***HUMAN RIGHTS COUNCIL RESOLUTION 52/8 ON PROMOTING HUMAN RIGHTS AND THE SUSTAINABLE DEVELOPMENT GOALS THROUGH TRANSPARENT, ACCOUNTABLE AND EFFICIENT PUBLIC SERVICE DELIVERY***

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**INTRODUCTION**

India faces numerous challenges in public service delivery, including disparities between the poor and rich, inadequate food provision through the Public Distribution System (PDS), and poor educational outcomes[[1]](#footnote-1). Corruption, administrative issues, and a preference for leaders from one's community, caste, or religion contribute to inadequate service delivery. To address these issues, India needs to implement more effective governance, citizen charters, e-governance, and biometric-enabled ration card security systems.

Governments are required to offer free education to children in private schools, ages 6 to 14, under the Right of Children to Free and Compulsory Education Act of 2009. However, health is not a fundamental right in India, unlike education. The National Health Policy Plan introduced a suggestion to establish the right to health as a legally protected right, but it was removed in the 2017 policy. Since the launch of the Digital India programme in July 2015, India has assumed the lead in digitising public services. Challenges include cyber security, data protection, privacy, and accessibility of technological improvements. Digitalization has achieved milestones such as high-speed internet availability, bridging rural service gaps through Common Service Centres, and enabling citizen participation in digital and financial areas. Private sector delivery of public services is not a recent development, with licensing and regulatory agencies playing a crucial role in controlling private involvement. India has implemented various economic policies and initiatives to boost social expenditure and ensure public service delivery to its diverse population.

**ANALYSIS**

**Main challenges regarding Public Service Delivery**

The institutional and practical challenges in India regarding the public service delivery are as follows: Poor are suffering more as compared to rich due to inadequate public service delivery as there exist a **huge gap between the poor and rich** as per United Millennium Development Goals Programme (2019) 6.7% of India’s population lives below poverty line. The ineffectiveness of the PDS in providing **food security** to the most vulnerable is exemplified.

In 2022–2023, the state's expenditures for **public education** amounted to almost 2.9% of the GDP. Since 1947, enrolment in educational institutions has been gradually rising in India, but students' ability to achieve an adequate level of education has remained elusive. High teacher absenteeism, high child to teacher ratios, and subpar school facilities are all associated with low learning results. As a percentage of GDP, the annual financial allocation for health, sanitation, and infrastructure at schools and colleges has grown but stayed stable. The inability of Indian governance to provide public services is highlighted by the low level of human capital and limited access to basic infrastructure. There are many other factors for inadequate public service delivery in developing country India like **Corruption** that causes governance deficit, the utilisation of ICT services is played with administrative issues, the citizens tend to vote for **leaders from their own community**, caste or religion and many times such elected politicians have criminal records.

**Overcoming Challenges through approaches and practices**

India's **Jandhan-Aadhar-Mobile** project seeks to increase financial inclusion among the populace. It makes use of the Jandhan account which means "bank in hand" the Aadhar, a special identifying number provided by the Indian government, and mobile technology[[2]](#footnote-2). JAM aims to improve financial inclusion by making it simpler for people to acquire financial services and engage in the formal economy, especially those who are underprivileged or live in rural regions.

A citizen's charter is a statement of a citizen's rights and obligations with regard to a certain service or organisation. It aims to make citizens aware of what to expect from the service or organisation in terms of quality, punctuality, and responsiveness. It also provides openness and accountability in the service delivery process.

E-governance is the practise of using electronic communication and information technology to exchange information, deliver government services, and interact with the public. It strives to increase the effectiveness, openness, and accessibility of government operations for the general public[[3]](#footnote-3). E-governance has made it simpler for individuals to access government services and information while also enhancing the efficacy and efficiency of government operations. Additionally, it has contributed to greater accountability and openness in governmental procedures.

A system that employs biometric information, such as fingerprint or iris scans, to confirm the identification of people when they use government-subsidized food rations is known as a biometric-enabled ration card security system. This would guarantee that the rations are only accessible to the designated recipient and that a record of who got the rations is kept. Systems for protecting ration cards with biometric capabilities can assist boost accountability and transparency while also increasing efficiency and effectiveness in the delivery of rations.

**Corruption a disadvantage to access Public Service**

There is no quality of service in a corrupt system[[4]](#footnote-4). This is evident in several contexts, including local government, power, the allocation of aid funding, etc. An offence could be established without proof or perhaps using lost proof, depending on the circumstances. The inquiry procedure has been ongoing for decades as a result of police corruption. One might see greater health issues among the populace in India when there is more corruption. Additionally, there will not be enough safe roadways, access to excellent in quality ration, tainted dairy products, or water that is safe for drinking. Government support is necessary for private research, yet some funding organisations have dishonest employees. These individuals authorise the distribution of research funding to researchers who are willing to bribe them. Many foreign investments from emerging nations have stopped because of corruption in government organisations. An official who must approve permissions for initiatives or industries delays the procedure to gain financial gain and other illegal advantages. A task that takes a few days to complete can take a month to complete. Investments, the launch of new sectors, and growth are all delayed as a result. If a place is inappropriate, many new industries who are eager to launch their operations there rethink their plans. Companies are reluctant to establish themselves in areas without good access to power, water, and roads, which impedes the region's economic development.

**Data: People who cannot access public service**

During 2012, those who were impoverished had reduced their availability of basic amenities such as energy (electric)  (61% compared to 85% of non-poor), water from the tap (6% compared to 33% of non-poor), and highways and roadways and which affect over 30% of the India's population.

According to the 2011 census, 1.77 million Indians, or 0.15% of the country's population, are homeless. If individuals who are homeless in India had their own state, it would have a population higher than Goa, Arunachal Pradesh, Mizoram, and Sikkim, ranking as the 26th most populous state in the union. If this population were its own nation, it would have a larger population than Bahrain and rank 152nd in terms of population. It is also significant to consider that the SCs, STs, and OBCs, or India's historically marginalised populations, account for over 80% of those who are homeless. This represents the proportion of eligible people and families in India who do not apply for or receive public benefits. Many obstacles prevent people from India's most disadvantaged groups from using the public services to which they are legally entitled.

**Persons of Vulnerable groups**

Over 2.5 billion rural people, or 56% of the world's lowest quintile, are the target of over 70% of public service delivery schemes, according to the World Bank. In the developing country of India, amenities are offered via a range of organisations and projects, including job protection and promotion and social insurance and social assistance. According to a review of studies on health disparity conducted in India over the past 25yrs, there are still few studies that specifically examine the effects of policies and interventions, particularly in the context of disadvantaged populations[[5]](#footnote-5). Certain groups are recognised by Indian governments getting experienced social marginalisation, and thus are seen as beneficiaries of approving steps initiatives[[6]](#footnote-6). According to the legislation, lower caste groupings of Hindus, Buddhists, and Sikhs who experienced untouchability and caste-based discrimination fall under the official designation of SC. Another classification is Scheduled Tribes, which covers a number of indigenous populations that suffered from isolation-related disadvantage. Then, unlike those in SC and ST, there are those classified as the Other Backward Classes, which is said to experience social disadvantage generally without any specific identifying characteristics. Due to accepted societal hardship, several Muslim demographic groups fall under the OBC category.

The **Right of Children to Free and Compulsory Education Act of 2009** mandates that governments offer basic schooling to kids in Classes 1 through 8 within the years of six and fourteen. Furthermore, the legislation mandates that private educational institutions give free schooling to pupils from disadvantaged areas through Class 8 and maintain 25% of Class 1 places for them. So as a consequence, lots of people of minorities group that wouldn't normally have enough cash to do so are helped by this component to pursue their educational goals. In the **Prime Minister's 15-point policy** for minority groups, and is being run by the national and state minority commissions, there are specific programmes for enhancing opportunities for religious and racial discriminated groups to get a schooling.[[7]](#footnote-7)

Healthcare is not a basic right in India, unlike education, despite the fact that Indian courts have viewed the right to health as a component of **Article 21 of the constitution**, which safeguards the right to life and personal liberty[[8]](#footnote-8).As a result, the right to health is not recognised by law as a fundamental freedom. This was suggested in the **National Health Policy Plan** that was under discussion in 2015[[9]](#footnote-9). However, it was removed in the 2017 policy's final version. The insurance coverage for the impoverished has been greatly enhanced by these efforts. *Rashtriya Swasthya Bima Yojana*, for instance[[10]](#footnote-10) almost 36.3 million of the 59.1 million families that were deemed to be below the poverty level received aid.

**Digitalization of Public Service**

Since the Digital India initiative in July 2015, India has been leading in digitizing public services. The government has focused on **ICT governance**, policymaking, internet access, and digital public service delivery to promote inclusive growth and better access to services for all citizens. The need for remote execution of public services and welfare programs became more evident as COVID-19 spread and lockdowns became the norm[[11]](#footnote-11). However, challenges in cyber security, data protection, privacy, and accessibility of technological improvements have arisen.

Data privacy and security are crucial for promoting adoption and building confidence among people. The Aadhaar system, which links government workers and pensioners, has faced challenges due to concerns over its link with bank accounts. A data breach in 2018 exposed the system's numbers and password, while in 2014, data was made public through fraudulent websites. Challenges include low internet speeds, affordability of smartphones, and lack of digital literacy.

India's digitization of public service delivery has achieved significant milestones, including high-speed internet availability, bridging rural service gaps through Common Service Centres, and enabling citizen participation in digital and financial areas. Mobile data plans, digital IDs, tax returns, bank accounts, and mobile numbers have improved uniformity and transparency in service delivery. *Digi Lockers* promote digital empowerment by providing secure digital storage of key personal documents.

India's growth story is linked to its ongoing digital transformation, with the government aiming to be on par with other digitally advanced countries in the near future. To continue progress, the government should decentralize technology, improve digital literacy, build secure data protection systems, and invest in new technologies like **e-PDS systems**.

**Participation of Private Sector in Public Delivery**

Public service delivery by the private sector is not a new phenomenon, it's been happening over ages. However, it seems that interest from the public and the government in public service care has only recently come to the fore. This is unquestionably true in regards to finance for public services. Private actors possess an extended record of participating in the provision of public services, either as primary service providers, suppliers, or manufacturers of the tools and equipment used.[[12]](#footnote-12)

The existence of licencing and regulatory agencies in different sectors is an essential component of controlling private involvement. For instance, the **Telecom Regulatory Authority of India** is crucial in ensuring that commercial telecom service providers follow regulations on pricing, service standards, and consumer protections. Consumers eventually gain from this regulatory body's promotion of fair competition and prevention of monopolistic behaviour. PPPs are another method through which private parties can take part in the provision of public services. One successful PPP project involving the Delhi government and private partners is the Delhi Metro. The **Delhi Metro Rail Corporation** is an example of how public-private sector cooperation may produce effective, top-notch urban transit systems.

SLAs, or service level agreements, are frequently used to control participation in the commercial sector. These agreements lay out precise performance benchmarks, service requirements, and sanctions for non-compliance. Municipalities frequently hire private businesses to provide metropolitan areas with water under certain SLAs in order to provide people with dependable, high-quality water services. India has developed ombudsman organisations and grievance redressal processes to resolve complaints and issues regarding private sector service providers. The **Banking Ombudsman Scheme**, which resolves grievances against private banks, is one such example. This programme offers a fair and open forum for settling disagreements between clients and independent financial institutions. The most important factors in controlling private involvement are transparency and accountability. In order to promote openness and hold both parties responsible for their activities, the Right to Information Act gives individuals the ability to obtain information concerning government contracts and agreements with commercial entities. Additionally, government-funded initiatives involving private players are subject to audits and review by institutions like the Comptroller and Auditor General. These audits evaluate a project's operational and financial performance, identifying inefficiencies and possible opportunities for development. Media outlets and civil society groups are crucial in promoting accountability in the provision of public services. They frequently serve as watchdogs, drawing attention to instances of wrongdoing or inefficiency and putting pressure on the public and private sectors to obey the law.[[13]](#footnote-13)

**Economic policies, Legislations and Promising practices**

In order to boost social expenditure and guarantee the delivery of public services to its enormous and diversified population, India has been employing a variety of economic policies and legislative initiatives. *The* ***National Rural Employment Guarantee Act***, which was implemented in 2005, is one such effort. Every rural household is guaranteed 100 days of pay work under the *NREGA*, which boosts social expenditure on job possibilities and fights poverty[[14]](#footnote-14). To guarantee that this programme is implemented successfully, a specific financial allocation has been made. The GST, which was implemented in 2017, also sought to maximise resources, simplify India's complicated taxing structure, and reduce tax cheating. The GST has raised government income that may be used to pay for public services by unifying taxation.

The Indian government has established reservation laws, such as quotas for SC, ST, and OBC in educational institutions and government positions, to address systemic discrimination in the provision of public services. The objectives of these initiatives are to increase social inclusion and lessen historical disparities. India has developed anti-corruption organisations like the *Central Vigilance Commission* and the Central Bureau of *Investigation* to stop corruption and illegal cash flows. These organisations look into incidents of corruption and prosecute those responsible. Aadhaar, a biometric identity system, and digital governance systems have also decreased leakages in social programmes, ensuring that resources are used for their intended purposes.

India has steadily expanded its spending in healthcare and education when it comes to reallocating public funds for public services. Programmes like the *Sarva Shiksha Abhiyan*  and the *National Health Mission* are examples of those that get substantial budgetary expenditures to promote access to high-quality education and healthcare, particularly in rural regions.

States and municipalities have also put new tactics into place at the regional and local levels. For instance, the Kerala model of development, which is known for its high social expenditure, has produced outstanding results in terms of human development indices by placing a strong priority on social welfare, healthcare, and education. The success of Kerala serves as a model for other governments looking to reallocate funds towards human development

**CONCLUSION AND SUGGESTIONS**

There are a number of suggestions that come forth to solve these issues and keep improving upon best practises. It is crucial to improve the systems in place for accountability in the public sector. This entails putting in place strict control to make sure public employees provide services effectively and fairly. To simultaneously improve the capabilities of public officials, capacity building activities must be given top priority. Inclusion should be a priority when developing policies and programmes, ensuring that the rights and requirements of disadvantaged people are expressly taken into account. A broad strategy that includes strict anti-corruption measures and the promotion of openness throughout service delivery procedures is needed to combat corruption.

India's pursuit of the SDGs and the defence of human rights through delivery of public services reflects a continuing journey characterised by admirable advancement and enduring difficulties. India has the opportunity to considerably improve the well-being of its inhabitants while meaningfully advancing the global goals of sustainable development and human rights protection by putting the suggested solutions into practise and expanding on current best practises. All Indians, especially those in vulnerable positions who stand to gain the most from such reforms, may have a brighter future if the country is committed to providing open, responsible, and effective public services.

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