

CHAPTER 2
***Effectiveness and efficiency
in delivery of services***

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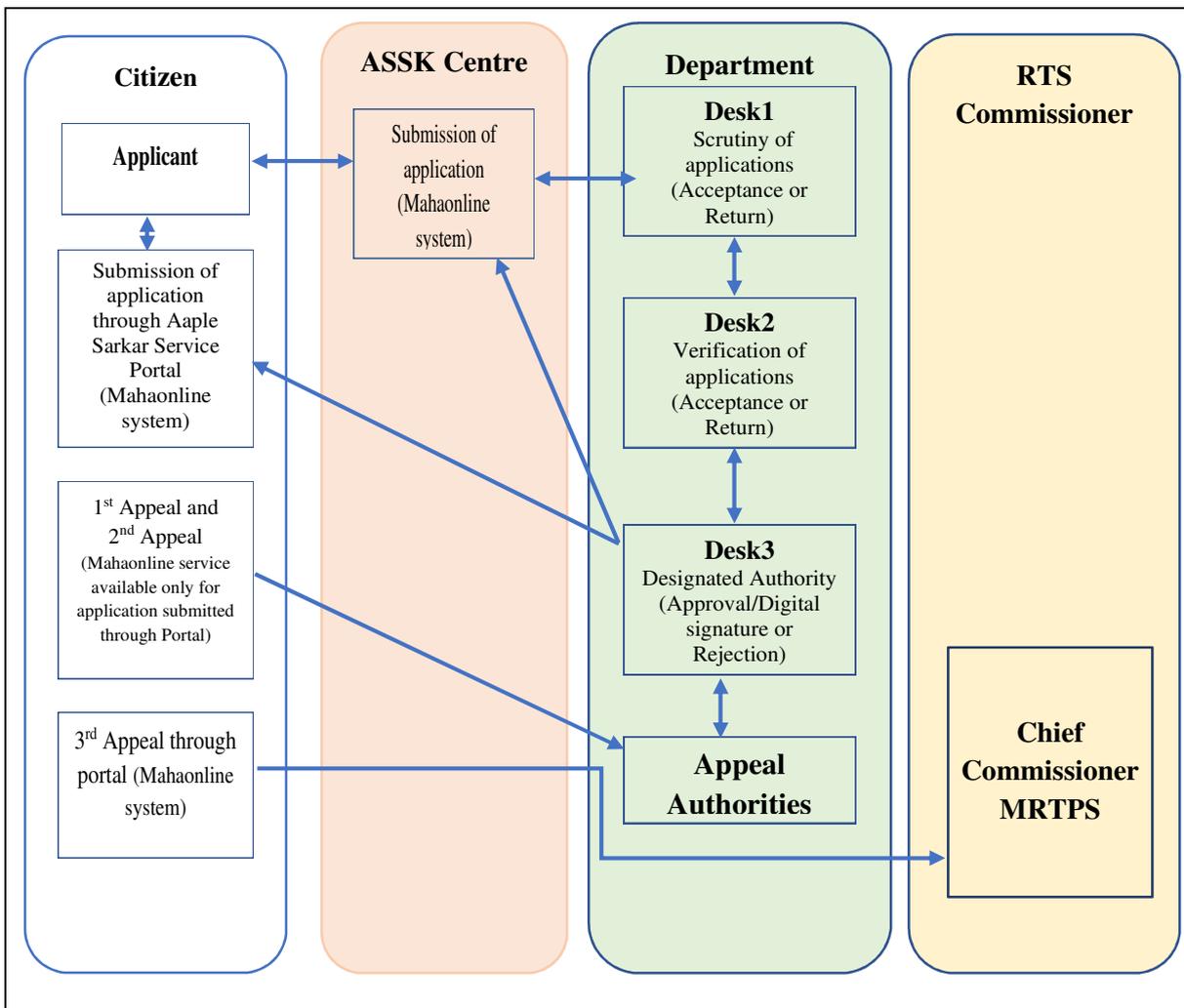
This chapter examines the effectiveness and efficiency in the implementation of the MRTPS Act with a focus on the identification of services, notification of services under the Act, availability of adequate infrastructure for service delivery and time bound delivery of services. Audit examination revealed non-preparation of master list of services being provided by the departments. Out of 642 services included in the master list, 373 services (58 per cent) were not notified under the MRTPS Act by 11 departments. Out of 33,359 established ASSKs, 15,005 ASSKs were not providing notified services. Out of 788.11 lakh applications received during 2016-17 to 2020-21, 32.85 lakh applications were pending disposal as of November 2021, of which, 23.31 lakh applications were pending for more than one year. 28.14 per cent of the applications were disposed of beyond the notified time during 2016-21.

2.1 Introduction

For availing various services offered by the Government departments the citizens can either apply for the services online directly through the *Aaple Sarkar* Service Portal (Portal) or through *Aaple Sarkar Seva Kendras* (ASSKs)¹ On approval by the concerned public authorities, the digitally signed certificate is accessed by the citizen either directly or printed and delivered to the applicant by ASSK. In case of rejection, the applicant can prefer an appeal. The citizens are required to pay charges for availing the services at fixed rates prescribed by Government from time to time. The flow chart of online system is shown in **Chart 2.1**.

¹ ASSKs established at district, taluka, as well as village level, accepts application from citizen along with supporting documents for availing required services. The details of the applicants are entered into the system and scanned supporting documents are uploaded in the system

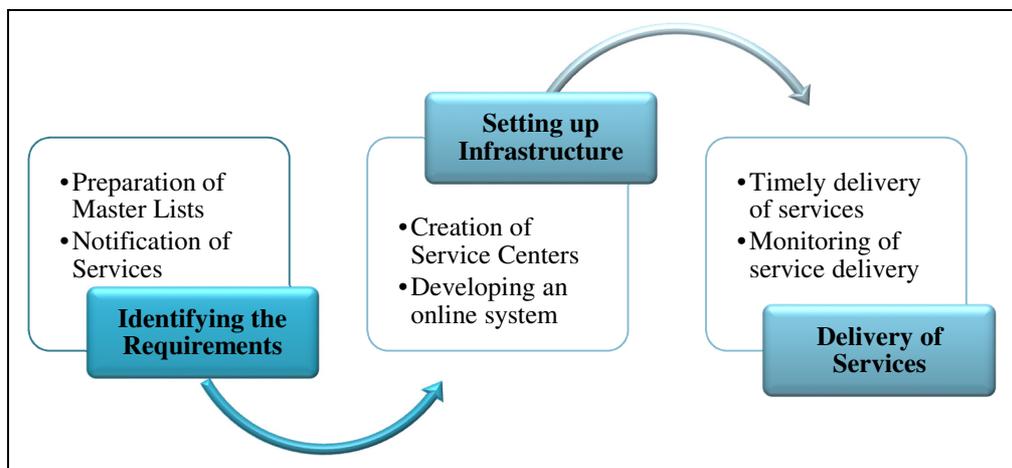
Chart 2.1: Flow chart of online system



2.2 Mechanism of service delivery

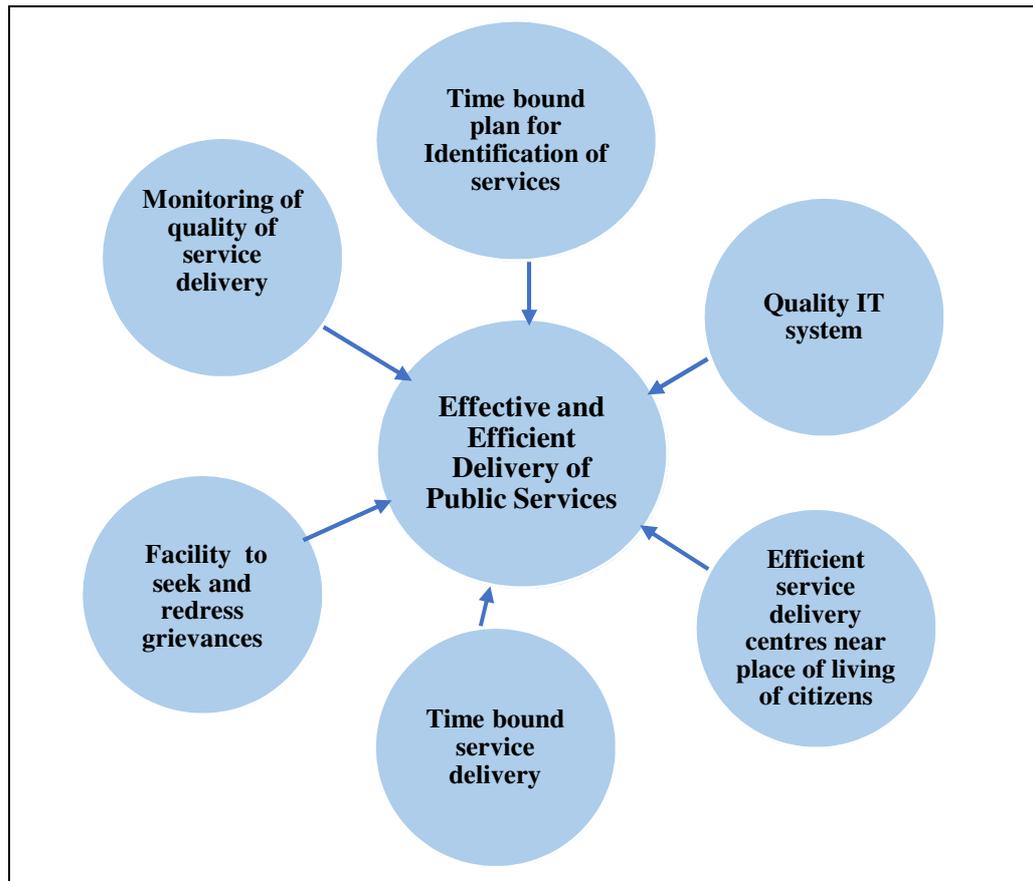
The broad mechanism for delivery of service is shown in **Chart 2.2**.

Chart 2.2: Broad mechanism for delivery of service



Audit focused on six factors that are most likely to impact the effective and efficient service delivery as shown in **Chart 2.3**.

Chart 2.3: Six focused factors for effective and efficient delivery of public services



2.3 Delay in notifying services as per Act

The first step in the process of effective and successful service delivery is identification of services by the public authorities and notification of these services under the MRTPS Act by each public authority. As per Section 3(1) of the MRTPS Act, public authorities were required to notify the public services rendered by them within a period of three months from the date of commencement of the Act *i.e.*, by 27 July 2015. The MRTPS Act also required the public authorities to notify the authority for delivering the services, the first and second appellate authorities and stipulated time limit within which the services would be provided. The notification of services by the public authorities made it binding on the public authorities to deliver the services within the notified time limit.

Audit observed that 11 out of 29 departments² of GoM, notified 220 services within the stipulated period of three months. As of March 2021, 28 departments had notified 506 services under the MRTPS Act. Thus, 57 *per cent* of the services were notified after the prescribed time limit.

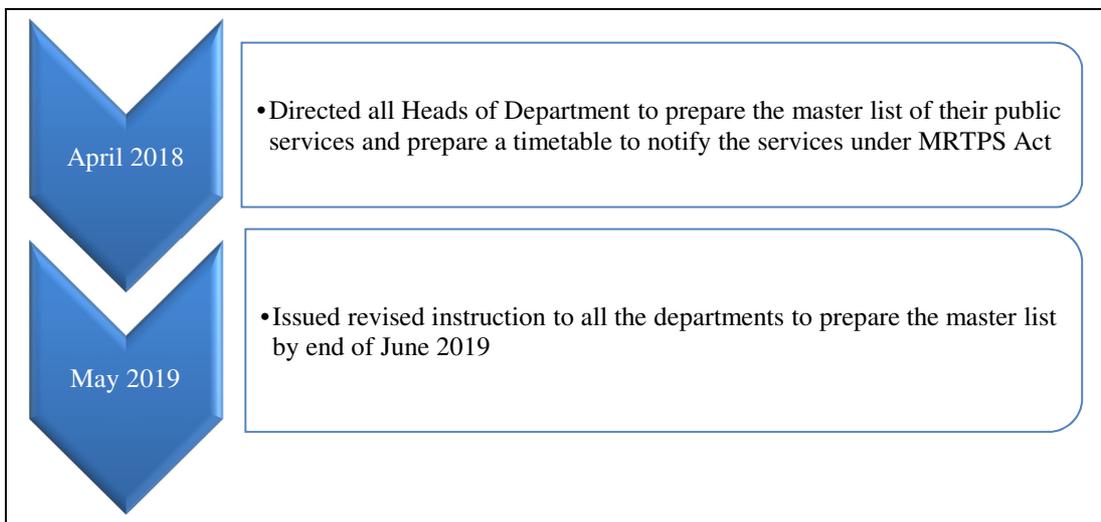
During the exit conference, Chief Commissioner, Maharashtra State Commission for Right to Service (Chief Commissioner) accepted the facts and stated (July 2022) that instructions have been issued to all departments to notify the services within one month.

² Marathi Language Department and Parliamentary Affairs Department did not deliver any public services

2.4 Non-preparation of master list of public services

The MRTPS Act was notified in August 2015 and the Maharashtra State Commission for Right to Public Service (Commission) was appointed in March 2017. The Commission in its Annual Report for the year 2017-18 recommended that all the government departments should prepare a master list of the services being provided and put the same in the public domain and prepare a timetable for notifying all services in the master list under the MRTPS Act. The Commission also recommended that General Administration Department (GAD), GoM should prepare a consolidated centralised list of services being provided by all government departments. Based on the recommendation of the Commission, GAD issued directions from time to time as depicted in **Chart 2.4**.

Chart 2.4: Direction issued by GAD based on Commission's recommendations



Audit noticed that despite the directions issued from time to time by GAD to all the departments to prepare the master list of services for notifying under the MRTPS Act, the compliance was far from satisfactory as seen in **Chart 2.5**.

Chart 2.5: Status of preparation of master list by the departments of GoM

		
Departments which prepared master list	Departments which prepared master list partly	Departments which did not prepare master list
<ul style="list-style-type: none"> (i) Co-operation, Marketing and Textile Department (ii) Water Supply and Sanitation Department (iii) Tourism and Cultural Affairs Department (iv) Higher and Technical Education Department (v) School Education and Sports Department (vi) Public Health Department (vii) Water Resources Department (viii) Soil and Water Conservation Department (ix) Women and Child Development Department (x) Tribal Development Department 	<ul style="list-style-type: none"> (i) Home Department (ii) Revenue and Forest Department (iii) Agriculture, Animal Husbandry, Dairy Development and Fisheries Department (iv) Industry, Energy and Labour Department (v) Urban Development Department 	<ul style="list-style-type: none"> (i) Social Justice and Special Assistance Department (ii) Food, Civil Supplies and Consumer Protection Department (iii) Law and Judiciary Department (iv) Rural Development and Panchayat Raj Department (v) Housing Department (vi) Skill Development and Entrepreneurship Department (vii) Minority Development Department (viii) Medical Education and Drugs Department (ix) Environment Department (x) Public Works Department (xi) General Administration Department (xii) Finance Department (xiii) Planning Department (xiv) Other Backward Bahujan Welfare Department
<p><i>Source: Annual Report of the Maharashtra State Commission for Right to Service for the year ended March 2021</i></p>		

As seen from **Chart 2.5**, out of 29 departments, 10 departments (34 per cent) prepared master list, five departments (17 per cent) prepared master list partly while 14 departments (49 per cent) did not prepare master list. However, out of the 15 departments that had prepared the master list either fully or partially, except Revenue and Forest Department and Water Supply and Sanitation Department, none of the remaining 13 departments uploaded the master list on their website. Further, out of these 15 departments, except Water Supply and Sanitation Department, none of the departments prepared a timeline for notifying the services under the MRTPS Act.

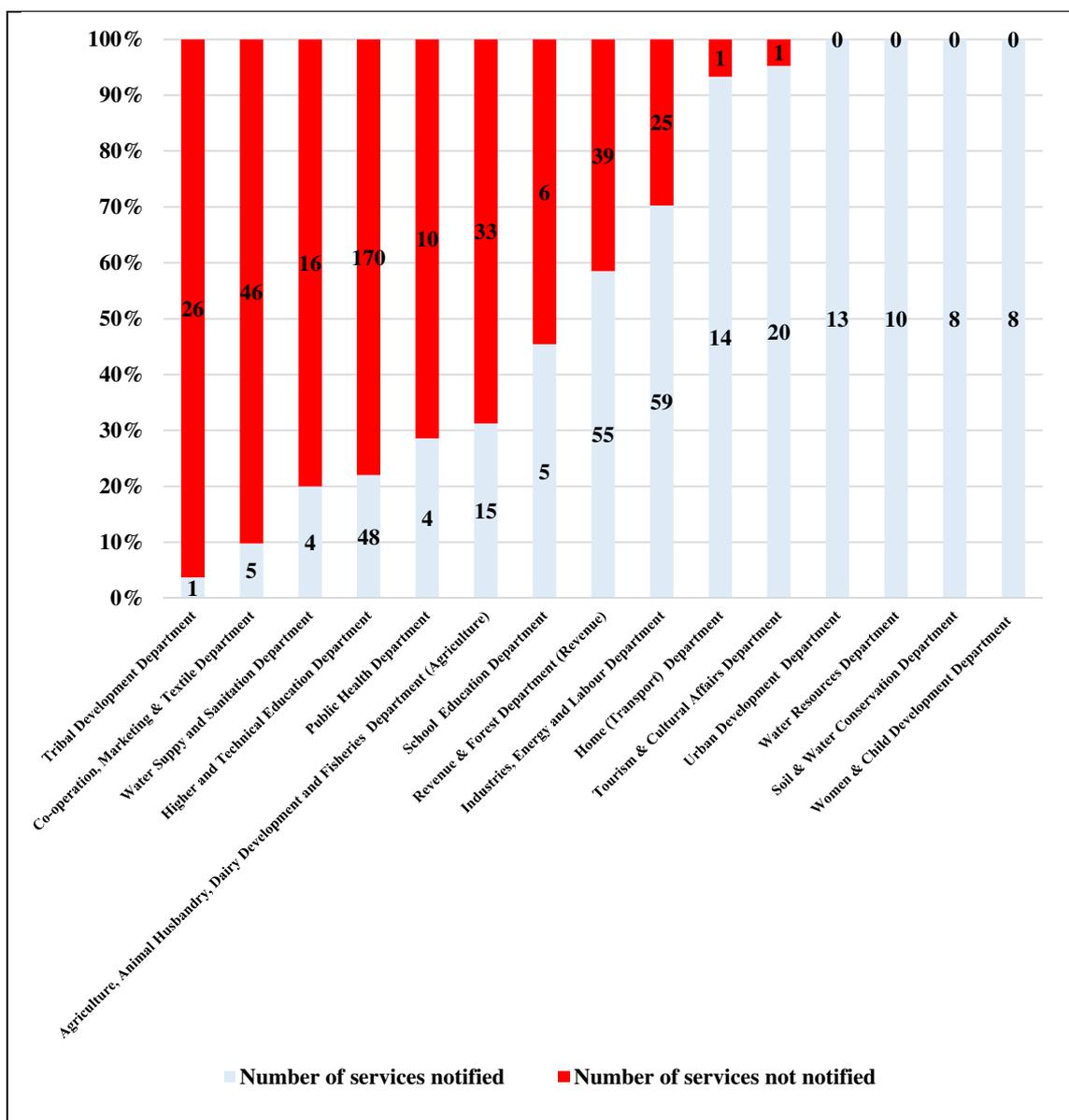
Audit also noticed that as per the recommendation of the Commission, GAD had not prepared the consolidated list of services being provided by all the government departments. In the absence of the consolidated list, GAD was not aware of the services not notified under the MRTPS Act for issue of necessary directions.

During the exit conference, Chief Commissioner accepted the facts and stated (July 2022) that the review of all departments would be done.

2.5 Failure to notify services in the master list

The master list of 15 departments contained 642 services. Audit noticed that out of 642 services included in the master list, 373 services (58 per cent) were not notified under the MRTPS Act by 11 departments. The department-wise status of the services included in the master list but not notified under the MRTPS Act is depicted in **Chart 2.6**.

Chart 2.6: Department-wise status of public services included in the master list but not notified under the MRTPS Act



As seen from **Chart 2.6**, only four departments notified all the services included in their master lists. Further, the percentage of services included in the master list but not notified was highest in Tribal Development Department (96 per cent), Co-operation, Marketing and Textile Department (90 per cent) and Water Supply and Sanitation Department (80 per cent).

The reasons furnished by the four departments for not notifying the services included in the master list are summarised in **Table 2.1**.

Table 2.1: Reasons furnished by four departments for not notifying services included in the master list

Sr. No.	Department	Reasons furnished for not notifying the services included in master list under the MRTPS Act	Audit remarks
1	Agriculture Department	33 services are provided under the Central/State Schemes and the delivery of such services depends upon the availability of grants.	The reply is not acceptable as notwithstanding the availability of funds, the services should have been notified along with timeline for delivery of services subject to availability of funds.
2	Marketing department (Co-operation, Marketing and Textile Department)	Three Services are being made available in a smooth online manner and also the progress of the work can be seen online.	By not notifying the services, the citizen is deprived of the right to obtain these services under the MRTPS Act.
3	Tourism and Cultural Affairs Department	Action for notification of one remaining service under the MRTPS Act is in progress (May 2018).	The services were to be notified by 27 July 2015 as per the MRTPS Act. The services were not notified till date (December 2021).
4	Water Supply and Sanitation Department	Notification of 16 services would be done before 15 January 2020.	The services were still not notified (December 2021).

Source: Compiled from information furnished by departments to the Commission/GAD

Audit compared the public services included in the citizen charter³ prepared under the Maharashtra Government Servant Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 of the nine test-checked departments to assess the number of services not included in the master list and not notified under the MRTPS Act. The comparison revealed that in four departments viz., (1) Home Department, (2) Medical Education and Drugs Department, (3) Social Justice and Special Assistance Department and (4) Urban Development Department, 232 public services included in the citizen charter, were neither included in the master list nor notified under the MRTPS Act. Illustrative cases of public services included in citizen charter but neither included in the master list nor notified under the MRTPS Act are shown in **Appendix 2.1**.

Initiative taken by Zilla Parishad, Pune: Zilla Parishad (ZP), Pune was the only ZP in the State that had notified all the 258 public services under the MRTPS Act during 2018-19. This initiative of ZP, Pune was appreciated by the Commission in its annual report for the year 2018-19 and recommended to the Rural Development and Panchayat Raj Department to examine the possibility of replicating these services in all ZPs in the State.

³ Citizen charter means a list of facilities or services rendered by office or department together with time limit for providing such facilities or services to the general public

Recommendation 1: Government should ensure that a master list of all services to be provided to the citizens are prepared and notified by all departments in a time-bound manner.

2.6 De-notification of public services

Audit observed that in two test-checked departments viz., Home Department and Medical Education and Drugs Department, services notified under the MRTPS Act were subsequently de-notified/deleted from the list of notified services without adequate justification as discussed in the succeeding paragraphs.

2.6.1 Home Department

Home Department notified (July 2015/July 2020) 19 public services under the MRTPS Act, out of which eight services were de-notified in July 2020 as indicated in **Table 2.2**.

Table 2.2: Public services de-notified by Home Department

Sr. No.	Name of public service
1	Attestation of documents
2	No obligation to Return to India (NORI) certificate for Indian citizen
3	No-objection certificate (NOC) for petrol pump, gas agency, hotel bar etc.
4	Submission of proposal for citizenship to Government of India
5	NOC/issue of extension of residential permit of foreigners
6	NOC for passport verification
7	NOC for return to India
8	Police clearance certificate for foreign nationals

Source: Notification of Home Department dated 18 July 2020

The reason adduced by the department for de-notification of these services was a 'nil' online response to these services.

Audit, however, noticed that during 2018 and 2019, 2.40 lakh online applications requesting NOC for passport verification were received by the Commissioner of Police, Mumbai alone. Further, offline NOC applications for petrol pumps were also being received by the department. Therefore, de-notification of these services under the MRTPS Act was not justified. The de-notification of these services deprived the citizens of their right to time-bound delivery of services under the MRTPS Act.

2.6.2 Medical Education and Drugs Department

Medical Education and Drugs Department (MEDDD) had notified (July 2015), 25 services under the MRTPS Act. However, the department de-notified 14 services (August 2020) and six services (December 2020). The de-notified services included services such as discharge certificate, certificate of minor wound, character certificate to students, study certificate, no dues certificate, no objection certificate and experience certificate. As a result, the notified services were reduced to five as against the original notification of 25 services. These services were deleted on the ground that the services were availed mostly by patients, students attending courses and employees of government medical colleges and hospitals and it was easier for them to avail these services offline rather than online. The reasons for de-notification were not justified as the notified services could be provided either offline or online as per the MRTPS Act. Notification of services under the Act enables the citizens to receive the

services within a specified time limit with an opportunity to appeal in case of any grievances. De-notification of services deprived the patients/students of this right.

2.7 Infrastructure for service delivery

Ministry of Communication and Information Technology (MCIT), Government of India initiated (September 2006) Common Service Centres (CSC) scheme under the National e-Governance Plan (NeGP). The objective of the CSC was to provide e-services in the locality of citizens, by creating a physical service delivery infrastructure for accessing various e-services. MCIT issued revised guidelines for the implementation of CSC 2.0 scheme in December 2015.

The CSC was implemented in Maharashtra in 2008 and from 2015 onwards the same was known as 'Aaple Sarkar Seva Kendra' (ASSK). Information Technology Department, GoM issued (January 2018) guidelines regarding criteria, procedure and other matters relating to the establishment of ASSK in the State in accordance with the CSC 2.0 guidelines. ASSKs are the first point of contact for citizens to avail the public services. District Collectors are responsible for monitoring the quality of services provided at these ASSKs.

As of June 2021, 33,359 ASSKs in three categories were established in the State as detailed below.

1. ASSK-VLE (Village Level Entrepreneur)



These centres are established in villages and cities by local village level entrepreneurs (VLE), who are responsible to bear the entire capital and operational expenditure of these centres. ASSK-VLE was required to deliver various services to citizens as per the direction of the State Government. As of June 2021, 14,828 ASSK-VLE were established in villages and cities in the State.

2. ASSK-Setu



ASSK-Setu are established in districts and talukas in the premises of Tahasildar offices by District Setu Society under the control of the District Collector. As on June 2021, 219 ASSK-Setu were established in the State.

3. ASSK-GP (Gram Panchayat)



ASSK-GP are established in the Gram Panchayat offices in the villages and run by the CSC-Special Purpose Vehicle (CSC-SPV) selected and approved by the Rural Development and Panchayat Raj Department, GoM. As of June 2021, 18,312 ASSK- GP were established in the State.

2.7.1 Shortfall in the establishment of ASSK

DIT issued (January 2018) guidelines for the establishment of ASSK based on the census data of 2011. The criteria for establishment of ASSK is shown in **Table 2.3**.

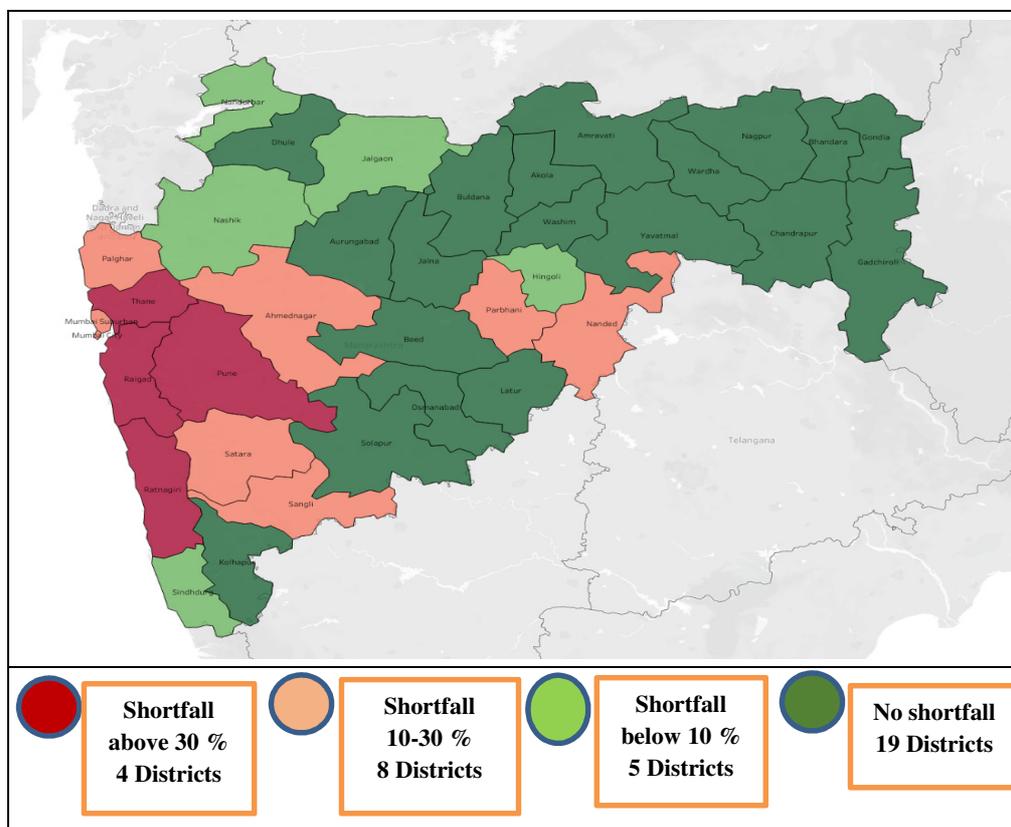
Table 2.3: Criteria for establishment of ASSK

Brihanmumbai Municipal Corporation area	One ASSK for population of 25,000
Other Municipal Corporation and Municipal Council area	One ASSK for population of 10,000
Nagar Panchayat	One ASSK
Nagar Panchayat with more than 5,000 population	Two ASSK
Gram Panchayat	One ASSK
Gram Panchayat with more than 5,000 population	Two ASSK
<i>Source: Government resolution of GAD dated 19 January 2018</i>	

Audit computed the number of ASSKs required in the State as per the guidelines, which worked out to 34,194, against which only 33,359 ASSKs were established in the State as of June 2022. Thus, there was a shortfall of 835 ASSKs (two per cent) in the State. Though the overall shortfall was only

two per cent, analysis of data revealed that 27 per cent of the municipal councils (61 out of 222) in the State did not have any ASSK, while 35 per cent of gram panchayats (9,670 out of 27,982) in the State did not have any ASSK to serve the citizens. The shortfall in the establishment of ASSKs vis-à-vis the requirement in 36 districts of the State is depicted in **Map 2.1**.

Map 2.1: District-wise shortage of ASSK



As seen from **Map 2.1**, in 17 districts (47 per cent), there was a shortfall in establishment of ASSKs vis-à-vis the requirement stipulated in the guidelines. The shortage was prominent in the Western Maharashtra region. Inadequate ASSKs affect the accessibility to the services because of the distance to be travelled by citizens to reach ASSK located far from their place of living. On one hand, there was a shortfall in the establishment of ASSK, while on the other hand, a large number of established ASSKs were not providing services as discussed in **paragraph 2.7.2**.

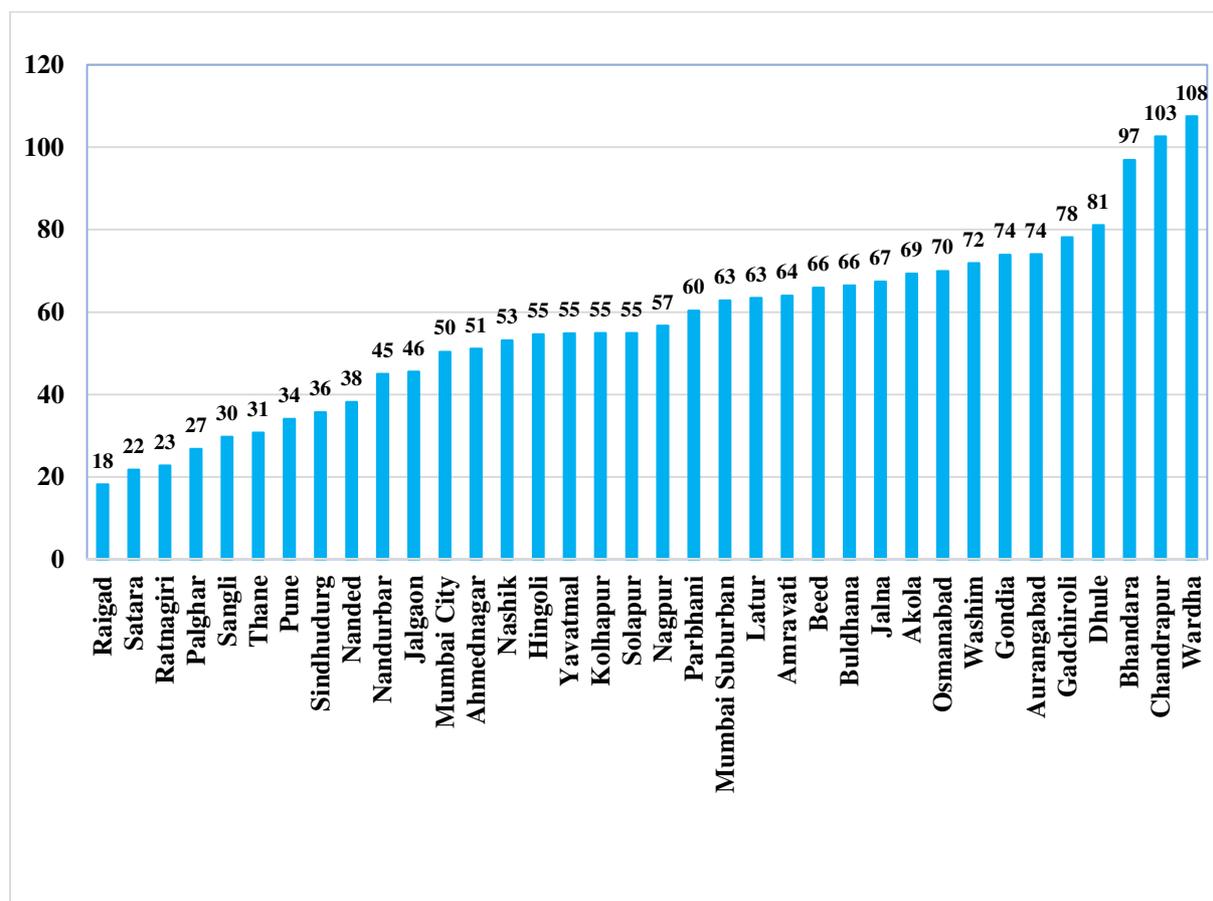
During the exit conference, Chief Commissioner stated (July 2022) that the Collectors have been instructed to publish advertisements to open new centers in the State.

2.7.2 Large number of established ASSKs not providing notified services

Analysis of data for the year 2020-21, revealed that out of 33,359 ASSKs established in the State, 18,354 ASSKs were providing notified services. Thus, 15,005 ASSKs (45 per cent) had not processed any application during 2020-21.

The percentage of ASSK actually providing notified services in each district vis-à-vis the requirement during 2020-21 is shown in **Chart 2.7**.

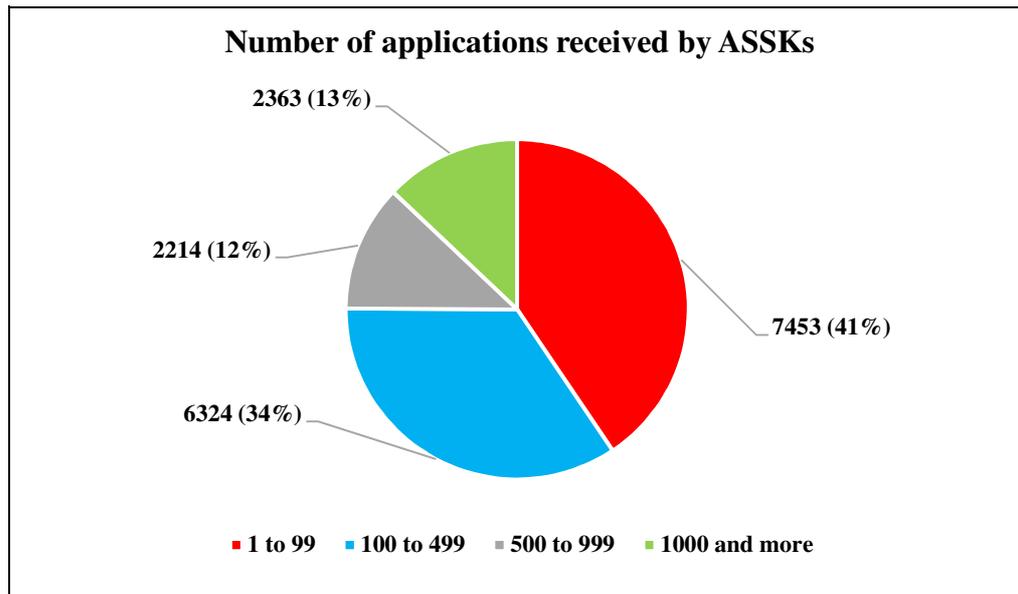
Chart 2.7: Percentage of ASSKs providing notified services vis-à-vis the requirement during 2020-21



As seen from **Chart 2.7**, out of 36 districts only in two districts viz., Chandrapur and Wardha, the number of ASSKs providing notified services was more than the requirement. In the remaining 34 districts, the percentage of ASSKs providing notified services vis-à-vis the requirement ranged between 97 per cent (Bhandara) and 18 per cent (Raigad).

Audit analysis revealed that the majority of the ASSKs which had provided notified services have received less than 1,000 applications during the year 2020-21 as shown in **Chart 2.8**.

Chart 2.8: Number of applications received by ASSKs in 2020-21



As seen from the **Chart 2.8**, the number of applications processed by 41 *per cent* of the ASSKs ranged between 1 to 99 while the number of applications processed by 34 *per cent* of the ASSKs ranged between 100 to 499. Further, only 13 *per cent* of the ASSKs had processed 1,000 and more applications during 2020-21.

Further analysis revealed that out of 376 talukas, in 142 talukas the ASSKs providing notified services is less than 50 *per cent* of the established ASSKs as detailed in **Appendix 2.2**.

Thus, the services provided were concentrated in a few ASSKs. During survey of ASSKs, 32 *per cent* ASSKs (63 out of 200) responded that training was not provided or training was required to provide better services to the citizens.

The concentration of services in few ASSKs had a direct impact on the time taken in availing the services by the citizens. During the beneficiary survey, nine *per cent* of the beneficiaries responded that they had to spend more than 10 minutes to one hour to obtain a blank application form. 32 *per cent* of the beneficiaries responded that they had to spend more than one to four hours for submitting the application form.

District Collector, Nagpur and Resident Deputy Collector, Pune agreed (September 2021 and October 2021) on the need to improve the performance of the ASSKs in providing services to the citizens. Collector, Thane stated that information on inactive ASSKs has been called from Mahaonline Limited to initiate action against the non-functioning ASSKs and call for fresh tenders to appoint new ASSKs.

During the exit conference, Chief Commissioner stated (July 2022) that the under utilisation of ASSKs would be reviewed.

Recommendation 2: Government should take steps to open more ASSKs in places where there is shortage to improve accessibility of the services to the citizens.

2.7.3 Limited notified services provided by ASSKs

ASSKs were established for providing all the notified services to the citizens. DIT directed (September 2015 and January 2018) that all the notified services should be provided through ASSKs. A joint survey of 200 ASSKs carried out by Audit revealed that only a few services were offered in these ASSKs as shown in **Table 2.4**.

Table 2.4: Services provided by surveyed ASSKs

Sr. No.	Type of ASSKs	ASSKs surveyed	Services provided by ASSKs
1	ASSK-Setu	39	Only the services of the Revenue Department such as income certificate, caste certificate, non-creamy layer certificate, domicile certificate, general affidavit, solvency certificate, small landholder certificate, agriculturist certificate, landless labourer certificate, temporary residence certificate.
2	ASSK-GP	36	(i) Services of the Rural Development and Panchayat Raj Department such as birth/death certificate, Below Poverty Line certificate. (ii) Marriage certificate, caste certificate, non-creamy layer certificate, domicile certificate, income certificate, small landholder certificate, landless labourer certificate, Sanjay Gandhi Niradhar Yojana. (iii) Police clearance certificate of Home Department.
3	ASSK-VLE	125	(i) Services of the Revenue Department such as income certificate, caste certificate, non-creamy layer certificate, domicile certificate, general affidavit, solvency certificate, small landholder certificate, agriculturist certificate, landless labourer certificate, temporary residence certificate. (ii) Police clearance certificate of the Home Department.

Source: Compiled on the basis of joint survey of ASSKs

The Revenue and Forest Department had issued (March 2019) instructions that the District Collectors should take necessary measures to provide notified services of all departments. However, as seen from **Table 2.4**, ASSK-Setu established by the District Collectors were providing services of the Revenue Department only. ASSK-GP established by the Rural Development and Panchayat Raj Department were providing mainly the services of that department and few services of Revenue as well as of Home Department while ASSK-VLE were providing few services of Revenue Department and Home Department.

In reply, the Deputy Chief Officer, Zilla Parishad, Nagpur stated (September 2021) that ASSK-GPs were not providing notified services because of the need for constant follow-up required for obtaining the services. During joint survey of 200 ASSKs, 11 ASSKs responded that all the services were not provided due to lack of training.

Thus, due to the non-availability of all the notified services at one ASSK, the citizens face hardship on account of the need to visit multiple ASSKs to obtain different services.

2.7.4 Lack of uniformity in collection of charges for a blank application form

A citizen approaching ASSK for any service is required to obtain a blank application form and submit the filled form for service delivery. Audit noticed

that Government had not issued any instructions for the charges to be levied for a blank application form. Consequently, there was a lack of uniformity in the collection of charges from the citizens for providing blank application forms.

Audit noticed that in three test-checked districts *viz.*, Mumbai City, Pune and Thane, ₹ 10 to ₹ 15 was charged for a blank application form. In the remaining six test-checked districts, it was noticed that the application form was provided either free of charge or at a nominal rate of ₹ two. During the beneficiary survey, 13 *per cent* of the beneficiaries responded that they paid more than ₹ 10 for a blank application form.

Thus, in the absence of direction from the State Government, there was a lack of uniformity in collecting charges for the blank application form from the citizens.

2.7.5 Low coverage of digital payment facility at ASSKs

As per the guidelines issued (January 2018) by DIT, it was necessary to provide the facility for acceptance of service charges for delivery of services through Mahawallet⁴. It was also binding on ASSKs to provide options to citizens, for digital payment through Point of Sale/Aadhaar pay.

Audit noticed that the facility for acceptance of service charges through Mahawallet was not provided by DIT to ASSKs. Further, survey of ASSKs in the nine test-checked districts revealed that in 46 *per cent* of ASSKs (92 out of 200), digital payment facility was not provided to the citizens. Further, 71 *per cent* of the surveyed beneficiaries (353 out of 500) also responded that they were not provided with digital payment facility.

Thus, digital payment mode was not available in a large number of ASSKs though, a period of more than three years had lapsed from the date of issue of guidelines by DIT. Further, though GAD, GoM declared (March 2018) District Collector as 'nodal officer', responsible for the effective implementation of the MRTPS Act, they failed to ensure that all ASSKs provided digital payment facility to citizens.

2.7.6 Quality assessment of ASSKs

DIT directed (January 2018) all the District Collectors to assess the quality of ASSKs in the districts every year before 31 January. The performance of the ASSKs was to be classified under A, B, C and D category based on the number of transactions made, different types of services provided and their number, treatment of citizens, facility of digital payments provided to citizens *etc.*

Audit observed that out of the nine test-checked districts, only Mumbai city conducted the quality assessment of ASSKs once in 2020. During assessment, Mumbai City Collector found that out of total 69 ASSKs, 24 ASSKs were either closed or private businesses such as cable networks, courier services, mobile shops were being operated at these ASSKs.

Thus, an important tool for assessing the quality of ASSK was not utilised by 89 *per cent* of the District Collectors in the test-checked districts (eight out of nine districts). Consequently, issues such as ASSKs not providing notified

⁴ Digital payment facility for transfer of funds

services, ASSKs providing limited services, non-availability of digital payment mode as discussed in paragraphs 2.7.2, 2.7.3 and 2.7.5 could not be ascertained for remedial action.

During the exit conference, Chief Commissioner assured (July 2022) to review the issue of lack of quality assessment of ASSKs.

Recommendation 3: Government should ensure that the District Collectors carry out quality assessment of the performance of ASSKs annually for appropriate remedial action.

2.7.7 Application forms not available on the web portal and the departmental websites for easy access to the citizen

Rule 7 of the Maharashtra Right to Public Services Rules, 2016 (MRTPS Rules) stipulated that application forms for different services should be easily available at the office of the designated officer and at the ASSKs. The application forms were also required to be made available on the website of the office or department or Portal for download.

Audit scrutiny revealed that the application forms were not available on the Portal and the website of nine test-checked departments. Further, except for Collector, Mumbai City, in the remaining eight test-checked districts, application forms relating to services provided by them were not available on the District Collectors' website. During the beneficiary survey, nine *per cent* of beneficiaries stated that they had to spend more than 10 minutes to obtain a blank application form.

Thus, the non-availability of application forms on the websites was not only a violation of the MRTPS Rules but also impaired the efficiency of delivery of services to the citizens.

During the exit conference, Chief Commissioner stated (July 2022) that the application form would be made available on the Portal.

2.7.8 Prescribed records under the MRTPS Act not maintained

As per Rule 17 of the MRTPS Rules, the designated officer, the first appellate authority and the second appellate authority were required to maintain a register of the cases in Form IV⁵ either manually or in electronic form. GAD, GoM also instructed (September 2015) that the date of application and the date of disposal of application were to be compulsorily available on the Portal to ensure compliance with the provisions of the Act.

Audit noticed that Form IV was neither available in electronic form in the Portal nor maintained by 50 out of 52 offices⁶ in nine tested-checked departments in the nine test-checked districts. Only two offices maintained the said register in manual format. Thus, due to the non-availability of basic records, accountability and transparency in the delivery of services could not be ensured.

⁵ The date of receipt of the application, date of acknowledgment of application, name of the person, date on which application/appeal was disposed of and if rejected, the reasons thereof were to be recorded in the register

⁶ Only 52 out of 77 offices had furnished the information called for

District Collectors, Aurangabad, Mumbai City and Pune stated (December 2021 and January 2022) that instructions would be issued to the designated officers and appellate authorities to maintain the registers in the prescribed format.

2.8 Performance in delivery of services

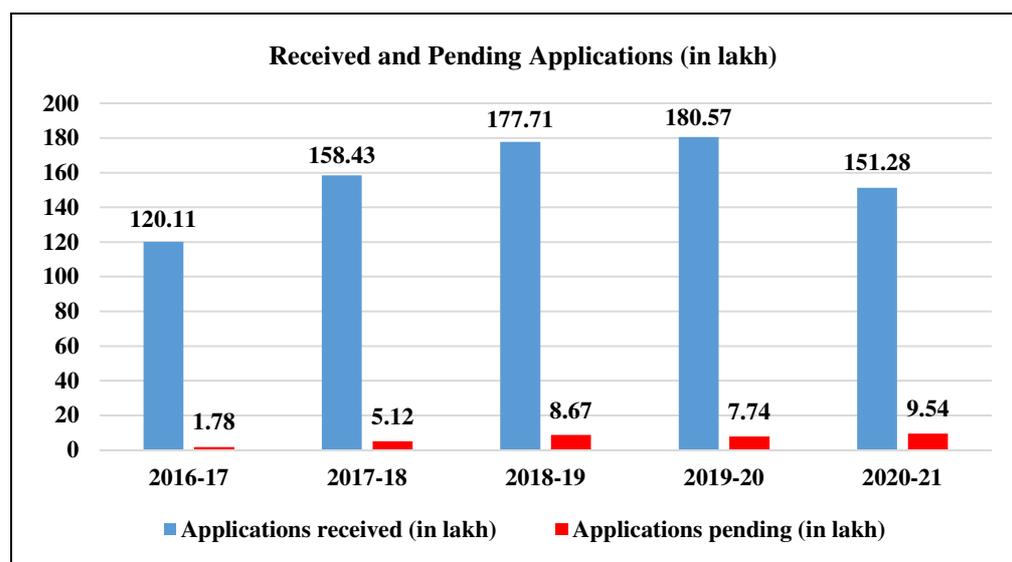
Audit analysed the data in respect of 53 notified services⁷ provided by 12 government departments to assess the performance in the delivery of services. The analysis revealed applications pending for a long period of time and delays in delivery of services as discussed in the succeeding paragraphs.

2.8.1 Applications pending disposal

Section 4(1) of the MRTPS Act stipulated that every eligible person should have a right to obtain public services in the State within the stipulated time limit. It also stipulated that every designated officer of public authority was required to provide public services to the eligible person within the stipulated time limit.

The year-wise number of applications received and applications pending for disposal during 2016-17 to 2020-21 is shown in **Chart 2.9** and the service-wise list of pending applications is shown in **Appendix 2.3**.

Chart 2.9: Year-wise applications received and pending



As seen from **Chart 2.9**, the yearly pending applications *vis-à-vis* applications received had increased from 1.78 lakh (1.48 *per cent*) in 2016-17 to 9.54 lakh (6.30 *per cent*) in 2020-21. Further, out of 788.11 lakh applications received during 2016-17 to 2020-21, 32.85 lakh (4.17 *per cent*) applications were pending as of November 2021, of which, 23.31 lakh applications were pending for more than one year. Analysis of department-wise and notified service-wise pendency of applications revealed the following:

- Out of the 53 services provided by 12 departments, no application was pending in the Housing Department whereas, in five⁸ out of 11 departments,

⁷ Out of 506 notified services, 53 services in which more than 1,000 applications were received during 2020-21 were selected for analysis for the period 2016-17 to 2020-21

⁸ (1) Co-operation, Marketing and Textile Department, (2) Rural Development and Panchayat Raj Department, (3) Social Justice and Special Assistance Department, (4) Urban Development Department and (5) Women and Child Development Department

the pending applications ranged between 99.45 per cent (Women and Child Development Department) and 42.52 per cent (Rural Development and Panchayat Raj Department).

- Out of the 53 notified services, in three notified services, there were no pending applications. Out of the remaining 50 services, in 26 per cent of the services (13 out of 50 services) the pending applications (10.40 lakh) were more than 40 per cent.
- Out of 32.85 lakh pending applications as of November 2021, 38 per cent (12.38 lakh) were pending with the departments, while the remaining applications were pending with the users⁹.

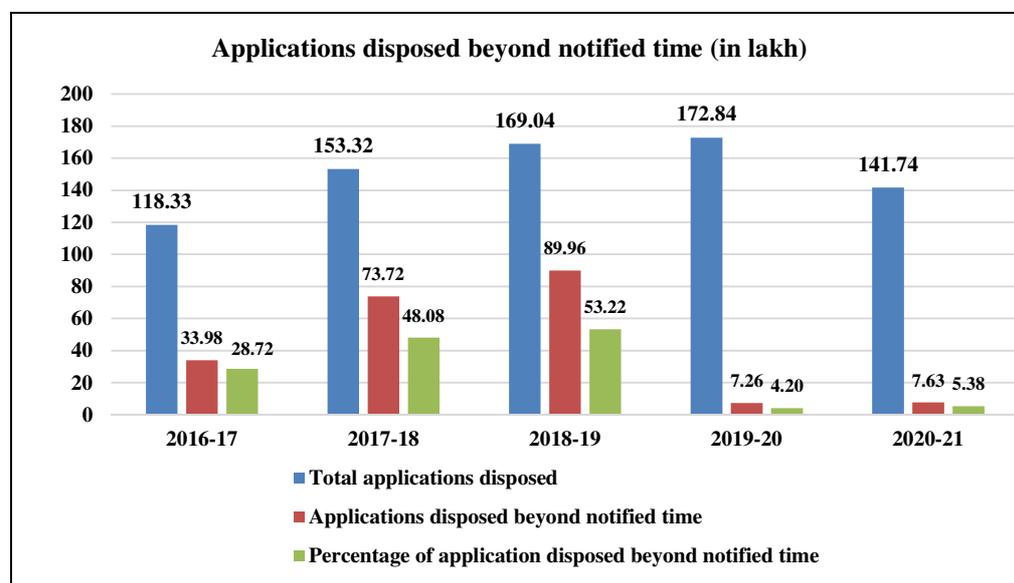
The pending applications with the department and the users require review by the departments to ascertain the reasons for pendency and appropriate remedial action.

During exit conference, Chief Commissioner while accepting the facts stated (July 2022) that levy of penalty for delay in disposal of applications has commenced.

2.8.2 Delay in delivery of services

As per the MRTPS Act, the services to the citizens were to be provided within the time stipulated in the notification for each service by the concerned designated officer. The number and percentage of applications disposed beyond the notified time for the period 2016-17 to 2020-21 is shown in **Chart 2.10**. The service-wise list of applications disposed beyond the notified time is shown in **Appendix 2.4**.

Chart 2.10: Applications disposed beyond notified time



As seen from **Chart 2.10**, 28.72 per cent applications were disposed of beyond the notified time (2016-17). This, further increased to 48.08 per cent in 2017-18 and 53.22 per cent in 2018-19. However, there was a significant decrease in the percentage of application disposed beyond notified time during

⁹ For applications submitted through ASSK, the user is ASSK while for application submitted directly by the citizen through online mode, the user is the citizen

2019-20 and 2020-21 (4.20 per cent and 5.38 per cent respectively). Further, out of 755.26 lakh applications received during 2016-17 to 2020-21, 212.55 lakh applications (28.14 per cent) were disposed of beyond the notified time. Department-wise and notified service-wise analysis of disposal of applications beyond the notified time revealed the following:

- Out of the 12 departments, there was no delay in the disposal of applications in the Housing Department. In four¹⁰ out of the remaining 11 departments, more than 50 per cent of the applications were disposed of beyond the notified time with delays ranging between 100 per cent (Women and Child Development Department) and 62 per cent (Urban Development Department).

Out of the 53 notified services, in four notified services there was no delay in disposal of applications. Out of the remaining 49 services, in 39 per cent of the services (19 out of 49 services) more than 50 per cent of the applications were disposed beyond the notified time.

Thus, the failure of the Designated Officer to provide services within the notified time diluted the right of the citizens to an effective and efficient service from the public authority as per the MRTPS Act.

Therefore, the performance in the delivery of services remained poor on account of pending applications and delays in delivery of services despite the citizen paying service charges for availing the services.

Recommendation 4: Government should review the reasons for pending applications and fix responsibility for delays in providing services within the notified time.

2.8.3 Delayed implementation of online system

GAD, GoM decided (February 2015) to implement *Aaple Sarkar* online system in all Setu centres at district and taluka level for effective implementation of the MRTPS Act.

Audit noticed that out of nine test-checked districts, the online system was not implemented in Nagpur district. The online system was introduced belatedly from March 2020 for the notified services except the service of issuing 'general affidavit'. In Thane district, though the online system was implemented, applications received for issue of caste certificates were processed only partially in the online mode in six talukas (Ambarnath, Kalyan, Mira-Bhayandar, Murbad, Thane and Ulhasnagar).

2.8.4 Demanding affidavit instead of self-declaration for providing services

GAD, GoM issued (March 2015) directions to accept self-declaration instead of affidavit for availing all government services except in those cases where submission of affidavit was compulsory as per laws/rules.

Audit noticed that out of nine test-checked districts, in Nagpur district the Setu centres continued to obtain affidavits instead of self-declaration for the issue of

¹⁰ (1) Food, Civil Supplies and Consumer Protection Department, (2) Rural Development and Panchayat Raj Department, (3) Urban Development Department and (4) Women and Child Development Department

age, nationality, domicile and income certificates, contrary to the government directives. Apart from the inconvenience, the insistence on production of affidavit also imposed an additional cost burden on the citizens.

District Collector, Nagpur stated (September 2021) that necessary action would be taken.

2.8.5 Delay in remittance of application fees

The General Administration Department (February 2015) fixed a service charge of ₹ 20 per application plus taxes to be paid by the citizens for availing the public service. The service charge of ₹ 20 per application was shared among four agencies (Mahaonline: ₹ four; State Setu society: ₹ one; District Setu society: ₹ two; ASSK operator: ₹ 13). Apart from the service charges, the application fee as prescribed by the respective department for the services provided was also charged by ASSKs. On entering the data in the online system, the charges are deducted from the authorised payment wallet of the ASSK operator (maintained in the system by Mahaonline Limited) and transferred to the account of Mahaonline Limited, which, in turn, remits the application fees into the Government account of respective departments. Audit noticed the following:

- GAD did not stipulate any timeline to Mahaonline Limited for remitting the application fee collected by it.
- None of the District Collectors in the test-checked districts had the information of application money collected by Mahaonline Limited and remitted into Government account. District Collector, Thane obtained 51 challans amounting to ₹ 43.92 crore for the period 2018-19 to 2020-21¹¹ from Mahaonline Limited and furnished them to Audit. Scrutiny revealed that the time taken by Mahaonline Limited for remitting the application fee into Government account ranged between four to 295 days.
- There was no system either at DIT or at the respective departments to obtain periodical reports from Mahaonline Limited regarding the total application fees collected and its reconciliation with the remittance actually done by Mahaonline Limited.

Thus, the controls related to remittance of application fees and reconciliation of collection and remittance in the departments were inadequate.

During the exit conference, Chief Commissioner and Project Manager, MahaIT agreed (July 2022) to look into the issue.

2.8.6 Applications submitted directly through Portal

The Portal provides public services online with a view to enhance the reach of the citizens. During 2018-19 to 2020-21, 55.40 lakh applications were received online directly from the citizens for obtaining various public services which represented only 11 *per cent* of the total applications received (520.17 lakh) during 2018-19 to 2020-21.

¹¹ Remittances pertaining to the period 01/01/2019 to 27/01/2019; 01/02/2019 to 24/02/2019; 01/04/2019 to 21/04/2019; 01/01/2020 to 31/01/2020 and 01/02/2021 to 31/03/2021 was not available in the challans furnished

It was also noticed that in 19 out of 30 public services for which applications were received directly from the citizens through online mode, the percentage of pendency (November 2021) was more than 50 *per cent*.

During the beneficiary survey, out of 500 beneficiaries, 415 beneficiaries (83 *per cent*) preferred ASSKs whereas 85 beneficiaries (17 *per cent*) showed preference to avail services directly through Portal. The low percentage of direct applications received during 2018-19 to 2020-21, indicated either lack of awareness among the citizens or lack of confidence in getting the services through direct online mode.

2.9 Public awareness

Creating public awareness about the MRTPS Act is important so that the citizens are aware of their rights under the MRTPS Act. This promotes accountability among public authorities to deliver public services in a transparent, efficient and timely manner.

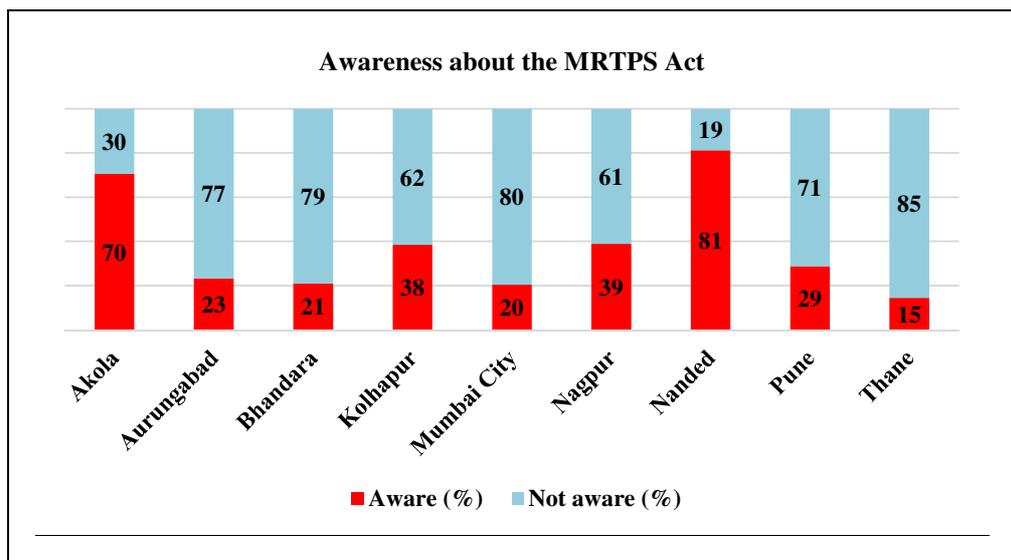
2.9.1 Inadequate public awareness about the MRTPS Act

The Maharashtra State Commission for Right to Service in its annual report of 2017-18 recommended that a major awareness campaign should be launched and all the departments should instruct their field offices to create public awareness about the MRTPS Act by using various media tools. Further, Chief Secretary, GoM directed (April 2019) all government departments to take action to implement the public awareness campaign for creating widespread public awareness about the MRTPS Act.

Audit noticed that only Divisional Commissioner, Konkan region and District Collectors of Bhandara, Buldhana, Gondia, Nagpur, Nanded and Pune had submitted compliance to the recommendation of Maharashtra State Commission for Right to Service.

The beneficiary survey conducted by Audit revealed that the awareness of the MRTPS Act among the citizens was very poor as 63 *per cent* of beneficiaries were not aware of services notified under the MRTPS Act, stipulated time limit for delivery of notified services, designated officers, first appellate authorities and second appellate authorities. The awareness of the MRTPS Act across the nine test-checked districts is shown in **Chart 2.11**.

Chart 2.11: Citizen’s awareness in nine test-checked districts



As seen from **Chart 2.11**, in seven out of nine test-checked districts, the lack of awareness about the MRTPS Act among the beneficiaries was more than 50 per cent.

Thus, despite the directions issued by the Commission and the Chief Secretary, GoM, government departments had not taken appropriate efforts to create awareness of the MRTPS Act among the citizens.

2.9.2 Inadequate information on website

As per Section 3(2) of the MRTPS Act, the public authority shall display on the office notice board and its website or portal, the list of the public services rendered by it along with the details of the stipulated time limit, form or fee, designated officers, first appellate authorities and second appellate authorities. As per Rule 7(3) of the MRTPS Rule, application form should be available on the website of the office or department or Portal.

Scrutiny in audit revealed the following:

- The website of each department provided link to the Portal. However, the Portal did not display the fees for the services provided.
- As per the guidelines issued (January 2018) by DIT, list of ASSKs should be published on the website of district collectors. Audit observed that list of ASSKs was not available on the website of four test-checked District Collector’s office viz., Akola, Bhandara, Kolhapur and Mumbai city.

Recommendation 5: Government should ensure that public awareness campaign is conducted throughout the State and all required information such as fees for the services and the list of ASSKs are available on the website.