

THE BHILWARA PRINCIPLES

An Accountability Framework in Action

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The lack of accountability is felt most acutely by ordinary citizens, particularly the most vulnerable and marginalised, in their daily engagement with the state for accessing basic essential services that is their legal right. It takes the form of violation of rights, denial of access, discrimination, deliberate exclusion and democratic marginalisation. Therefore, the definition of accountability is one that is best defined by people suffering the acute lack of it.

From a small set of villages in central Rajasthan comes a story of just this kind of subaltern social accountability. This was the same area where 20 years ago village-based public hearings showed the way for using transparency for accountability in an indigenous manner to hold power to account.

One such group of Dalit students from Bhilwara, Rajasthan

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Volunteers in a Meghalaya village interacting with local people about their entitlements, legal rights and the need for accountability in governance.

articulated a definition of social accountability that this paper uses as a theoretical framework for defining the concept and its essential elements. On being asked how they conceptualise an administrative framework that is accountable to its citizens, they spoke of five ways in which their routine engagement with the state results in their disempowerment. Thereby, any administrative framework that enables and provides them with an inversion of these five elements will be one that is accountable to them.

And that is how the Bhilwara Principles of Social Accountability were first theorised. The principles have

also been acknowledged by the Comptroller and Auditor General (CAG) of India, and incorporated as the “minimum principles,” laying the foundation of the Auditing Standards of Social Audit,¹ formalised by the CAG. The fact that a conceptual framework was derived from the felt needs of citizens is an acknowledgement that people’s lived realities should form the basis of any genuinely meaningful theoretical discourse.

The following section outlines the five essential elements of a Social Accountability Framework, as conceptualised and articulated by people facing lack of accountability:

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1. **Jaankari: Access to relevant information**

Information is power. People need information to know, act, self-govern, make informed choices and hold those who govern accountable to their mandate. Access to credible and comprehensible information is therefore an essential element of social accountability. In spite of living in an age of 'open government' and 'big data,' a huge gap persists between information disclosed in the public domain, and that which is relevant for citizens requiring public disclosure.

Administration and elite power structures find multiple ways to withhold relevant information from people to prevent decentralisation of power. The problem of unaccountable governance is compounded in other ways. People don't have a widespread understanding of their entitlements, prescribed time frames, responsible authorities, prescribed standards and rates, as well as the decision-making processes. They are also unaware of appeal possibilities, complaint or grievance redressal, as well as

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reasonably expected outputs and outcomes. For example, citizens are continuously exposed to TV advertisements, radio jingles, WhatsApp forwards about Swachh Bharat Mission and the importance of sanitation, but find it difficult to obtain information on a host of things. Ways to apply for funds to build a toilet at home, forms to be filled, information on whether payments need to be made, number of instalments to be received and under what norms, who to complain to when instalments are not credited in time, are queries that are left unanswered.

Therefore, the first component of a social accountability framework is to have access to relevant, actionable and meaningful information in order to unpack decisions, evaluate performance and assess outcomes.

2. **Sunwai: Right to be heard**

Very often, even if citizens are informed about their entitlements and recognise their violations, they cannot do much about it because they have no platform or mechanism of being heard. Statements such as 'hamaari kaun sunega' are far too common and are a reflection of widespread popular perception.

For a system to facilitate accountability, there must be adequate, inclusive and multiple modes for citizens to articulate grievances. In most cases,

citizens are forced to report complaints at the very same offices and to officials, who are the cause of the complaint. For example, a citizen harassed by members of a majority caste reaches the police station to file a FIR, but the officer on duty does not register her complaint and instead asks for a bribe. If she is to make a complaint, it would have to be done in writing, in the very same police station in which she faced the problem, a gravely discouraging situation.

Grievances are often not acknowledged with a dated receipt, preventing time bound action. Currently institutional systems of grievance redress are inadequate since they are entirely under the control of implementing agencies. This gives little scope for credible enquiry into the cause of grievance or firm action.

Moreover, certain categories of people such as the elderly, children, illiterate, single women, disabled, minorities, members of the LGBTQ community and others need pro-active help in articulating and registering their grievances. They are unable to reach locations where such grievances can be addressed, owing to limitations of language, distance, cultural norms etc. For example, there may be cases where the elderly and infirm cannot walk long distances to submit their complaint. In such cases, there is a dire need for independent people and

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platforms facilitating the most marginalised and excluded sections of the community and reaching out to them with relevant information. They can also contribute towards assisting the disenfranchised with filing and tracking of grievances.

Therefore, the second component of a social accountability framework is the presence of independent facilitation to support complainants in articulation of grievances in their own language and formulation through multiple modes.

3. Karyawahi: Time bound grievance redress

Even if citizens are able to identify their grievances on account of being informed and manage to have a mechanism by which they can register their complaints, there is little guarantee that there will be redressal within an assured time frame. There are time variations on complaint redressals, depending on which scheme the complaint pertains to. Some schemes don't



PHOTO CREDIT: Shambhu Chatak

Accountability Yatra in Kusumpur Pahari, a slum area in South Delhi

even have fixed time frames within which grievances are to be redressed. As mentioned before, a grievance doesn't have a chance of being honestly redressed as long as it is heard and adjudicated upon by the same department against which it is filed. Citizens face an enormously uphill task in regard to their complaints being heard and action taken on complaints lodged. There is a lack of both uniform and minimum time periods within which grievances should ordinarily be redressed, and norms that mandate those investigating complaints need to follow. In addition, there is an absence of an independent authority free from administrative controls of departments that can hear and adjudicate on the quality of grievance redress. For example, if a worker makes a complaint to the Programme Officer that she was not allocated work under MGNREGA within 15 days of her demanding it, her redress would have to be sorted

within seven days as per Section 23 of the Act. However, if the same worker makes a complaint that her application for availing pensions has not been responded to in more than a year, and that she has submitted repeated applications with the same motive, the Ministry has no specified time frames within which this complaint would be redressed. Some grievances such as deliberate exclusion while selecting beneficiaries, discrimination whilst allocating resources etc are not even recognised as programmatic grievances that can be redressed within stipulated time frames.

“*Often the first person to be harassed for complaining is the complainant herself.*”

Therefore, the third essential component of a social accountability framework is for citizens to have a guarantee of getting their grievances redressed. The complaints should also be responded to in writing with a “speaking order” detailing the nature of corrective action taken, within a stipulated time frame.

4. Suraksha: Protection

Often the first person to be harassed or intimidated for complaining and disturbing an established status quo is the complainant herself. Making relevant information accessible to citizens and enabling them to register their complaints are not to the liking of many. In addition, having the grievances of the poor and marginalised addressed within guaranteed time frames skews the balance of power between those who govern and those who are governed, in favour of the latter. For this reason, vested interests do not fall short of methods to suppress and intimidate those who reveal the nexus of power perpetuating injustice. Protection of citizens, particularly whistle-blowers, who enable the unearthing of social, political and financial corruption is therefore of immense significance. For instance, nearly 70 citizens who were using the Right to Information and other legal means to access information and ask questions have been murdered.² This grave situation has been magnified by the absence of a legal framework

for shielding whistleblowers from victimisation, with the Whistleblower Protection Act 2014 still not being operationalised.³ Citizens wanting to expose acts of corruption and discretionary use of power for private gain as of today have no guarantee of their identity being protected and safety accorded to them and their family from all kinds of threat and intimidation.

Therefore, the fourth component of a social accountability framework is protection of citizens from any adverse consequences, arising out of asking questions, registering grievances and pursuing them to their logical conclusion, in order to expose acts of injustice.

5. Bhaagidari: Participation

A citizen cannot effectively participate in processes

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of governance without institutionalised platforms of participation. Participation helps enable the voice of communities reach the state while accessing services, planning for use of public funds, monitoring programme delivery and registering grievances. Through participation, citizens can claim just allocation of resources, bring to light instances of fraud and misappropriation and demand retribution and restoration. It also needs to be incorporated into the process of investigation and redress so that all sides



Village Social Auditors conducting household verification.

inflated electricity bills when she visits the officer concerned alone at the District office. However, the situation will change if the District Officer is made to respond to a class complaint of inflated electricity bills faced by all migrant labourers residing in the area. If the whole process takes place in the presence of the larger public and the officer's own supervisors, the likelihood of her responding will increase greatly. This imbalance can only begin to get corrected when citizens are able to engage with the state collectively and publicly, which gives the former a chance to question and dialogue on a more equal footing. Public collective platforms thus play an important role in facilitating the discussion of multiple complaints that are given a chance of being sorted out through a dialogical process.

Through public collective platforms of dialogue, the spirit and culture of questioning and enquiry are introduced, strengthened and established. It also plays a significant role in informing people of their entitlements. In addition, the platform directs their awareness towards the level of resources deployed for local development and how they are being spent. It serves as a living and breathing example of the Freirean

conception of empowerment by being a democratic people's platform, where they can develop a critical awareness of social realities. In the course of engaging in such platforms, individuals and communities get empowered and politicised in a way that they experience the practical potential of participatory democracy. Once people acting in collective platforms take power into their hands, democracy moves beyond the two-dimensional aspect of electoral majorities. It goes into the complex sphere of deliberation, dialogue, and ethical decision making. Every voice counts: individually, persuasively, and collectively.

Therefore, the sixth component of a social accountability framework is citizens having a right to participate in public collective platforms. These need to be attended by both citizens and representatives of the state, wherein the former can learn, ask questions, and pursue grievances and the latter have the responsibility to respond and take actions.

The contents of a social accountability framework from the point of view of citizens need to be seen on multiple levels. Access to information, mechanism to register grievances

and having complaints redressed within a time frame are key to the inclusion of the vulnerable and marginalised. In addition, securing citizens' participation in all aspects of governance, ensuring the protection of complainants and the right of citizens to engage with the administration through public collective platforms create a sense of parity and participation.

Note: This article is based on the excerpts of a discussion paper titled *Explorations in the Concept of Social Accountability: From theory to practice, and from practice to theory*.

(Endnotes)

1. 'Auditing Standards on Social Audit, 2015' prepared by a Joint Task Force of Ministry of Rural Development (MoRD), C&AG and civil society experts. They are based on the principles of Public Sector Auditing (ISSAI 100) and Operational Guidelines for coordination and cooperation between SAs and internal auditors in the public sector (ISSAI 9150) as issued by INTOSAI
2. Dey, Nikhil; Yadav Bhupender & Julka, Bimal (2018, July 27) Has the Right to Information Act been weakened? *The Hindu*. Retrieved June 17, 2019, from <https://bit.ly/2XWHFXp>
3. Rishi, Rahul & Jain, Pratibha (2018, November 26) Why India needs to strengthen WBP Act. *Financial Express*. Retrieved June 17, 2019, from <https://bit.ly/2KRGpBg>