

Legislative Framework for Performance Accountability in Government

— Dr P. Geeta

Abstract

Accountability is a paramount objective of an organisation from which all other objectives flow. It refers to an agreed relationship between two or more parties, primarily on the milestones; the time period; and the resources. In the context of government organisations accountability refers to the ability to make public officials and functionaries answerable for their policies, actions and use of funds. In a broader sense it reflects the financial reporting functions for the state and local governments.

With the advent of 1990s, radical changes were observed in the political and economic climate of countries all over the world. There is an increased emphasis on performance of governments all over the world. Citizen's demand for increased accountability on government has increased considerably. People's concern about how their money is being spent and the level of service that they get for the amount of money spent has become the focus. The Government Performance and Results Act of 1993 (GPRA) of the US was a result of the frustration among taxpayers that they did not know how their money was being spent. GPRA created a new framework for more effective planning, budgeting, program evaluation and fiscal accountability. Introduction of GPRA is an attempt to improve public confidence and performance of government agencies. It paved way for management tools like strategic planning and performance measurement to ensure government accountability to its citizens.

The Andhra Pradesh Performance Accountability Bill is made on the lines of the GPRA Act of USA, which provides for the establishment of strategic planning, performance management and performance budgeting in the State Government to improve accountability and to enhance overall effectiveness. It is meant to bring about a result-focus in Government, manage performance information systems, and evaluate performance of departments, public authorities and individuals in the State of Andhra Pradesh.

“Government is famous for endless figures and forms. To an outsider, it seems like an industry that pays an enormous amount of attention to numbers. People in government are always counting something or churning out some statistical report. But most of this counting is focused on inputs: how much is spent, how many are served, level of service each person receives. Very seldom does it focus on outcomes, on results”.

David Osborne and Ted Gaebler, Reinventing Government

Section 1: Short Title, Extent, Commencement and Application

1. (1) The Act may be called as “The Andhra Pradesh Government Performance Accountability Act 2003”.

(2) It shall extend to the whole of the State of Andhra Pradesh including

- a) All Departments under the State Government and Public Authority as designated by 2 (a) ;
- b) All Semi-Government Bodies, Local Bodies, Co-operative Institutions, Public Sector Undertakings, etc., owned and controlled by the State Government; and
- c) All Organisations or Individuals receiving any form of grant or assistance or aid, whether monetary or otherwise from the Government or public funds.

(3) It shall come into force on such date, as the Government may, by notification in the Andhra Pradesh Gazette, specify.

(4) Nothing in this Act shall apply to-

- a) the High Court, and Courts and Tribunals, over which the High court exercises the power of superintendence and the Secretariat of the State Legislature and

Section 2: Performance Accountability System

2. An effective system of accountability in an organisation makes it possible to answer a few questions like:

- Which are the areas where the organisation intends to excel?
- How does an organisation plan strategically to accomplish its goals?
- How well does the organisation define its processes to achieve the goals and add value;
- What are the consecutive steps its needs to plan?
- Are the description of objectives, targets and activities of the organisation available to the public?
- Is evaluation of main activities available to the stakeholders?
- Can the public access information about the organisation and is the information online?

3. In the above context the Government shall establish a system of performance accountability in all departments, institutions, agencies, public bodies, etc. under the control of the Government or established or substantially funded by it. Accountability shall be two-fold;

Internal Accountability: Internal accountability of a department, institution, public authority or functionary shall be with reference to the internal processes and goals within the department, Government, Legislature and audit.

External Accountability: External accountability of a department, institution, public authority or functionary shall be with respect to the people in terms of fulfilling obligations and time limits, as established by the Government by regulation or order, as prescribed under rules, regulations, laws under different mechanisms such as citizen's charter, citizen service guarantee, service delivery agreement, etc. to ensure adherence to service standards and responsive delivery of services and implementation of programmes for the people.

4. In the course of discharge of internal and external accountability every public authority or functionary shall

- (a) faithfully and conscientiously perform the duties of his office without fear or favour, affection or ill will;
- (b) exercise the same vigilance in respect of expenditure incurred from public funds as a person of ordinary prudence would exercise in respect of expenditure of his own money;

Section 3: Strategic Planning

5. Strategic planning is the first step in performance accountability. Governments need to know why they provide a service, at what level they are providing it, and at what level they would like to reach. Through a strategic plan the departments can determine where it is and where it wants to go. This plan ensures that its long-term goals and mission are properly articulated.

(1) No later than March 31 of each year, every department or institution shall submit to the Appropriate Authority through the Office of Strategic Planning and Performance Management (OSPPM) its strategic plan for programme activities along with its annual performance plan and performance budget.

(2) Subject to any rules, regulation laws or guidelines that may be prescribed, the strategic plan shall be in congruence with the agenda and long-term goals of the State Government as adopted from time to time and shall contain-

- (a) a comprehensive mission statement covering the major functions and operations of the department or institution and agencies working under it;
- (b) general goals and objectives, including outcome-related goals and objectives, for major functions and operations of the department or institution and agencies under it;
- (c) a description of how the goals and objectives are to be achieved, including a description of the operational processes, skills, technology, and the human, capital, information, and other resources required to meet those goals and objectives;

