



A VILLAGE FESTIVAL CALLED SOCIAL AUDIT

Public Participation Makes the Real Difference

Sowmya Kidambi and Rakshita Swamy*



In 1994, when the first public audit (*jan sunwai*) of development expenditure in a panchayat in rural Rajasthan was held, little did one think that it would herald a national legislation for Right to Information. The small but momentous event, which was held in a farmland under a retired paratrooper's parachute, formed the bedrock of what would in later years emerge as a discipline called the 'social audits'.

The emergence of social audit as a demand in terms of democratic participation was simultaneous to the progress being made by the campaign for enacting and implementing the Right to Information (RTI) Act 2005. It is no coincidence that the most popular slogan of the RTI movement, '*Hamaara*

Paisa, Hamaara Hisaab' (our money, our accounts) was in fact a demand of people to audit government accounts as a means of exercising their democratic right.

The inception of platforms such as *jan sunwais* which entailed reading out of records in the midst of the community in an open public place and corroborate its narrative with actual reality, intuitively aligned with the natural principles of audit. Citizens, individually and collectively, understood the critical role that access to information, independence of the platform and documented evidence played in the *sunwais* for them to result in institutional change.

A decade-long experience in advocating for the citizen's right

to access public information held under state control, and use it as a foundation to evaluate the performance of the latter had its first victory with the legal mandate of social audit under the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) 2005. The MGNREGA (under Section 17 of the Act) became the first legislation, in the country and in the world, which mandated social audits in gram panchayats to evaluate the performance and expenditure of a government programme.

The statutory recognition of social audits enabled what began as a *jan sunwai* process in 1994 to today undergo a metamorphosis and emerge as a legally binding practice. Social audits have now been acknowledged and advocated by the central government, state governments, the CAG and Supreme Court as an institutionalised mechanism of citizen oversight over public programmes and expenditure.

Origins of Social Audits in Erstwhile AP

The process whereby government saw the benefit of social audits in cross verifying development expenditure

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at the grassroots began with the erstwhile composite state of Andhra Pradesh (AP). The southern state experimented and then scaled up the process to cover not just the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) but other welfare schemes as well. The experiment began in 2006, with the department of rural development undertaking the initiative.

The initial phase of the social audit process included a pilot of the National Food for Work Programme (NFFWP) and training a cadre of master trainers who would help replicate the process in other districts. A training module was developed along with guidelines on how the social audit process would be carried out, defining the role of each stakeholder, including the implementing and the auditing agency. A series of pilots were carried out along with a mass social audit in Ananthpur district, learnings from which went on to lay the road map of scaling up the process across all the MGNREGS district.

The AP government set up the first independent Social Audit Unit (SAU) called the Society for Social Audit, Accountability and Transparency (SSAAT) in 2009. It also ensured the society's financial independence by allocating 0.5 percent of the total scheme fund towards social audit and the allied transparency and accountability initiatives. The functional independence of the unit was established by setting up a governing body to oversee the society's operations. The

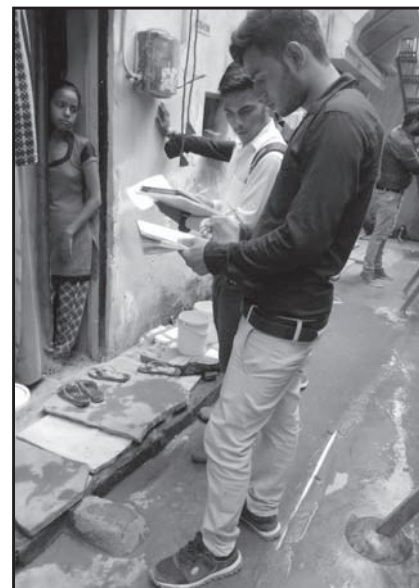
governing body members would be a mix of representatives from the civil society as well as government officials.

In 2010, the Andhra government decided to identify a Civil Society Organisation (CSO) representative well versed with the social audit process as the director of SSAAT, to ensure that the SAU was seen as truly independent in letter and spirit. The social audit exercise that began in the composite state of AP has continued post-bifurcation, with Telangana opting to expand its scope. Apart from MGNREGS, other welfare schemes brought within its ambit include Integrated Child Development Services (ICDS) Scheme, Mid Day Meal Scheme, Integrated Watershed Management Programme, Swachh Bharat Abhiyan, Integrated Child Protection Scheme, Stree Nidhi Credit Co-Operative Federation etc.

The Social Audit Process

The social audit process entails accessing records from the departments implementing state schemes and programmes. These records have details of the beneficiaries as well as aids they received. The social audit resource persons who work full time with SSAAT, identify rural youth, mainly from the beneficiaries' families, and train them to understand various provisions of the scheme.

In addition, they are educated on benefits provided, scrutinising records and even carrying out field-level verifications. Teams



of village social auditors, guided and facilitated by a battery of resource persons, then carry out verification by meeting every single beneficiary. In case there are physical assets, those are verified as well to see if what has been recorded in the documents actually exist or not, and if people have received the benefits recorded against their names. The social auditors also assess the work done and are able to figure out whether it is useful. The entire activity is an exercise in fact-finding rather than fault-finding. The social audit process culminates with a gram sabha meeting where all issues identified in the audit are read out and clarifications from those present (beneficiaries, gram sabha members and members of the implementing agency) are sought.

This is followed by a public hearing at the block level, where all gram panchayat reports as well as discussions that took place are read out. The hearing is presided over by the head of





the implementing agency or an officer deputed by the district collector and corrective action is initiated on each of these issues. Specific efforts are made both during and after the process to focus on grievances of the beneficiaries and in resolving the same. Cases of corruption and malpractices as well those that are disciplinary in nature often take a long time to be addressed since principles of natural justice need to be followed. For the poor, however, getting their grievances addressed tends to be a far more overarching need than punitive measures against erring officials.

In 2017-18, nearly 9000 gram panchayats, covering 434 mandals, with an expenditure of Rs 2379.26 crore under MGNREGS have been audited by SSAAT, Telangana, for which they were provided with records worth Rs 2144.91 crore (90.11% of the total expenditure). The total deviation identified by the social audit teams was Rs. 203.05 crore, which constitutes nearly 10% of the scheme funds spent on the programme. Eighty-five percent of the issues identified during the social

audit exercise were accepted by the presiding officer during the process. Hundred percent verification of labourers and worksites have been done in the 10 rounds of social audit that have been completed so far in Telangana.

The awareness levels achieved through the social audit process have meant greater participation of workers in it and the MGNREGS (as validated by the World Bank and the Accountability Research Center, American University, through independent research studies). The social audit process has been quoted in various international research journals on good governance as one of a kind and paved the path for institutionalisation of the process across the country. SSAAT has trained the highest number of village social auditors (VSAs) in the country with almost 1.5 lakh youth being trained to date. Many of them have gone on to become resource persons with the society.

The potential role of social audits as a reliable means of feedback and educating citizens is well-

established. Their function as a platform to inform decision-making and facilitate grievance redressal has been recognised by both the legislature and the judiciary. After the MGNREGA, the National Food Security Act (NFSA), 2013 and the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 became two more legislations mandating social audit as the institutional mechanism of monitoring their implementation. The Ministry of Rural Development (MoRD) through orders and guidelines also extended the incorporation of social audits to the Pradhan Mantri Gram Sadak Yojana (PMGSY), Pradhan Mantri Awas Yojana (PMAY), National Social Assistance Programme (NSAP) and Swachh Bharat Mission (SBM). Meghalaya became the first state in the country to pass an exclusive legislation on social audit, extending it to 21 programmes. The Supreme Court, after recognising the potential of social audits in facilitating citizen oversight into programmes meant for public welfare, ordered social audits in the implementation of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) (BOCW) Act, 1996 and The Juvenile Justice (Care and Protection of Children) Act, 2000 (JJ Act).

Social audits have so far, unfortunately and inaccurately, been perceived as only post facto "fault-finding" exercise, where irregularities, fraud and





misappropriation in running a programme are identified. However, alternately, social audits can be seen as an ongoing process through which citizens participate in the planning, implementation and monitoring of the programme. Audits need to be deliberately positioned to emerge as a platform for sharing information about schemes and enhancing awareness amongst people about their entitlements. They are required to be the tool for identifying households eligible and deserving of government services but are not enlisted as beneficiaries. In addition, they are meant to be a mechanism for recording peoples' voices and identifying priorities that can become inputs for planning, and are means of registering grievances which help identify systemic shortcomings in programme implementation. Finally, they are also processes to examine records, so that even the hint of corruption and malpractice can be analysed and publicly investigated. Social audit enables a democratic dialogue and unpacking of decisions. It is not about taking one position vis-à-vis the other, but an exercise to enforce mature collective deliberations.

Synergy with the CAG

Expenditure of the central and state governments that directly impacts socio-economic development estimates around Rs 17 lakh crore (FY 2013-14). This translates into nearly Rs 2700 crore being spent in each district, the bulk of which is planned and implemented through urban and rural local

bodies. However, the monitoring of this expenditure goes beyond the direct supervision by the CAG, thereby leading to a big gap in accountability of such a large quantum of public funds. It is here that social audit as a mechanism can be seen as an essential complement to the formal audit process. A synergetic relation between the CAG and social audits, can help each distinctive form of audit expand its boundaries.

In the past 10 years, there have been many points of formal and informal collaboration between the MoRD and CAG on social audit, which now need to be understood, studied and advocated for long term institutionalisation. These synergies, once systemised, will help make social audits a process independent of the implementing agencies. Rather, they will serve as a collaborative exercise helping in the improvement of implementation and for taking corrective action, thereby delivering on the mandate of a true audit.

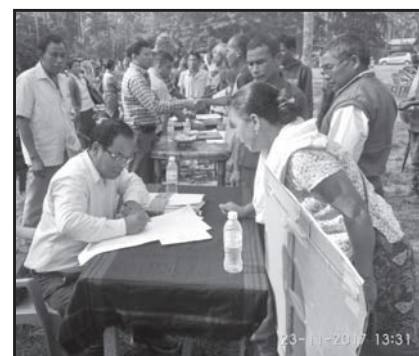
Therefore, to summarise, the practical interventions resulting in institutional synergy and linkage between the formal audit process of the CAG and social audit mechanism included:

- Sharing of social audit reports of programmes by social audit units with the state PAGs to enable the latter to prioritise sectors and areas while planning their own audit calendar
- State AGs sharing exemption reports flagging probable

violations of guidelines with the social audit units to direct the latter to look into it in more detail through social audits

- Local Fund Audit reports being provided as one of the key documents to the social audit teams. This was to enable the wider outreach of these reports amongst the local community and use them as a base to build on through house-to-house verification
- Members of the state AG office serving as members of the SAU governing boards and selection committees, to facilitate their institutional participation in decision making
- Joint training exercises
- Detailing of auditing standards of social audit such that the social audit protocol is one that is aligned to the minimum standards and benchmarks of a CAG audit

The social audit processes themselves represent the emergence of a new discipline. Methodologies have emerged and evolved from the democratic framework of citizen monitoring and public hearings as they have begun to be institutionalised in law and practice. Social audit





agencies have strongly felt the need for mentoring and making use of the supreme audit institutions' universal and established principles of independence and minimum standards of effectiveness. Social audits therefore serve as feedback/input and cannot be seen as a substitute for public audit by the CAG. They are also very useful as a concurrent monitoring tool, a platform to build awareness amongst beneficiaries and as an effective means to redress of grievances at the grassroots level.

Conclusion

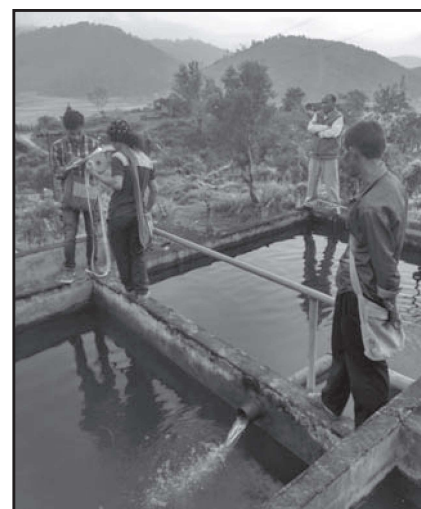
While a lot has transpired in the field of social audit in the past decade to remain optimistic, it is also important to reflect on the challenges that the process has faced. Interference by governments in the decision-making and autonomy of social audit units as well as non-provision of complete records prior to the social audits, are real trials confronted by the process. Further, intimidation of social audit facilitators at the ground level and extremely poor corrective action on their

findings and grievances- these are all challenges that limit the potential of this audit form. Moreover, there is an increasingly widening scope of social audits across a range of social sector interventions. This forces social audits as a discipline to respond to challenges such as dealing with its applicability in urban areas, or in dealing with sensitive contexts such as abandoned children living in shelter homes. The agency of social audit is increasingly sought to be included in other public programmes (such as pensions, housing, expenditure under Fourteenth Finance Commission grants etc.) as a legitimate means of enhancing transparency and accountability in public spending at the grassroots level. Incorporation of social audits is therefore cutting across a range of ministries.

There is critical need for an independent organisation to nurture and mentor the process of social audits so that they are conducted in an independent and effective manner on the field. The organisation is also required so that these audits can be applied across

programmes implemented by various departments/ministries while adhering to minimum standards of audit. In this regard, the potential of setting up an independent National Social Audit Advisory Board (similar in nature to the Government Accounting Standards Advisory Board) to facilitate the role of incorporating social audits in various social sector initiatives that go beyond the scope of any one department/ministry can be explored. Such a board can serve as a national resource centre on social audit that can provide technical assistance to support both government and CSOs in institutionalising social audits across the country.

The continuing synergy between social audit and CAG's audit also gives an opportunity for audits as a mechanism to work in collaboration with anti-corruption and grievance redress frameworks. This cooperation should be reinforced so that audit findings, in addition to being reported, can also lead to systemic changes in governance and deliver on its true constitutional mandate.





FUTURE OF POLICING—VISION 2025

Annual Conference on Police Reforms Day

Radhika Jha, Anshi Beohar, Dhruv Shekhar*



Mr. Prakash Singh, Chairman of Indian Police Foundation, and a panel of distinguished guests at the inaugural session

Common Cause, in collaboration with the Indian Police Foundation and Bureau of Police Research and Development (BPR&D), organised the Annual Conference on Police Reforms Day at the India International Centre on September 22, 2018. The panellists included Minister of State for Human Resource Development (HRD) Dr. Satya Pal Singh, former judge of Supreme Court and Chairman of the Law Commission Justice Balbir Singh Chauhan, Director General of BPR&D Dr. AP Maheshwari, as well as eminent civil society members and state functionaries.

The panel discussion was followed by a session on “Future of Policing—Vision 2025” by young police officers. We present here a curated report on both the panel discussions and quick excerpts of the proceedings.

Mr. N Ramachandran, President, Indian Police Foundation

Mr. Ramachandran went on to explain the reason behind setting the reform target year as 2025. He stated that 2025 is a random number— one which should only be representative of both the medium-term and long-term future. He ended his address by recognising the need for

reimagining the police structure of India, one which should be in consonance with the aspirations enshrined in the Constitution.

Dr. Vipul Mudgal, Director, Common Cause

Dr Mudgal said Common Cause works on probity in public life and governance reforms. Its Status of Policing in India Report is in the public domain. He asked if we were moving towards or away from police reforms. Are the encounters becoming a rule rather than an exception and do we condone mob violence? He said the fear of the police needs to be low while the trust in it high.

Mr. Prakash Singh, Chairman, Indian Police Foundation

Mr. Singh elaborated on the institutional malaise which afflicts the issue of police reforms. Be it the inability of courts to check whether their directions have been followed or the police administration to follow through with internal reforms, everyone seems to be dragging their feet on this grave ailment. Emphasis was placed on three reasons why police reforms are essential. First, the growing number of

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Young IPS officers of the panel

individuals with questionable backgrounds contesting elections appears to be on a rise across the past three general elections. This is a scenario that may one day lead to India being labelled a criminal state. Second, an emerging economy like India requires an effective law and order system to continue its growth. The last reason for police reforms is to ensure that better police may be created to negate internal security threats in regions like J&K, north east India and large parts of central India.

Dr. A.P. Maheshwari, DG, BPR&D

Dr. Maheshwari stressed on the role BPR&D is playing with regard to community participation in reforming the police set-up as well as public perception of the same. According to him, there is a need for police officials to reinvent their understanding by being empowered to offer a variety of services.

The police is required not only to be proficient in new technological tools but also to be emotionally stable. The latter is important as they are often the first line of assistance to victims and the aggrieved. He then explained how the evolving nature of threats created by the cyber world necessitated the need for constant upgradation in terms of personnel knowledge. Dr. Maheshwari also called forth experts across domains to come and collaborate with the BPR&D

in order to ensure effective policing.

Mr. Rajiv Jain, Director, Intelligence Bureau

Mr. Jain's address was centred on the transformative impact of technologies on the ascent of India, and hence, on our daily lives. He spoke about the all-permeating presence of technology in our lives and stated how millions of Indians are in possession of smartphones



Minister of State for the Ministry of Human Resource Development Dr. Satya Pal Singh





Panellists from all walks of life along with Indian Police Foundation President Mr. N Ramachandran

today and are accessing Internet services. He noted that new technologies are simultaneously creating problems as well as new solutions to both new and traditional problems. Mr. Jain acknowledged that while police officers are seeking proficiency in operating new technologies, they should not forget to acquire soft skills such as showing empathy towards the victims.

Mr. Rajiv Gauba, Union Home Secretary

Mr. Gauba stated there is no need for retrofitting police reforms. Instead, questions need to be asked about the scope, content and direction of these reforms. The central premise of his address revolved around three issues. First, police reforms need to be seen in the context of the overall governance reform and accountability framework. Second, there's a serious need for internal organisational reforms of the police, particularly at the district level. Last, it's necessary to leverage the full

potential of technology for a modern police force.

Dr. Satya Pal Singh, Minister of State for HRD (Higher Education)

Dr. Singh advocated for reforms that should not merely be limited to the police. Rather, there should be overarching reforms for the entire government apparatus. Drawing from his own experiences as a police officer, he stated that there is an institutional discipline problem within the police. He further noted that while there is a great deal of discussion on the modernisation of the police force, equal focus needs to be reposed on their commitment to the cause. He prescribed the reorientation of the education system in order to accomplish this goal. At the end of the day, the main aim is for police officers to not just be competent but also humane and committed to the cause.

Mr. Amitabh Kant, CEO, NITI Aayog

Mr. Kant drew the audience's attention to the rapid technological and demographic change that India is experiencing. However, he stressed on the need for an efficient and dynamic law and order system for these events to transform into continued and tangible economic growth. Referring to various studies, he stated that the primary problem identified by Indian citizens was crime. Thus, in order to improve the quality of life of Indian citizens, there's an urgent need to reform the law and order structure. To that end, he advocated laying down a set of indicators like law and order, on which states should be ranked for their performance.

Ms. Maja Daruwala, Commonwealth Human Rights Initiative (CHRI)

Ms. Daruwala's address was focused on questioning the





colonial disposition of the police as a centrally managed entity whose mandate was to maintain law and order and protect property. She stated that the police must not give up its autonomy. Rather, there is a need for operational autonomy. Citing the example of the United States, she stated that this operational autonomy can come by way of greater community participation and deployment of police officers in their own communities. This should be done so that officers are invested in maintaining law and order in areas in which they reside.

Justice Balbir Singh Chauhan, Former Chairman, Law Commission

Justice Chauhan reminded the audience that the established legal system has voiced concerns about the police since the beginning. According to him, "Our law does not trust the police who have been given the authority to investigate and take the matter to the court." He discussed numerous provisions in the IPC, Code of Criminal Procedure (CrPC) and the Indian Evidence Act, as well as cases like Mohammed Naim, which reflect the aforementioned distrust.

Vision 2025: The Young Police Visionaries

Piyush Mordia, DIG, BSF, pressed for more sensitivity from police personnel towards victims of crime. He enlivened his speech with an anecdote



Radhika Jha of Common Cause presenting the findings of SPIR

on proactive policing. Mr. Mordia narrated how his team in Gorakhpur went beyond the standard operating procedure to assist the family of a doctor who had been kidnapped. Police officers helped family members of the doctor in dealing with the media and rescheduling his daughter's examination, among other things.

KB Vandana, DIG, NIA, brought out the need for a democratic, sensitive and responsive policing which is also accountable and smart. Her conception of Vision 2025 is one in which the police are humanitarian, just and fair. She also looks forward to a policing landscape in which female officers are truly empowered and are provided a fair share of representation.

Anup John Kuruvilla, DIG, Kerala Police, pressed for the holistic empowerment of constabulary. He also felt the need to move towards a system without hierarchy that supports transparency and accountability,

while respecting the rights of the people. He noted that the Constitution provides various rights to people and the CrPC is an instrument for the rightful discharge of policing duties. Mr. Kuruvilla also pointed out that when someone is arrested, it is done for the larger social good by trampling over the fundamental rights of the person arrested. Keeping this perspective in mind would also impact the behaviour of the police personnel.

K Sunil Emmanuel, DIG, NSG, votes to identify goals that will touch the lives of Indian citizens and should be understood from the view of the common man with respect to the police. Non-registration of crimes is the biggest grievance of citizens and there's a need to develop a transparent mechanism in dealing with FIRs. Lack of regular training, absence of housing and medical facilities as well as unavailability of station-based amenities have an impact on





the behaviour of the police. Inevitably, it also affects the way they treat people.

Shalin, DIG, NSG, underscored the need for domain expertise, especially in the context of niche areas of policing, as generalised training is not enough to meet specific challenges. He felt there is a need for benchmarking and standardisation of the service template by learning from best practices of concerned agencies elsewhere. Optimum results can only be achieved by comparing their templates and replicating them. In order to improve techniques, best practices must be incorporated in training modes, drills and tactics, with a focus on monitoring and learning.

Jitender Rana, Senior Commandant, CISF, pointed out that law and order is an important catalyst for any kind of economic development. He averred that police is seen as a monolithic organisation and they are supposed to respect political authority, bureaucracy and other sister organisations. The inherited policing system was once subservient to imperial power and it continues to operate in the same way. Police stations are deprived of resources and are not capable of dispensing the service required of them. The need of the hour is to strengthen police stations as well as the personnel/agencies that interact with and assist the public.

Sanjukta Parashar, SP, NIA, has a wish list for Vision 2025, which

includes institution building, perception management and providing delivery-oriented service with a special focus on gender mainstreaming. She feels that an immediate, public and tangible reward for excellence would go a long way in motivating police personnel. She also maintained that functions like law and order, protective policing, etc. need to be separated from investigation.

Anil Paris Deshmukh, SP-Vigilance, Rajasthan Police, maintained that police needs to improve training and content of training while increasing focus on professionalism. He advocated for conducting reviews of police personnel and offering them promotions/postings/transfers on the basis of only professionalism and performance. Mr. Deshmukh is also of the view of making the police system independent of specific individuals.

Gaurav Sharma, Additional DCP, Delhi Police, observed that police personnel often stop looking at themselves as citizens, which ends up impacting their conduct. When we view the police force as an organisation catering to its members, we must also assess what we are offering it in return. Changes need to be systemic and not just internally within the police. Police need to function impartially and without any discrimination. Citizens must also understand and maintain the sanctity of "100."

Vijayanta Arya, Additional DCP, Delhi Police, envisioned 2025

as a time when a person visiting the police station is aware of his/her rights and duties as well as that of the police personnel. She hoped that by that period gender isolation of women in police shall cease. As far as capacity building is concerned, she felt that police officials are enthusiastic to work even when resources are low, but they do not want to be targeted as collateral damage.

Neha Pandey, Ministry of Home Affairs, stated that every police officer has a vision but he/she needs both time and independence to implement it. She felt it was necessary for the constabulary to develop soft skills. There's also an urgent requirement to improve its living and working conditions, working hours and domain expertise, especially with new challenges being thrown by fake news and social media. Security and surety of tenure are other concerns she voiced.

Deepak Gauri, DCP, Delhi Police, emphasised on the need for creating a humble policing system. He assumed there is a need to examine present capacities to determine future needs. Once the arrogance of being a police official is shed, a lot of things will automatically change. Officers often let individual interests override their duties. People are in a hurry to publicise their achievements offline and on social media. There is a need to improve constantly.

