MIS.

Because all information about every transaction, every work and every household is entered into the MIS, not only can the process be monitored at every step, the system can also generate all kinds of reports that enable detailed analysis of the program. For instance, there can be reports on beneficiary households at the state, district, mandal and GP levels, disaggregated along indicators which enable important analyses like gender-wise and caste-wise wage analyses, and work access and wage analyses for disabled wage-seekers. There are also reports that enable comparison and tracking of progress of works undertaken at different levels, the delayed payment reports, and detailed reports on the performance of the program.

Of course, MIS systems while crucial for strengthening transparency need not implicitly strengthen accountability to people. After all the accuracy of an MIS system is dependent on the accuracy of information entered in to the MIS. What MIS systems do offer is the ability for citizens to access

information on public expenditures in real time. For accountability to be realized, access to information needs to be coupled with mechanisms such as social audits discussed below that create platforms for citizens to directly interact with service providers and demand accountability.

3. *Mandatory social auditing*

The concept of social audits - the cross-verification of government records and data with information on the ground and the sharing of audit findings with government through public hearings- has gained much ground in recent years as an important tool through which accountability can be realized. With the passage of the National Rural Employment Guarantee Act (NREGA) social audits of NREGA works is now mandatory and some state governments (Box 5), have taken path breaking steps in the direction of institutionalizing social audits in to the everyday functioning of government.

Box 6: Social Audits in Andhra Pradesh

With built-in features like decentralized planning and implementation, proactive disclosures, and mandatory social audits on its projects, the National Rural Employment Guarantee Act (NREGA) provides the catalyst for activist governments and civil society organizations to institutionalize accountability tools in governance system. A remarkable instance of one such activist government is Andhra Pradesh which has since the inception of the program in 2006 been conducting systematic and regular social audits on its NREGA works across the state.

A strong political will and committed top-level bureaucracy provided the impetus for this venture. The institutional space for developing a team and managing the social audits was found in the Strategy and Performance Innovation Unit (SPIU) of the Department of Rural Development. Between March and July 2006, the Department collaborated with MKSS, the civic group in Rajasthan that pioneered social auditing in India, to hold training sessions for officials and interested civil society activists, and to help with the design and conduct of pilot social audits. These trainings culminated in the setting up of strong cadre of 25-member state resource persons, drawn exclusively from the civil society, which is crucial to ensuring a high degree of autonomy and objectivity in the exercise. In addition, 260 district-level resource persons have also since been trained. The actual audit is conducted by educated youth volunteers in the village, who are identified and trained by this pool of resource persons. The first social audit was conducted in July 2006. Since then, an average of 54 social audits are conducted every month across all 13 NREGA districts.

This is a unique instance in that nowhere else in India have social audits taken place on such a large scale with such frequency. And although research needs to address whether such deep institutionalization of accountability mechanisms has indeed resulted in improved accountability in service delivery, emerging evidence points to significant and lasting improvements in citizens' awareness levels, their confidence and self-respect, and importantly their ability to engage with local officials.

Despite these successes, institutionalizing social audits remain a challenge. First, the success of a social audit is crucially dependent on transparency. To conduct a social audit, citizens must have access to information on the basis of which government performance can be verified. The Right to Information Act, through its provisions for mandatory disclosure (section four) of information on all proceedings by government departments provides the institutional framework through which this transparency can be enforced. In practice, most government departments have failed to comply with disclosure norms articulated in the Act. The challenge thus lies in ensuring compliance with the Act. One possible way by which this can be achieved is to link disclosure with the formal audit process by making compliance audits on section four provisions a mandatory part of the yearly financial audit.

Second, for social audits to take root, communities need to be mobilized both to generate demand for social audits and for communities to participate in them. How can governments facilitate this mobilization? Moreover, is mobilization a governmental responsibility? The Andhra Pradesh government (Box 5 above) experience with conducting social audits is instructive in this regard. In the Andhra model, the government merely acts as a facilitator providing resources and the institutional set up for social audits to be conducted. The mobilization and conduct of social audits is the exclusive domain of the state and district resource people all of whom have been drawn from civil society. Going forward, this could be on model to emulate.

Third, a successful social audit requires timely response and follow up to social audit findings. Here too, the formal audit mechanism can be activated to ensure follow up by incorporating social audit findings in to the formal audit reports tabled to Parliament and state legislatures. There is of course the larger problem of the weak enforcement of audit findings referred to earlier. But should this preclude the incorporation of social audits in to the financial audit system?

Thus far we have examined mechanisms for citizen accountability from the perspective of front line service provision. How can greater citizen accountability be achieved at higher levels of service? We propose two, related ways in which this might be achieved.

1. *Setting and widely disseminating performance benchmarks, and*
2. *Linking performance with outcomes.*

The importance of monitoring outcomes and performance has already been discussed. In this section, we examine some processes by which this can be realized. In 2005, the Government of India took a very crucial step in this direction with the announcement of an 'Outcomes Budget'. While the intention was noble had much potential, it has thus far failed to have any real systemic impact. How can outcomes budgets be strengthened?

There are two critical elements to a successful ‘outcomes budget’. First, it requires the identification of clear, concise and quantifiable outcome indicators. These indicators need to be tangible and realistic. Here the outcomes budget falls short. Indicators are vague – the health ministry describes ‘funding of institutions’ and ‘widening of surveillance mechanisms’ as some of its key outcomes- making measurement impossible and irrelevant.

Second, information must be made regularly available to the public. On this count too, the outcomes budget has fallen far short of expectations. The budget itself was launched with much media fanfare but over the years it has simply disappeared from the public radar. There is no evidence of any proactive effort by government agencies to generate and disseminate information on progress.

If implemented properly, efforts like the outcomes budget can go a long way in ensuring that information to the public is both relevant and reliable. Lessons can be learnt from the experience of NGO’s across India that have been experimenting with different ways of strengthening information on public services in India. One interesting effort in this direction is the Annual Survey of Education Report (ASER)- a report card on the status of primary education in rural India, prepared annually by Pratham, an NGO working on education in India.

ASER has successfully identified simple indicators of learning competence- word and number recognition, basic comprehension and basic arithmetic. These are tangible, quantifiable and most important applicable all across the country. This makes cross state comparisons possible. Most importantly, these indicators are extremely realistic and relevant. The indicators are based on a reasonable expectation that a child attending standard 5 can recognize words, do basic math and read a standard 2 textbook.

To ensure that information is widespread, ASER has developed an inbuilt strategy for information dissemination across the country. This includes the preparation of annual regional reports and simple district level report cards. These report cards can be used as a tool to mobilize citizens to advocate for the improvement of the improvement of the primary schooling system. Initial results from an impact evaluation of this experiment reveal that these district level report cards have generated widespread public interest on the issue of education and discussions on the issue of learning levels have increased dramatically at village level meetings.

Lessons can also be drawn from international experience. In the United States for instance, the White House has developed a program assessment rating tool (PART) that is drawn to conduct objective evaluations of all government programs. Departments are given performance ratings across key parameters.¹⁰ In 2007, over 1000 programs, amounting to 98 per cent of the federal budget were assessed and

¹⁰ <http://www.whitehouse.gov/omb/part/>

ranked. This information is made publicly available through the internet and other media. Over the years, several government departments have responded to these rankings and worked to improve performance.

Box 7: Program Assessment Rating Tool (PART)

The United States Office of Management and Budget (OMB) has developed a tool known as Participatory Assessment Rating Tool (PART) to assess and review US federal government program performance. This assessment helps program managers and other stakeholders in understanding what changes may need to be made to improve performance, and also highlights best practices that can be shared with similar programs.

Designed as a questionnaire, PART looks at critical areas of assessment that affect and reflect program performance. Accordingly, the first set of questions asks whether a program's purpose is clear and whether it is well designed to achieve its objectives, the second involves strategic planning, and weighs whether the agency establishes valid annual and long-term goals for its programs, the third set rates the management of an agency's program, including financial oversight and program improvement efforts, and the fourth focuses on results that programs can report with accuracy and consistency. Data emerging from this process is then used to assess and rate the programs (ranging from "effective" to "ineffective"). Once the assessment is completed, the OMB in collaboration with the Federal agencies develops a program improvement plan based on the assessment. They then track the progress on these plans, so that all assessed programs are held accountable for improving their performance and management.

The type and scope of the follow-up actions in improvement plans vary greatly. In some cases, the recommended actions focus specifically on one or two key areas needing improvement. In other cases, the follow-up actions are much broader. Sometimes, a program assessment finds that a program is duplicative of other, better-run programs or even that the program has already fulfilled its original purpose. In cases such as these, one of the follow-up actions might be to work with the Congress to end, or terminate, the program.

To date, 1015 (about 98% of all) Federal programs have been assessed. Of which 193 have been found Effective, 326 Moderately Effective, 297 Adequate, 26 Ineffective, and 173 Results Not Demonstrated.

Section 4: Pulling it All Together: Concluding Remarks

There is little doubt the civil service accountability to the people is both desirable and necessary. Ensuring this accountability is arguably one of the greatest challenges that confront India's civil services. This discussion note has touched upon a few instruments and processes that can create platforms for greater citizen engagement and accountability. In the final analysis, however for accountability to take root, incentives need to be built in to the system. To be sure, greater transparency and resultant public scrutiny do create incentives for better performance. But is this enough? If not, how can accountability to the people be institutionalized? Can measures of performance be incorporated in to the formal appraisal system as one of the benchmarks through which internal bureaucratic performance is assessed? Can promotions and pay increases be linked to these benchmarks? These are some of the key questions that need to be addressed in order that civil service accountability to people is realized.

Annexure-VIII

COMMUNITY SCORE CARDS

The Community Score Card is a participatory, community based monitoring and evaluation tool that enables citizens to assess the quality of public services like health care, schools, public transport, drinking water, waste disposal, and so on. CSC is used to inform community members about available services and their entitlements and to solicit their opinions about the accessibility and quality of these services. By providing an opportunity for direct dialogue between service providers and the community the CSC empowers the public to voice their opinion and demand improved service delivery.

Key steps in CSC process:

1. Identify the subject and scope of assessment
2. Carry out preliminary research regarding current inputs, entitlements, degree of usage, etc.
3. Identify people or groups who can facilitate CSC process, such as NGOs and officials of local governments
4. Conduct awareness campaign to inform people about the purpose and benefits of CSC.
5. Train facilitators in CSC process.
6. Convene community members in to one or more focus groups
7. Ask each group to identify performance/quality indicators for the public service in question.
8. Ask the group to score each indicator and give reasons for the scores.
9. Ask the group to develop their own suggestions on how to improve the service.
10. Hold a brainstorming session with service providers including the management and staff to develop self-evaluation indicators
11. Ask the service providers to score each indicator and give reasons for the scores.
12. Invite service providers to discuss and propose possible solutions.
13. Convene an interface meeting between community and service providers.
14. Each focus group presents its scores in the interface meeting.
15. Reasons for scores are discussed
16. Service providers react and give feedback.
17. Document the process and record score card results in a brief, clear and easily understandable format.
18. Ensure the implementation of findings in the document and follow up the solutions.

Appendix-I

List of Various Service/Pension Organizations

Sl. No.	Name of Organization
1	Kerala Gazetted Officers' Association
2	Kerala Gazetted Officers' Union
3	Kerala Gazetted Officers Federation
4	Kerala NGO Association
5	Joint Council of State Service Organisations
6	Kerala NGO Sangh
7	Kerala NGO Union
8	Kerala Secretariat Employees Association
9	Kerala Secretariat Association
10	Kerala Secretariat Staff Association
11	Kerala Secretariat Employees Sangh
12	State Employees Union
13	Kerala NGO Centre
14	Kerala State Service Pensioners Association
15	Senior Citizens Service Council
16	Kerala Service Pensioners' Centre
17	Kerala Service Pensioners League
18	Kerala Pensioners Sangh
19	Secretariat Elders Association of Kerala
20	Secretariat Pensioners Welfare Association

Appendix-II

List of Serving and Retired Secretaries to Government

Sl. No.	Name and Designation
1	Shri. Biswanath Sinha, Principal Secretary
2	Shri. C. Chandran, Principal Secretary (Rtd.)
3	Shri. James Varghese, Additional Chief Secretary (Rtd.)
4	Dr. A. Jayathilak, Principal Secretary
5	Shri. Kamala Vardhana Rao, Principal Secretary
6	Shri. Keshvendra Kumar IAS, Additional Secretary, Ayush Dept.- Responded to Questionnaire
7	Shri. P.H. Kurian, Additional Chief Secretary (Rtd.)
8	Smt. Niveditha P. Haran, Additional Chief Secretary (Rtd.)
9	Shri. Rajeev Sadanandan, Additional Chief Secretary
10	Shri. W.R. Reddy, Director General, NIRDPR
11	Shri. Sanjeev Koushik, Principal Secretary- Responded to Questionnaire
12	Shri. Subbiah S., Principal Secretary (Rtd.)
13	Shri. Subratha Biswas, Additional Chief Secretary
14	Smt. Sumana N. Menon, Secretary- Responded to Questionnaire

Appendix-III

List of HoDs who Responded to Questionnaire/Consulted

Sl. No	Name	Designation & Department
1	Shri. Abdul Nasar IAS	Director, Survey and Land Records/Housing Commissioner
2	Shri. Abraham T. Joseph	Director, Dairy Development
3	Dr. Ajitha Nair R.	Director, Insurance Medical Service
4	Shri. Alexander IAS	Commissioner, Labour
5	Shri. Anil Kumar V.C.	Chief Electrical Inspector
6	Shri. K. Anilkumar	Joint Commissioner, Food Safety
7	Dr. Anitha Jacob	Director, Indian Systems of Medicine
8	Shri. Biju K. IAS	Director, Industries and Commerce
9	Shri. H. Dinesan IAS	Director, Panchayat
10	Dr. A. Farook	Director, Vocational Higher Secondary Education
11	Smt. R. Girija IAS	Director, Urban Affairs
12	Smt. Girija K.S.	Chief Town Planner, Town and Country Planning
13	Smt. K.P. Indiradevi	Director of Technical Education
14	Shri. Jafar A.M.	Director, Treasuries
15	Shri. Jafar Malik IAS	Director, Social Justice
16	Shri. A.T. James IAS	Commissioner, Land Revenue
17	Dr. K. Jamuna	Director, Homoeopathy
18	Dr. P.K. Jayasree IAS	Director, Agricultural Development & Farmers' Welfare
19	Shri. J. Justin Mohan IFS	Director, Ground Water/Soil survey and conservation
20	Shri. P.K. Kesavan IFS	Principal Chief Conservation of Forests
21	Shri. A. Kishan	Director-in-charge, Sainik Welfare

22	Dr. A. Kowsigan IAS	Managing Director, Kerala Water Authority
23	Shri. Loknath Behera IPS	State Police Chief, Police
24	Smt. Mini V.R.	Director-in-charge, National Savings
25	Shri. A. Muraleedharan	Director, Printing
26	Dr. Narasimhugari T. L. Reddy IAS	Director, Civil Supplies
27	Shri. N. Padma Kumar IAS	Commissioner, Rural Development
28	Shri. K. Padmakumar IPS	Commissioner, Motor Vehicles
29	Shri. Patil Ajit Bhagwat Rao IAS	Director, Survey & Land Records
30	Shri. P. Pramod	Director, Factories and Boilers
31	Dr. Rajan Khobragade IAS	Commissioner, State GST
32	Shri. Ravi S. Menon	Controller, Drugs
33	Dr. Remla Beevi A.	Director, Medical Education
34	Shri. Rishi Raj Singh IPS	Commissioner, Excise
35	Shri. T.R. Sadasivan Nair	Director, Culture
36	Shri. Sanky	Director, Kerala State Audit
37	Smt. Sarada S.	Director, Backward Classes Development
38	Dr. Saritha R.L.	Director, Health Services
39	Shri. K.N.Satheesh IAS	Inspector General, Registration
40	Smt. Shamalavalli C.	Controller, Stationery
41	Smt. Sheeba George IAS	Director, Women & Child Development
42	Smt. P.K. Sobhana	State Librarian, State Central Library
43	Shri. Sudhir K.	Director, Handlooms and Textiles
44	Shri. A.P. Surendralal	Chief Hydrographer, Hydrographic Survey Wing
45	Dr. P.G. Valsala	Director, Animal Husbandry
46	Smt. Veena N. Madhavan IAS	Director, Environment and Climate Change
47	Shri. Venkatesapathy IAS	Director, Fisheries



GOVERNMENT OF KERALA

Abstract

Personnel and Administrative Reforms Department- Administrative Reforms Commission –constituted – Orders issued.

PERSONNEL & ADMINISTRATIVE REFORMS (AR-12) DEPARTMENT

G.O.(Ms) No.16/2016/P&ARD.

Dated, Thiruvananthapuram, 06/08/2016.

ORDER

Government hereby order constitution of Administrative Reforms Commission with a view to improve the efficiency of the State Administrative System. The composition of the Administrative Reforms Commission is as follow:

Shri. V.S. Achuthanandan, MLA,
Ex. Chief Minister,
Velikkakath,
Punnapra North P.O,
Alappuzha

Chairman

Shri. C.P.Nair
Chief Secretary (Retd.)
'Seasons', PPD,
Kuravankonam P.O,
Thiruvananthapuram

Member

Smt. Neela Gangadharan,
Chief Secretary (Retd.)
No. 528/Type VI, CPW Qarters,
27th Main Road, HSR Lay out,
Bengaluru-560102

Member

Principal Secretary
Personnel and Administrative Reforms Department.

Member Secretary

The Chairman of the Administrative Reforms Commission will have the rank and status of Cabinet Minister and the members will have the rank and status of Chief Secretary to Government

The Terms of Reference of the Commission will be issued separately.

(By Order of the Governor)

S.M.VIJAYANAND
Chief Secretary to Government

To

Shri. V.S. Achuthanandan, MLA, Chairman, Administrative Reforms Commission
(Velikkakath, Punnapra North P.O, Alappuzha)
Shri. C.P.Nair, Chief Secretary (Retd.) [Seasons', PPD, Kuravankonam P.O,
Thiruvananthapuram.]
Smt Neela Gangadharan, Chief Secretary (Retd.), [No. 528/Type VI, CPW Qarters,
27th Main Road, HSR Lay out, Bengaluru-560 102]
The Principal Accountant General (Audit), Kerala, Thiruvananthapuram
The Accountant General (A&E), Kerala, Thiruvananthapuram
The Director, Information & Public Relations Department
The General Administration (SC) Department [Vide Item No. OA-161, dated, 03.08.2016]
The District Treasury Officer, Thiruvananthapuram
The Sub Treasury Officer, Secretariat Sub Treasury, Thiruvananthapuram.

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Information and Public Relations (Wev & Media) Department- for uploading in the
Official web site of Government of Kerala.
Additional Secretary to Chief Secretary.
PA to Principal Secretary, P&ARD.
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Forwarded/By Order,
(Sd/-)
Section Officer.

Administrative Reforms Commission

Terms of Reference

GO(MS)No. 21/2016/P&ARD Dated 30/08/2016

- (i) To review the structure and functioning of the administrative machinery of the State and suggest measures for improving its responsiveness, efficiency and effectiveness as is required in a welfare State.
- (ii) To revisit and redefine the roles of department and important agencies in Government.
- (iii) To suggest measures for co - ordinated and joined - up functioning of Government departments and agencies to enhance positive outcomes.
- (iv) To suggest measures to eliminate delays, corruption, favouritism and nepotism and to make administration result - oriented.
- (v) To suggest steps for enhancing delegation of powers to increase efficiency and citizen satisfaction.
- (vi) To suggest modern management methods and Information Technology system and tools, which can be adapted in Government.
- (vii) To review the policies relating to recruitment, placement and promotion and suggest measures for improvement of the performance of civil servants.
- (viii) To suggest methods for democratization of different organs of Government at various levels and increase participation of the people in governance.
- (ix) To assess the delivery of key public services and suggest measures for increasing their efficiency.
- (x) To suggest measures to make Government more open and accountable.
- (xi) To suggest measures to refine/ operationalize Gender Budgeting, Child Budgeting.
- (xii) To recommend modern fiscal planning tools like output and outcome - based budgeting.
- (xiii) To assess the capacity building system in Government and suggest measures to make it more effective.
- (xiv) To make any other recommendation arising from the above matters or incidental to them or considered necessary or appropriate by the Commission.