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Digitising the Commons: Transforming Rural Water Governance through Technology-Enabled Participatory Systems in Jharkhand

Dr. Manish Ranjan

Abstract

This paper explores the *Jhar-Jal Portal*—an integrated, citizen-centric digital platform developed by the Government of Jharkhand—as a pioneering intervention in rural water governance in India. By examining this initiative through the lens of participatory governance, institutional capacity theory, and ICT4D (Information and Communication Technology for Development) frameworks, the article bridges the gap between theory and practice in the field of public administration.

Rooted in the context of the Jal Jeevan Mission and Swachh Bharat Mission–Gramin, the portal embodies a hybrid model of state-led digital governance and community-driven action. It leverages Geographic Information Systems (GIS), real-time monitoring, and multi-channel grievance redressal mechanisms to overcome historical bottlenecks such as administrative fragmentation, infrastructural opacity, and citizen disengagement. Drawing upon Elinor Ostrom's (1990) work on the management of common-pool resources and Heeks' (2002) concept of e-governance "design–reality gaps," the paper analyses how digital tools recalibrate the interface between citizens and the state in resource-scarce environments.

Using implementation data from 2021–2024, the study critically evaluates the platform's institutional innovations, including AI-enabled dashboards, decentralised complaint resolution, and gender-inclusive capacity-building initiatives. It also identifies key constraints—ranging from connectivity deficits and digital literacy gaps to administrative resistance—and proposes a roadmap for sustainability, grounded in Grindle's (1997) theory of administrative reform and Pressman & Wildavsky's (1973) insights on policy execution.

Ultimately, the paper argues that Jhar-Jal is not simply a digital solution to a technical problem, but a paradigmatic shift in governance—one that redefines the role of the rural citizen from passive beneficiary to co-governor of public infrastructure. The initiative holds broader relevance for developing nations

seeking to institutionalise data-driven, transparent, and participatory service delivery models across sectors.

Keywords- Digital governance, participatory public administration, water commons, grievance redressal, Jhar Jal.

1. Introduction and Theoretical Framework

1.1 Contextualising the Governance Challenge

Reliable and clean drinking water access in rural India has always been a constant policy concern, which gets complex with disorganised institutions, non-committed, fragmented accountability mechanisms, and geographic inaccessibility in several cases, especially in Jharkhand. The state, being predominantly rural, also often witnesses topographically challenging areas—including left-wing extremism (LWE)-affected districts, which complicate issues related to water governance. Traditional mechanisms struggle with challenges in terms of an inadequate system for monitoring of infrastructure, bureaucratic apathy, and a limited citizen's interface for participation and improving the system. These constraints not only delay services offered to the citizens but also dilute public trust in the state's ability to respond.

The Jal Jeevan Mission (JJM) was launched in 2019 with a vision to ensure the supply of drinkable water of 55 litres per person per day in each household of rural areas on a regular, sustainable basis, which had always been a distant dream till then. This policy was founded on two significant pillars of enhancing the state's capacity on one hand, and involving citizens on the other. In the above context of JJM, a digital innovation was developed by the Drinking Water and Sanitation Department of Jharkhand in the form of Jhar Jal, which has not only facilitated quicker resolution of grievances related to water, but also has the potential to bring about institutional transformation. This paper explores how the Jhar Jal platform disrupts the governance mechanism of water supply by implementing digital intelligence within a participatory and decentralised framework.

1.2 Conceptual Anchors: Theory Meets Practice

1.2.1 Polycentric Governance and Commons Theory

In her seminal work, *Governing the Commons*, Elinor Ostrom in 1990 challenged the long-accepted ideas that only state control or privatisation provide viable options to manage common-pool resources. She shared the idea of polycentric governance, where she argued for a decentralised model in which communities themselves, with the facilitation of intermediaries, a few formal set-ups, and commonly adopted rules, can co-manage resources in a sustainable manner. The concept of Jhar-Jal also aligns with Ostrom's principles of local monitoring and user participation, where community workers play pivotal roles in resolving water-related issues at the grassroots levels.

1.2.2 ICT4D and the Design–Reality Gap

The concept of the design–reality gap in digital governance was developed by Richard Heeks, where he aptly demonstrated how any ICT projects often fail because designers and the users have different sets of assumptions, and background. The Jhar-Jal was a different story, entirely developed keeping in view the needs and aspirations of grassroots workers, and also through their constant participation to incorporate the feedback.

1.2.3 Administrative Capacity and Reform Theory

Jhar-Jal offers a real-world laboratory for testing the ideas of Merilee Grindle (1997) and Pressman & Wildavsky (1973), who emphasised enhancing the implementation capacity rather than attempts towards policy reforms merely through design.

Table 1: Theoretical Anchors and Real-World Application in Jhar-Jal

Theoretical Framework / Author	Core Principle	Application in Jhar-Jal
Elinor Ostrom – Polycentric Governance	Shared monitoring, nested systems, local participation	Jal Choupals, SHG-led monitoring, decentralised data input
Mark Bovens – Accountability Theory	Accountability via transparency, responsiveness, and answerability	Grievance redressal engine with escalation, dashboards
Heeks – ICT4D and Digital Adaptation	Context-sensitive ICT use, institutional embeddedness	GIS, mobile apps, and offline sync for rural connectivity
Grindle – Deep Institutional Reform	Reform that aligns systems, incentives, and behaviour	Jal Sahiya network, training systems, real-time review loops
Lipsky – Street-Level Bureaucracy	Discretion at the frontlines, implementation challenges	Flexible complaint response with protocol and discretion
Dunleavy & Margetts – Digital Era Governance	Integration, automation, and real-time state responsiveness	Unified dashboard, data-driven decision-making, scalability

Source: *Author's synthesis of theoretical literature and practice mapping, 2024*

1.3 Research Aim and Significance

This paper seeks to analytically examine how the Jhar-Jal Portal advances a new model of rural water governance that integrates technological affordances, institutional redesign, and participatory frameworks. It argues that such initiatives should not be evaluated merely as service delivery upgrades but as institutional experiments in inclusive governance, offering valuable insights for both policy and theory. In doing so, the paper contributes to the growing literature on digital governance in the Global South, where platforms increasingly serve as mediators of public trust, equity, and administrative transformation.

2. Methodology and Case Design

2.1 Research Design: A Single Embedded Case Study Approach

This study adopts a single embedded case study design (Yin, 2014), focusing on the Jhar-Jal Portal as a representative instance of state-led digital governance in a complex rural environment. The case of Jharkhand offers a unique empirical window due to its administrative heterogeneity, geographical remoteness, and high levels of infrastructural inequality. Moreover, the state's proactive investment in digital public infrastructure—within a low-connectivity and LWE-affected context—provides an ideal setting to explore how institutional innovation interacts with capacity constraints on the ground.

Unlike large-N or cross-state comparative designs that may privilege breadth over depth, this study prioritises analytic generalisation over statistical inference. The objective is to interrogate how digital systems evolve within a specific institutional ecology, and how that experience may inform broader theoretical models in public administration and digital governance.

2.2 Data Sources and Triangulation

Data were collected from multiple sources to ensure robustness and triangulation:

2.2.1 Administrative documents from the Department of Drinking Water and Sanitation (DDWS), Government of Jharkhand, including policy blueprints, annual performance reports, training manuals, and grievance records (2021–2024).

2.2.2 Primary portal data, including usage logs, grievance redressal dashboards, AI-based performance metrics, and GIS maps.

2,2.3 Semi-structured interviews and feedback reports from district and block-level officials, Jal Sahiyas, and engineers involved in the rollout and daily use of the platform.

2.2.4 Participant observation and field insights reported by programme implementation teams in East Singhbhum, Palamu, Ranchi, and Dumka.

2.2.5 Secondary literature, including academic analyses of digital governance, public service delivery in India, and ICT4D frameworks in low-resource settings.

This triangulation allows the research to move beyond surface-level implementation narratives to examine the interplay between design, institutional readiness, and behavioural uptake.

2.3 Analytical Framework

The analysis proceeds through a three-layered analytical lens:

2.3.1 Technical-Administrative Integration: Examining how technology was institutionalised within bureaucratic routines, using indicators such as digital grievance registration rates, system uptime, and response cycle completion.

2.3.2 Participatory System Dynamics: Assessing the role of frontline actors (Jal Sahiyas, SHGs) and community institutions (Jal Choupals) in co-producing accountability and data entry—using concepts from Ostrom's collective action theory and Fung's (2006) models of participatory transparency.

2.3.3 Governance Transformation: Evaluating how digital mediation altered the relationship between state actors and citizens, especially in terms of responsiveness, grievance escalation, and trust reconstitution.

Each layer is mapped onto core governance principles: legibility (Scott, 1998), accountability (Bovens, 2007), and resilience (Grindle, 1997).

3. The Jhar-Jal Innovation in Context

3.1 From Fragmented Service Delivery to Digital Convergence

Prior to the introduction of the *Jhar-Jal Portal*, water governance in Jharkhand exhibited classic symptoms of what Michael Lipsky (1980) termed "street-level bureaucracy": discretionary service delivery, incomplete data loops, and fragmented redressal mechanisms. Grievances related to broken handpumps, pipeline failures, or missing tap connections were handled through informal channels—such as verbal complaints at Gram Panchayat meetings or handwritten submissions at block offices. These were rarely tracked systematically, often lacked any time-bound accountability, and left rural citizens disillusioned with institutional responsiveness.

Against this backdrop, the Government of Jharkhand's decision to develop a unified, digital grievance and monitoring platform was not simply a technological fix but a conscious effort to re-engineer bureaucratic workflows. The *Jhar-Jal Portal*, launched officially in December 2021, marked a paradigm shift in the management of rural water supply: from reactive complaint-handling to predictive monitoring, from offline registers to real-time dashboards, and from top-down directives to distributed data entry by frontline workers.

3.2 Architectural Design: Embedding State Capacity with Digital Precision

The architecture of the portal reflects a deliberate blending of technological modularity and administrative embeddedness. The system is layered into three functional components:

3.2.1 Data Collection and Field Interface

Community workers known as *Jal Sahiyas*—primarily women from Self-Help Groups—use a geo-tagged mobile application to report field-level data, including handpump status, water pressure, chlorination levels, and user feedback. These inputs are designed to be *lightweight*, requiring minimal digital literacy, and are integrated with GIS referencing to provide spatially verifiable data.

3.2.2 Grievance Redressal Engine

Citizens can submit complaints through toll-free numbers, WhatsApp, SMS, mobile apps, and email. These complaints are fed into an automated escalation mechanism, with built-in timers for action at the Panchayat, block, and district levels. Complaints unresolved within specified timelines are escalated to higher tiers, with digital audit trails capturing officer actions at each stage.

3.3.3 Analytics and Administrative Dashboard

Real-time data on complaint volumes, infrastructure functionality, resolution rates, and field activity is visualised through AI-enabled dashboards hosted at the State Data Centre. The system uses basic machine learning to flag anomalies (e.g., repeated breakdowns in a cluster, complaints without follow-up) and provides administrators with *heatmaps* to guide interventions.

This integrated design reflects principles found in Dunleavy and Margetts' (2006) notion of *digital era governance*, where information systems are not just add-ons but structurally redefine how public value is created, measured, and delivered.

Figure 1: Jhar-Jal Governance Dashboard.

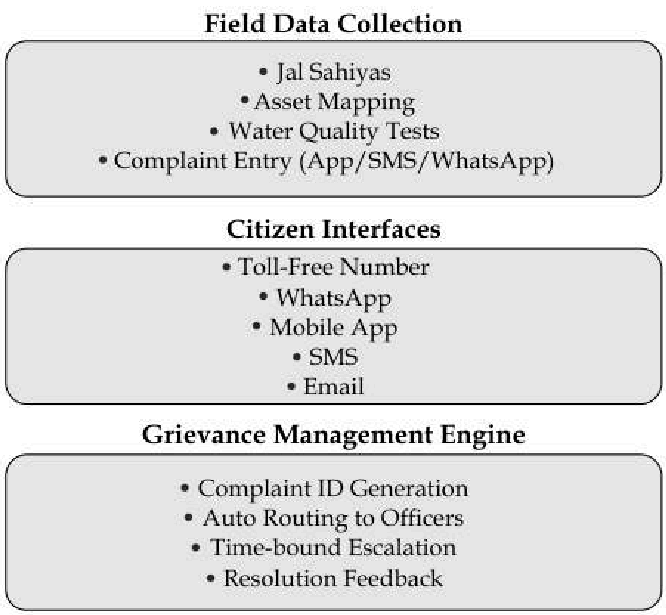


Figure 1: Jhar-Jal Governance Dashboard.

Administrative Dashboard

- Real-Time KPIs
- Al-based Alerts
- Heatmaps and Rankings
- District-wise Performance

GIS + Sensor Integration

- Geo-tagging of Assets
- Flow & Chlorine Sensors
- LoRa Connectivity
- Remote Monitoring

Decision Support Layer

- Predictive Analytics
- Resource Optimisation
- Prioritisation of Repairs
- Policy Inputs

Source: *Author's compilation, 2024.*

3.3 Strategic Intent: From Project to Platform

Unlike pilot interventions that operate in silos, the *Jhar-Jal Portal* was envisioned as a statewide governance platform, scalable across schemes and responsive to sectoral convergence. The integration with *Jal Jeevan Mission* and *Swachh Bharat Mission–Gramin* illustrates how digital public infrastructure (DPI) can facilitate horizontal coordination, reduce information asymmetries, and strengthen interdepartmental alignment.

The strategy also reflects an implicit departure from Weberian bureaucratic rigidity towards adaptive governance (Chaffin et al., 2014), which means instead of a rigid, compartmentalised hierarchical system with a fixed command structure, Jhar-Jal evolved through a decentralised process and participative governance.

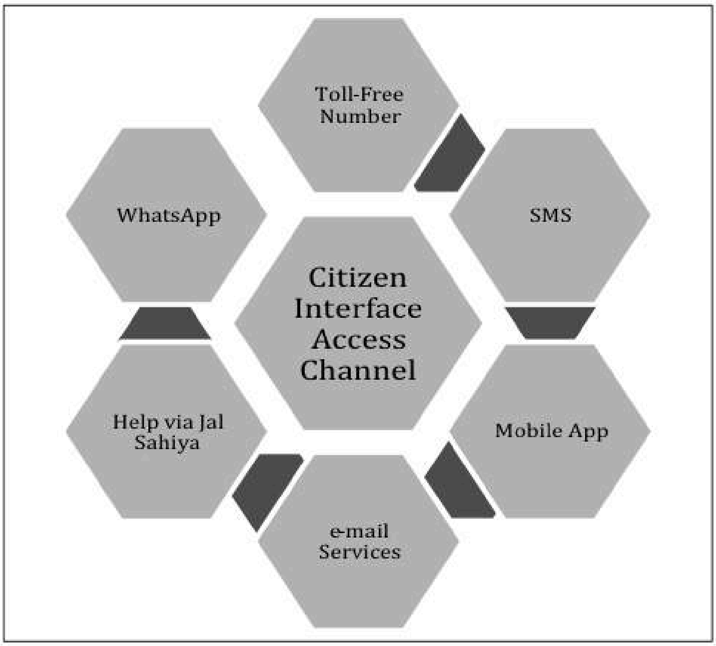
4. Grievance Redressal as an Accountability Mechanism

4.1 Complaint Handling as Governance, Not Just Service

In classical administrative theory, Grievance redressal is often treated as a reactive adjunct to policy execution—a channel for correcting bureaucratic errors. However, scholars such as Mark Bovens (2007) and Archon Fung (2006) propagated that grievance redressal is not a reactive adjunct to policy execution as has been considered by classical administrative theorists. They explained that these grievances lead to remedies encompassing values of democratic accountability, transparency, and institutional legitimacy. The

Jhar-Jal Portal presents redressal of grievances as the sustainable core governance infrastructure, and not as an ad hoc system temporarily. The current system offers five parallel points in terms of a mobile app, WhatsApp support, SMS services, toll-free help-line number, and also an email. All these parallel points merge into a centralised digital resolution engine, which is equipped with automated timestamping, escalation logic, and real-time tracking, establishing the system as robust and evolving.

Figure 2: Citizen Interface Access Channels in Jhar-Jal Portal



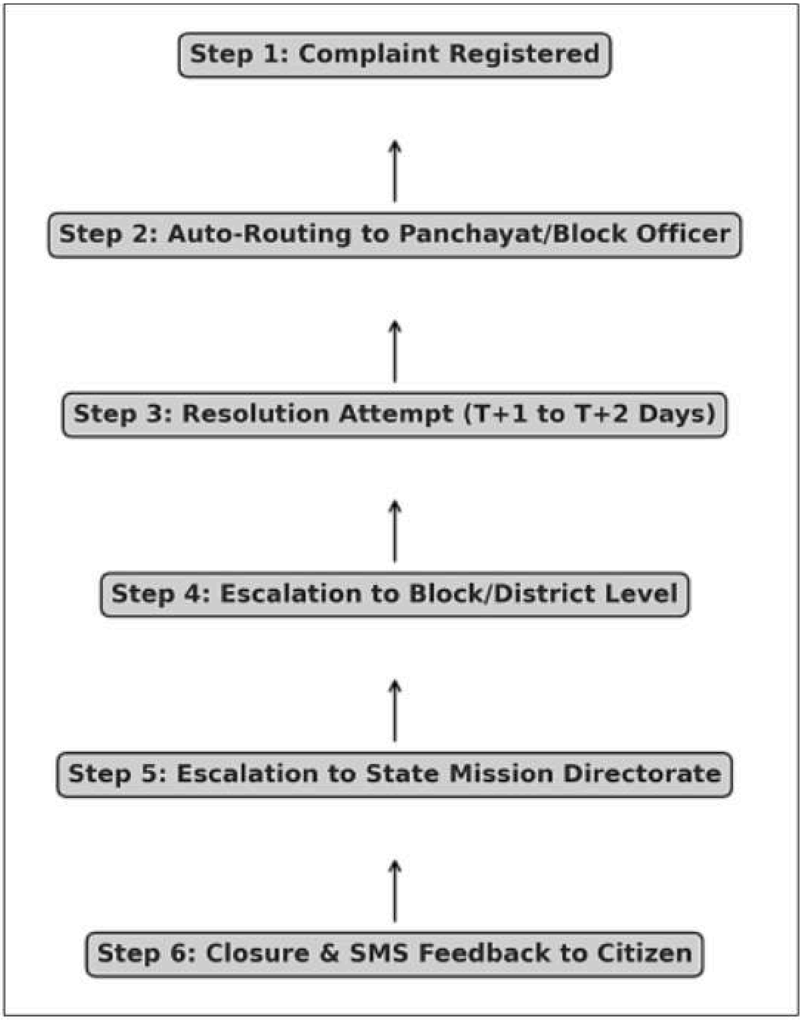
Source: *Author's compilation, 2024.*

4.2 Escalation Logic and Systemic Accountability

The soul of Jhar Jal lies in the escalation protocol, where every grievance is provided with a unique identifier and is sent first to the appropriate level for its resolution. Once it gets delayed or is not resolved properly at that level, it is escalated to the higher level. This is in line with the "rule-bound responsiveness" of Grindle (1997), who emphasised the need for rule-based administrative structures rather than immersed rigidity and discretion.

Moreover, the system generates public performance reports, disaggregated by geography and grievance type. Districts are ranked based on grievance closure rates and average resolution time, encouraging competitive improvement and peer benchmarking. These indicators are reviewed during regular review meetings chaired by Secretaries or Commissioners, ensuring vertical and horizontal accountability across the service chain.

Figure 3: Grievance Escalation Workflow in Jhar-Jal System

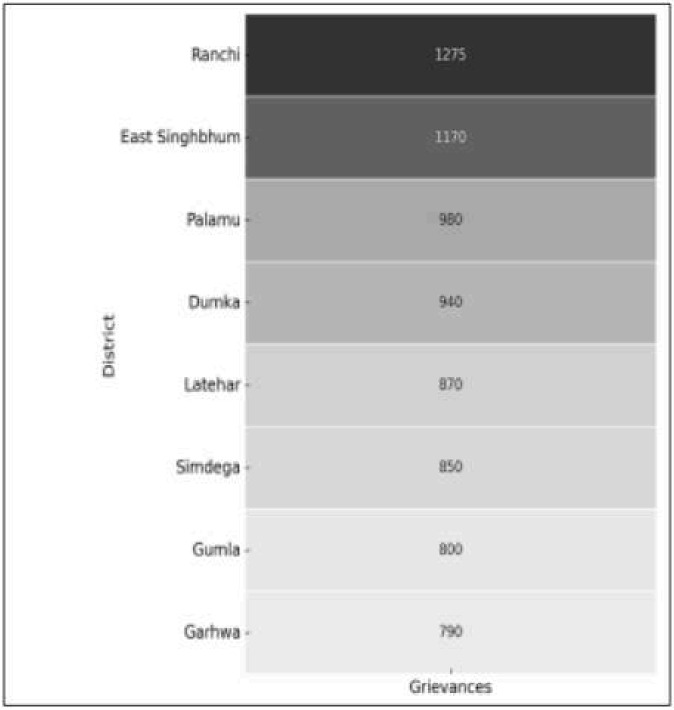


Source: *Author's compilation, 2024.*

4.3 Transparency and Trust: Procedural Justice in Action

The ability of citizens to track the status of their own complaints, receive automated SMS updates, and review closure remarks introduces an element of procedural transparency that is often missing in rural governance. Research in public sector legitimacy (e.g., Tyler, 2006) shows that people are more likely to trust institutions not only when outcomes favour them, but when procedures appear fair, visible, and consistent. The *Jhar-Jal Portal* operationalises this insight through its design.

Figure 4: Heatmap of Grievance Density by District



Source: *Author's analysis using grievance dashboard data, 2024.*

Field interviews suggest that even when grievances are not immediately resolved due to logistical delays (e.g., waiting for spare parts), citizens appreciate being informed of the status—contrasting sharply with earlier eras of total silence or discretionary replies. In LWE-affected blocks like Latehar and Simdega, where state presence has historically been thin, this digital visibility of government response is contributing to a slow but significant rebuilding of civic trust.

4.4 Participatory Redressal: A Gendered Interface

The inclusion of Jal Sahiyas, most of whom are women drawn from Self-Help Groups, adds a participatory and gender-responsive dimension to grievance handling. These actors not only assist villagers in complaint registration but also serve as informal monitors and follow-up agents. Their role aligns with Ostrom's principle of user-embedded monitoring and reflects broader scholarship on gendered decentralisation (Agarwal, 2001) in rural governance.

5. Participation and Community Anchoring

5.1 Moving Beyond Consultation: Participation as Governance

In much of India's policy discourse, *participation* is framed as a normative ideal—embedded in slogans like "Jan Bhagidari" but often relegated to token consultations. However, public administration scholars such as Fung and Wright (2003) and Mansuri and Rao (2013) emphasise that participation becomes truly transformative when citizens are integrated not only as stakeholders but as co-designers, co-monitors, and co-enforcers of public programmes. The *Jhar-Jal Portal* exemplifies this shift by creating institutional pathways for structured community engagement.

The cornerstone of this participatory model is the Jal Choupal—a village-level water governance meeting convened to discuss implementation progress, identify gaps, and surface grievances. Unlike top-down dissemination meetings, these forums are *deliberative spaces* where feedback is documented and uploaded via mobile apps by Jal Sahiyas, linking community voice directly to the state's digital dashboards. Over 3.5 lakh Jal Choupals have been held across Jharkhand (2021–24), suggesting that the initiative is not only administratively scaled but socially embedded.

5.2 Operationalising Ostrom: Local Monitoring and Ownership

Elinor Ostrom's (1990) design principles for governing common-pool resources emphasised the importance of clearly defined boundaries, collective-choice arrangements, and community-based monitoring. *Jhar-Jal* activates these principles in practice. Each habitation is mapped, water sources are geo-tagged, and community members can trace their village's supply status on an open-access portal. Collective meetings allow for choice-making about maintenance cycles, reporting standards, and escalation priorities—thereby legitimising local agency within a broader institutional framework.

Moreover, by enabling community-based geo-referencing of infrastructure (e.g., handpumps, tankers, and pipelines), the system democratises spatial knowledge. This echoes Scott's (1998) concept of legibility, but reverses the logic: rather than the state rendering citizens *legible*, it is the community that renders infrastructure legible to the state—on its own terms.

5.3 Empowering the Frontline: The Role of Jal Sahiyas

Central to this participatory architecture are Jal Sahiyas—trained female water stewards embedded in each village, often chosen from among Self-Help Group members or frontline volunteers. Unlike traditional village water committees that operated through male-dominated structures or panchayat nominations, this model draws on gendered local knowledge and grassroots presence.

Jal Sahiyas perform a range of governance functions:

- ♣ Registering complaints via the mobile app
- ♣ Conducting sanitary surveys and water quality tests using Field Testing Kits (FTKs)
- ♣ Recording attendance and issues during Jal Choupals
- ♣ Following up with engineers and verifying closure reports

This aligns with Agarwal's (2001) findings that the gender composition of local governance bodies directly impacts transparency, social outcomes, and issue prioritisation. By institutionalising a network of women-led monitors, *Jhar-Jal* not only creates functional accountability but builds social capital—a dimension critical to long-term sustainability.

5.4 Participation as Capacity, Not Burden

Crucially, the platform does not treat participation as a cost-free add-on. The state has invested in digital training modules, certification for app use, and incentive mechanisms for timely data updates. Over 1.4 lakh women have been trained across 29 thousand villages, with the state organising refresher workshops and peer-learning exchanges. Fung (2006) has correctly established the significance of capacity building and argued that capacity is the foundation for any participation, as its absence ensures exclusion, tokenism, and bureaucratic delays.

Table 2: Participation Metrics – Jal Choupals, Trained Women, Functional Assets (2021–2024)

Indicator	**Cumulative Count (2021-2024)**
Total Jal Choupals Conducted	351156
Women Trained as Jal Sahiyas	146250
Villages Covered with Training	29250
Water Resource Mappings Completed	14595
Self -Help Group (SHG) Members Involved	566452

Source: *Author's compilation from departmental records, 2024*

Jhar Jal visualises technology as complementary to the participation of citizens, who play the role of co-administrators of public infrastructure, and not merely passive recipients of government dole. It acts as an amplifier of local voices, strengthening democratic values and accountability at all levels.

6. Datafication, Digital Intelligence, and Administrative Control

6.1 From E-Governance to Cognitive Governance

The *Jhar-Jal* Portal truly signifies a transition from first-generation e-governance systems—primarily dependent upon digital form submission or service tracking—to second-generation cognitive governance models, where information systems proactively interact and influence administrative decisions, resource allocation, and grievance handling. Dunleavy and Margetts (2006) also redefine governance in the digital era as a next-level restructuring which is based upon real-time intelligence and predictive analytics. In this context, governance gets continuously datafied, by digital capture, analysis and classification. Jhar Jal represents this next level of restructuring.

6.2 IoT and Real-Time Field Feedback

Real-time tracking of key parameters is integrated through Internet of Things (IoT) technology. It works through sensors. These data flows are centralised but can be visualised through dashboards at the district and state levels.

The use of LoRa (Long Range) communication protocols allows these sensors to operate even in low-bandwidth or low-connectivity areas—a critical adaptation for regions like Palamu or Latehar. This infrastructural intelligence converts a historically reactive system into one that is anticipatory and self-correcting.

6.3 Artificial Intelligence and Decision Support

Building upon these raw datasets, *Jhar-Jal* incorporates Artificial Intelligence (AI) modules that generate insights for administrative decision-making. Machine learning algorithms are used to:

- ♣ Predict demand surges based on historical supply patterns and seasonal variability
- ♣ Optimise distribution routes in multi-village supply systems
- ♣ Identify chronic grievance clusters and recommend targeted intervention areas
- ♣ Flag outliers where resolution rates are anomalously low or delayed

These tools enhance situational awareness, enabling bureaucrats to shift from anecdotal or instinct-driven planning to evidence-based allocation of manpower, funds, and technical resources. This operationalises what Heeks (2018) calls the transition from "data-rich but information-poor" governance to intelligence-led governance.

Figure 5: AI-Based Grievance Prediction and Action Support Flow

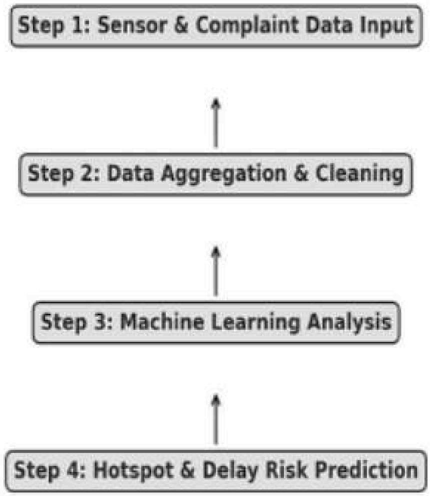
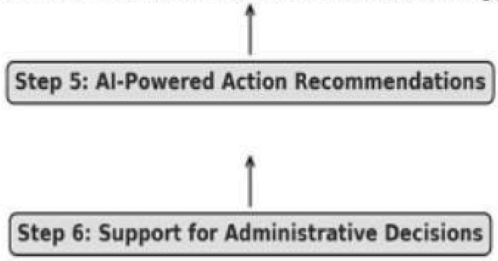


Figure 5: AI-Based Grievance Prediction and Action Support Flow



Source: *Author's illustration, 2024.*

6.4 GIS and Spatial Rationality

A core innovation of the Jhar-Jal system is its Geographic Information System (GIS) backbone, developed in collaboration with the Jharkhand Space Application Centre (JSAC). All assets—pipelines, borewells, overhead tanks, pump houses—are geo-tagged and layered on satellite maps, enabling spatial tracking of service expansion, gaps in infrastructure, and repair prioritisation.

More than just visual aids, these GIS layers function as administrative rationality tools (Foucault, 1991), helping the state "see" its service landscape comprehensively and precisely. For instance, GIS data allow for:

- Spatial equity analysis (e.g., mapping underserved habitations)
- Field team deployment planning
- Coordination with NOC-issuing agencies for interdepartmental clearances

This spatial legibility helps flatten bureaucratic hierarchies, empowering mid-level administrators with immediate visual summaries of service performance and public demand.

6.5 Risks of Over-Reliance: Algorithmic Bureaucracy?

While the gains in efficiency are evident, the increasing dependence on datafication also raises normative questions. As Eubanks (2018) has warned in her critique of "automating inequality," algorithms can reproduce bias or mask human discretion under a veneer of neutrality. Jhar-Jal's approach mitigates this risk by ensuring human-in-the-loop verification, especially through community inputs and Sahiya feedback. Thus, while digital intelligence strengthens governance, its success rests on complementarity with human judgment, participatory data validation, and continuous institutional learning.

7. Outcomes, Constraints, and Institutional Learning

7.1 Quantifiable Outcomes: From Delivery to Embedded Governance

The *Jhar-Jal Portal* has yielded a suite of both tangible and intangible impacts, reinforcing the proposition that well-designed digital public infrastructure can advance participatory governance. Between 2021 and 2024, the platform recorded over 13.2 thousand registered grievances, of which more than 91% were resolved within stipulated timelines.

Table 3: Grievance Resolution Efficiency – Year-wise Progress (2021–2024)

Year	Total Grievances Registered	Grievances Resolved	Resolution Rate (%)
2021	1120	980	87.5
2022	2945	2750	93.4
2023	5235	4910	93.8
2024	3926	3509	89.4

Source: *Author's compilation from Jhar-Jal portal analytics, 2024*

Notably, the average complaint resolution time reduced from several weeks under the previous manual regime to less than 48 hours, transforming citizens' expectations and administrative responsiveness.

Figure 6: Implementation Timeline of the Jhar-Jal Portal (2021–2024)

Source: *Departmental records and field notes, 2024.*

Beyond complaint management, the portal facilitated the conduct of over 3.5 lakh Jal Choupals—positioning local communities not as consultation audiences but as co-monitors of infrastructure delivery. Simultaneously, training programs were rolled out for over 1.46 lakh women, empowering them with water testing skills, mobile application literacy, and institutional roles as *Jal Sahiyas*. These interventions constitute a capacity shift, not merely in service provision but in local governance ecosystems.

In alignment with Grindle's (1997) concept of "deep institutional reform," Jhar-Jal has evolved beyond a tool for implementation to become a norm-producing mechanism, shaping expectations of timeliness, transparency, and participatory accountability among both officials and citizens.

7.2 Constraints and Field-Level Frictions

The journey of implementation was not that smooth, as it underwent substantial challenges

7.2.1 Geographic and Connectivity Barriers

Geographic inaccessibility and relatively poor connectivity are major barriers, especially in several remote districts which are forested.

7.2.2 Institutional Resistance and Bureaucratic Culture

Jhar-Jal has multiple stakeholders, which also poses challenges in terms of aligning them towards one shared goal. This challenge is also predicted in the seminal work of Pressman and Wildavsky (1973), which emphasises that well-intentioned programmes often flounder due to "non-linear, multi-actor bottlenecks." This challenge is overcome through various field-level workshops, reviews, and constant monitoring.

7.2.3 Human Resource and Skill Gaps

In Jharkhand, digital skill gaps and a lack of a highly skilled workforce in all districts also pose a challenge. Despite training efforts, variability in user competence sometimes led to incorrect data entries or skipped fields, affecting data quality. This underscores the need for continuous training loops and adaptive user interface design—a point well recognised in the ICT4D literature (Heeks, 2002).

7.2.4 Interdepartmental Coordination Bottlenecks

Projects requiring No Objection Certificates (NOCs) from multiple agencies—such as forest clearance or land use permissions—continued to face procedural delays. Although the portal was integrated with GIS and administrative dashboards, institutional silos persisted, highlighting the difficulty of achieving full digital convergence in a federal, sectorally fragmented governance structure.

7.3 Institutional Learning and Feedback Loops

One of the platform's key contributions is its ability to generate feedback loops that inform both policy and design. For example:

- ♣ Repeated complaints from specific districts prompted changes in contractor oversight frameworks
- ♣ Patterns of recurring faults led to shifts in procurement and spare-part management
- ♣ Low complaint volumes in certain blocks triggered audits, revealing suppressed reporting due to a lack of awareness rather than service adequacy

These examples suggest a learning governance model, where administrative adaptation is not top-down but data-driven and iterative, echoing Pierson's (2000) theory of *path-dependent institutional evolution*. Jhar-Jal does not eliminate frictions—it recognises and redirects them toward system improvement.

8. Comparative and Theoretical Reflections

8.1 Situating Jhar-Jal in India's Digital Governance Landscape

India's push toward digital governance has accelerated over the past decade, with platforms such as MyGov, Mobile Seva, e-Gram Swaraj, and Bangla

Sahayata Kendras (BSKs) acting as citizen-service interfaces in different domains. It is observed that several of these platforms are either information portals or service access portals, without a comprehensive, deeper level of implementation protocol of any mission-critical programme.

Table 4: Comparative Digital Platforms – Jhar-Jal vs Other Models

Platform	Primary Function	Citizen Participation
Jhar-Jal (Jharkhand)	Grievance redressal + real-time water system monitoring	High – via SHGs, Jal Choupals, Jal Sahiyas
Mobile Seva	Unified access to mobile services for citizens	Low – information and utility access only
e-Gram Swaraj	Planning and accounting at the Panchayat level	Moderate – data entry by officials with some Panchayat oversight
MajiVoice (Kenya)	Urban water grievance management system	Moderate – SMS/web-based user complaints

Source: *Author's comparative analysis, 2024*

Jhar-Jal, on the other hand, is a comprehensive platform to support the processes and activities related to planning, monitoring, grievance redressal, feedback collection, and financial tracking. Its speciality lies in the presence of field-level community involvement, further sharpened by data-driven analysis. Jhar Jal works on real-time diagnosis and resolution of grievances.

8.2 Comparative Lessons from International Platforms

There are various countries, such as Kenya (*MajiVoice*), South Africa (*WaterMap*), and Indonesia (*SIKP*), where digital governance systems have been tried globally. The MajiVoice platform in Nairobi, for instance, demonstrated how SMS-based grievance systems could drastically reduce service lapses and introduce real-time accountability. However, a common challenge in such platforms is limited scalability beyond urban zones or a lack of meaningful integration with field-level operations.

Jhar-Jal contributes to global practice by demonstrating how a digital water platform can be effectively scaled across low-literacy, low-infrastructure, and high-complexity environments. Its adaptability to Jharkhand's LWE-affected zones, tribal blocks, and resource-constrained districts provides valuable lessons for digital governance in fragile contexts. It illustrates that institutional complexity is not a barrier to digital innovation—but must be designed into the solution itself.

8.3 A Governance Innovation, Not Just a Digital Intervention

From a theoretical standpoint, *Jhar-Jal* reinforces the shift toward adaptive, polycentric, and data-rich governance models. It operationalises three key propositions from the literature:

8.3.1 Polycentric Co-Governance (Ostrom, 1990): The system involves community members, local bureaucrats, and engineers in a rule-bound, iterative process of monitoring and feedback—moving beyond hierarchical command structures.

8.3.2 Digital Era Governance (Dunleavy & Margetts, 2006): The platform replaces compartmentalised legacy systems with integrated information systems that allow modular expansion, flexible data use, and faster response times.

8.3.3 Feedback-Oriented Bureaucracy (Pierson, 2000; Howlett, 2014): By linking data analytics to decision-making, the portal enables dynamic adaptation, where grievance trends shape administrative routines, rather than the reverse.

Thus, *Jhar-Jal* should be seen not simply as a success in ICT4D (Information and Communication Technology for Development), but as a redefinition of the Indian state's epistemology in rural service delivery. It marks a shift from a paternalistic to a cognitive state—one that sees, listens, and responds through data embedded in local realities.

9. Conclusion and Policy Implications

9.1 Synthesis of the Intervention

The *Jhar-Jal Portal* represents a significant innovation in India's governance ecosystem—not merely for what it does, but for how it reframes the relationship between citizens, the state, and technology. By creating a participatory, data-driven, and digitally enabled platform for rural water governance, the initiative bridges the oft-observed gap between policy ambition and administrative capability. This portal of Jhar Jal demonstrates that such initiatives in several governance sectors can be designed not as a one-time pilot, but as a sustained institutional commitment.

9.2 Implications for Policy and Governance

Several insights have emerged from Jhar Jal, which can be replicated across geographical boundaries.

9.2.1 Designing for Participation, Not Just Delivery

Jhar Jal establishes the power of frontline inclusion, and not merely a tool for service delivery. The participation of citizens ensures sustainability in the entire process.

9.2.2 Prioritising Embedded Adaptation

There is a need for adaptive design in digital governance. Rather than pursuing static automation, governments should invest in platforms that learn—both algorithmically and administratively.

9.2.3 Beyond Technology: Institutions Matter

The success of *Jhar-Jal* hinged not only on its software stack but on institutional features: escalation protocols, interdepartmental workflows, and capacity-building investments. Digital transformation must be seen as institutional reform, not merely ICT procurement.

9.2.4 Federated Yet Accountable Architecture

Jhar-Jal's modular design and district-level dashboards enable decentralised action while preserving state-level oversight. This federated architecture, where governance is distributed, but performance is visible, offers a blueprint for other federal systems—nationally and globally.

9.3 For Scholars and Practitioners

For public administration scholars, *Jhar-Jal* offers a valuable case of applied theory. It allows for grounded testing of participatory models, institutional feedback loops, and capacity-constrained digital innovation in the Global South. For development practitioners, it reinforces that technology cannot substitute for governance—but it can transform how governance is imagined, enacted, and evaluated.

Future research may explore:

- ♣ Longitudinal impacts on trust in government
- ♣ Comparative analysis with other grievance platforms (e.g., CPGRAMS, Mobile Seva)
- ♣ Intersectional outcomes (gender, caste, and digital access differentials)

9.4 Concluding Remark

As India advances its Digital Public Infrastructure (DPI) agenda, the *Jhar-Jal* experience shows that governance reform is not simply about digitisation. It is about designing systems that listen, learn, and localise—systems where citizens are not merely recipients of service, but architects of accountability. In this sense, *Jhar-Jal* is not the end of a project; it is the beginning of a new governance paradigm—where water is not only a right, but a co-governed resource, and data is not just a metric, but a promise of dignity.

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About the Author

Dr. Manish Ranjan

He is a 2002-batch IAS Officer of the Jharkhand Cadre. He serves as Director of the Shri Krishna Institute of Public Administration (SKIPA) in Ranchi.

The Chenab Railway Bridge- a Marvellous Gateway to Prosperity

Shri Sudhir Krishna

Abstract

The Chenab Railway Bridge connects the remote regions of Kashmir with the rest of India. It not only provides effective and efficient connectivity for defence forces, but also has vast opportunities for socio-economic development and growth for the local residents and the region, and for the entire country. Yet, it signals certain social, economic and environmental challenges, which need to be carefully resolved soon, to ensure that this marvellous addition to rail infrastructure provides sustainable benefits to the region in the short as well as long run.

Keywords- Chenab Railway Bridge, opportunities, challenges, tourism, tree cover, eco-fragile, regional plan, municipalities, panchayats, resources, convergence, integration, capacity building, awareness.

The Chenab Railway Bridge, inaugurated on 6th June 2025 by the Prime Minister, has been widely acclaimed as an engineering marvel. Built at a staggering 359 metres above the riverbed—taller than the Eiffel Tower—the bridge is considered the world's highest railway arch bridge, stretching 1.31 kilometres across the mighty Chenab River in the picturesque state of Jammu and Kashmir. Despite being in the fragile Seismic Zone 5, it has been designed to withstand the impact of an earthquake measuring up to 8 on the Richter scale, ambient temperature of up to minus 20°C and windspeed of 266 kilometres per hour (kmph). The bridge's central span, which measures 785 metres, makes it the longest steel arch for a railway bridge in the world.

The Bridge completes the rail link between Jammu and Baramulla, measuring 287 kilometres, connecting en route the major towns of Udhampur, Katra, Reasi, Dugga, Banihal, Anantnag, Qazigund, Anantnag, Pampore, and Sopore, besides the state capital city Srinagar. The rail link wades through the formidable In the Pir Panjal Range, with most peaks exceeding 15,000 feet (4,600 metre) in height. It also includes the 11.215-kilometre-long Pir Panjal Railway Tunnel (Banihal railway tunnel), having an average elevation of 1760 metres, that is 440 metres below the existing road tunnel. The tunnel facilitates transportation during winter, when inclement weather closes the Srinagar-Jammu highway. It is important to note that the elevation above mean sea level (MSL) of Jammu is 327 metres, whereas for Baramulla, it is 1592 metres. As such, the train rides through an elevation of 1265 metres over its winding journey of 287 kilometres through the Shivalik hills and the Pir Panjal mountains. The bridge has up vast opportunities for residents and the region and for the country as a whole. Yet, it also signals certain challenges as well, which need to be carefully resolved soon, to ensure that this marvellous addition to the rail infrastructure provides sustainable short-term and long-term benefits to the region.

The opportunities

This rail link connects the Jammu and the Kashmir regions to each other far more effectively than ever before, strengthening the inter-regional bonding within the state. There is already a road link (NH 44) between Jammu and Srinagar, which is being extended up to Baramulla. However, the newly completed rail link has reduced the travel time for the 190-km length between Jammu and Srinagar by around 4 hours, from 7 hours by road, to just about 3 hours by train. Being the Broad-Gauge track, this rail link will seamlessly align with all the trains that come to Jammu from the rest of the country. the north-western frontier of India has now become accessible from almost anywhere in India through the broad-gauge railway network, besides the highways. The Vande Bharat series of trains has already been launched on the newly completed rail link, with a speed of up to 100 kmph. Along with the ongoing projects of upgradation of the road network in the region, the entire Kashmir region is on the cusp of a mobility transformation.

The military significance of the new rail link is very high, as it enables the movement of military personnel and equipment effectively and efficiently up to the international frontiers of Pakistan and Gilgit, including the forward areas like Kupwara, Baramulla, and Bandipora near the Line of Control (LoC), in all weather conditions. While the road network remains the backbone for defence-related mobility, rail connectivity ensures uninterrupted military logistics, especially critical during winters or conflict. It speeds up the reinforcement capability, augmenting the traditional deterrent posture along the LoC. Currently, much of the defence supplies to the different locations in Kashmir are airlifted, especially in winter when the road network gets obstructed due to snow. Rail-based movements will reduce costs, widen the basket of supplies and free up the air infrastructure for other roles. Additionally, this rail Links bolsters the military outreach and connectivity to the Ladakh region and indirectly to the China border.

On the social and economic fronts, this rail link has the potential to be a game-changer in multiple ways. It will enable better and faster access to the medical and healthcare facilities for the people residing in remote areas. Youth from the remote regions can access higher educational institutions, including medical, engineering, etc., in major cities such as Jammu and Srinagar, more conveniently.

The impact of this rail link on the tourism sector can be considered very high. It can facilitate a more convenient approach to the multitude of sites and shrines of pilgrimage and tourism that the territory is well known for. These include the holy shrines of Mata Vaishno Devi and Shri Amarnath, and the numerous temples, lakes and ponds, including hot springs and 'kunds', dedicated to Lord Shiva, Goddess Gauri (Parvati), the Pandavas and many other religious and mythological personalities.

It also opens some of the most picturesque of the largely unexplored regions and spots of the Himalayan region for exploration by tourists and trekkers. The famous lakes of the region include the magnificent Mansar Lake in Udhampur District, surrounded by lush forests, recognised as a Ramsar site since November 2005, the sacred Gangabal Lake that is believed to have healing properties, the Tarsar-Marsar 'twin' lakes, the holy Manasbal lake known as host to the famous Kashmiri Lotus, and the phenomenal oligotrophic lake of Vishansar situated in the middle of Sonmarg, to name a few. With the new rail connectivity becoming available, a larger number of people can now visit these places of historic, social and natural significance than ever before.

The region, being famous for Kashmiri apples, saffron, silk, variety of dry and fresh fruits and the silk and wool produce, also harbours the potential for agriculture and horticulture-based tourism. Visitors can now extend their trips to enjoy such uniquely Kashmiri produce from the local farms, arts and crafts and carry happy learnings and memories. It would boost the local economy and facilitate better emotional integration of the people of J&K with the rest of the country.

The challenges

While mass transit connectivity through the Chenab Bridge, in conjunction with the network of highways and railways, immensely facilitate the speedy growth of economic and social activities in the region, it bring along certain challenges. To begin with, the fragile ecology of the Himalayan region bears the brunt of any spurt in the levels of social or economic activities in the area. More visitors, in general, would bring in more pollution of the environment, as increased human activities raise atmospheric temperature, adding to the air pollution associated with the rise in movement of automobiles and commercial activities. Recently, on June 17, 2025, the famous Louvre Museum in Paris was shut down due to overcrowding of visitors. While the main reason for the shutdown was the protest from the Museum staff against the toughening of the working conditions due to the spurt in the visitors' numbers, the other reason was that the significant rise in the temperature in the Museum owing to the visitors' rising numbers was forcing the inside temperature to rise, leading to a damaging effect on the artefacts. The same would be the situation for any region of habitat, particularly if it is a fragile or sensitive one.

Already, popular tourism destinations like Gulmarg, Pahalgam, and Sonmarg are witnessing a massive influx of tourists, leading to massive waste generation, water pollution, and loss of biodiversity. Tourists often leave behind plastic bottles, wrappers, and other non-biodegradable waste, damaging the fragile ecosystem. The rising tourism induces large-scale construction activities, including for restaurants and lodges/hotels, shops and shopping complexes, roads, bus stations, and other support infrastructure. Over the last few decades, the region has been subject to intense disturbance of its geological structure, by way of removal of parts of the hillocks and tree cover for the making of roads and other construction activities, tunnelling for roads and railways, and related activities. As such, the Himalayan geology is not uniformly stubborn like the Deccan and is interspersed with loosely sedimented regions. Erosion of tree cover and topsoil makes the soil weaker, leading to a cascading impact on the ecology. It also leads to loss of habitat for the fauna and ends up adversely impacting the ecology of the region.

While in the case of Kashmir, the approaches to infrastructure and related development, as well as tourism promotion, are manifesting their adverse impact, many countries in other parts of the world are also facing the repercussions of tourism. Lately, southern European countries like Spain, Italy and Portugal are witnessing anti-tourism protests breaking out in cities that had been traditionally popular with tourists; in Barcelona organisers of these protests have told demonstrators to bring water pistols to shoot at holidaymakers. The campaigners in Spain have adopted the slogan "Menys Turisme Mes Vida (Less Tourism More Life)". Many other countries are imposing special taxes and/or limits on the number of visitors, partly to mobilise resources for the development/preservation of infrastructure and services and partly to discourage mass tourism. Such countries include Bhutan, Greece, Iceland, Nauru, and New Zealand among others.

Revisiting the regional planning

Inter-regional mass transportation systems are essential drivers of optimal social and economic development of any region. They facilitate scaling of trade, commerce, knowledge, skills and awareness. Further fallout of such development is an enhancement in the levels of production/ manufacturing of industrial as well as agricultural products. These systems are also a great social equaliser, providing nearly equal opportunity to people from all social and economic segments to access knowledge and opportunities, leading to an overall and equitable growth of the region and its constituents. Therefore, the negativities that usually accompany the mas connectivity arrangements, particularly in the eco-fragile region of Kashmir, need to be addressed. Luckily, options are available.

The Government expanded the Srinagar Metropolitan Planning limits from 416 square kilometres to approximately 766 square kilometres, that is, an 84 per cent increase and approved the Srinagar Metropolitan Region Plan (SMRP) 2035 in 2019. However, after completion of the Chenab Bridge and the consequent opening of the relatively high-speed rail link from Jammu to Srinagar and beyond, the SMRP would need to be revisited in terms of the area as well as land use. The area of SMRP would need to be determined based on the assessment of the influence zone of the rail and highway corridors. The passenger and goods stations of the railway line would need to be designed as multi-modal transit hubs, enabling smooth transition from train to bus or taxi, to reach a farther destination. The land use pattern will need to be reviewed as per the concept of 'Transit-oriented Development (TOD)', to encourage mixed land use and higher floor-area ratio (FAR) on the transit hubs. The transit hubs should have in their immediate vicinity many facilities required by tourists, such as hotels, eateries, and shopping units.

The SMRP would need to integrate with the Building Byelaws (BBLs) and the Development Control Regulations (DCRs) of the municipalities and panchayats falling in its domain, to ensure synergies among these related authorities. The norms and concepts of planned land-use enunciated in the SMRP should be reflected in the BBLs and the DCRs, and the SMRP would have to be authorised to scrutinise and amend the same, in case of incongruence. The SMRP should have an Advisory Board, with representation from the municipalities and panchayats falling in its domain. In case the number becomes too large, say, more than 20, the smaller local bodies can be provided membership on an annual rotation basis. The SMRP would also need to undertake sensitisation and capacity building programmes for the elected representatives and officials of the municipalities and panchayats for a two-way communication on the implementation of the SMRP.

The experience of the terrorism-related activities that have escalated in recent times, notably the Pahalgam incident of April 22, 2025, in which 26 civilians, mostly tourists, were killed by the terrorists, will also be given serious attention in the development planning framework for the region. To recapitulate the sequence of the subsequent events quickly, this incident was followed by the launch of the Indian Military offensive, named 'Operation Sindoor' on May 07, 2025. Even though India and Pakistan reached a truce within 3 days, the situation indicated the need for revisiting the strategy for land use planning and development. For instance, the requirements for the military positioning and operations and their linkage with the civilian areas would henceforth need a more careful analysis. The SMRP 2035 makes only a fleeting reference to the estimated population of the military personnel and the land area requirements for defence, but does not integrate it with the rest of the region. As the presence of the armed forces in J&K has remained significantly large over the past 75 years, it is necessary to accept it as a part of life and integrate it with the entire SMRP in terms of mobility planning, habitation planning, planning for natural resources, commercial activities, etc. The Srinagar Development Authority should have a representative from the Military on its Board, and the interface in the requirements of the military and civil administration in respect of land use planning should be worked out and monitored in a synergetic framework. Similarly, for the Jammu area, the Jammu Master Plan 2032 would need similar provisions.

While revisiting the relevant Master Plans, care must be taken to determine the maximum number of visitors that can be allowed on a day, to ensure sustainable management of the environment and the services. This computation needs to be done in a framework in which all the stakeholders get involved, including those from outside the government. The theme should be to determine the 'Optimum', rather than the 'Maximum', number of tourists for each village and town. The plan for each village should include the requirements for stay, movement, food, shopping, entertainment, vehicle parking, drainage and solid waste management, health and medical care, etc.

Planning for integrated development of the villages and towns can be based on the framework mooted under the PRASAD scheme, which is 'Pilgrimage Rejuvenation And Spiritual Augmentation Drive' and is a Central Sector Scheme, with 100 per cent funding from the Central Government. It aims to integrate pilgrimage destinations and the heritage cities in a prioritised, planned and sustainable manner to provide a holistic and sustainable tourism experience. Up to 10% funds can be earmarked for IEC components like workshops, seminars, publications, stakeholder outreach, skill development, etc. While all cities and villages cannot be funded under PRASAD, the model of PRASAD can be adopted with suitable modifications for each village. Voluntary funding available from Corporate Social Responsibility (CSR) initiatives of Central and State Public Sector Undertakings and the corporate sector can be attempted, along with convergence with other schemes of the Central Government and the UT Administration.

The regional and local area plans for the metropolitan region and its cities, towns and villages ought to preserve their respective social, cultural and environmental heritage. The design of structures in the public domain, such as railway and bus stations, public offices and institutions, shopping complexes, and private buildings, should ensure nurturing the local ethos and values. Otherwise, the standard form of concretisation could take over the cities and villages, with attendant challenges of degradation of the environment and loss of identity. The SMRP, as well as the BBLs and the DCRs, need to make suitable provisions to ensure achievement of this objective.

Mobilising the financial resources

The economic prosperity of J&K can be assessed in terms of the NSDP per capita, which, for 2021-22 (current prices) was Rs. 1,12,619, that was lower than most other states/UTs, yet, higher than that of states like Bihar, Jharkhand, Meghalaya and Uttar Pradesh and comparable with States like West Bengal (1,24,79). Therefore, it should be possible for the local bodies of J&K to enhance mobilisation of revenue from their own sources, such as property taxes, stamp duties (sharable from state collections), professions tax, vehicle parking fees, advertisement licences, etc. Recent ICT-based e-governance initiatives like National Geospatial Knowledge-based land Survey of urban Habitations (NAKSHA), Survey of Villages and Mapping with Improvised Technology (SVAMITVA), National Urban Digital Mission (NUDM) and National Urban Innovation Stack (NUIS) can facilitate the municipalities immensely in this direction.

The municipalities and panchayats can also work on gainful mobilisation of resources through the convergence of various schemes promoted by the Government. Some of the schemes available for the cities and towns are listed below: Pilgrimage Rejuvenation and Spiritual Heritage Augmentation Drive (PRASHAD) scheme: for designing and executing schemes for integrated and sustainable development of the cities and the people.

- The Atal Mission for Rejuvenation and Urban Transformation (AMRUT) provides financial support to the cities and towns for providing basic civic amenities like water supply, sewerage, urban transport, and parks to improve the quality of life for all, especially the poor and the disadvantaged.
- The Pradhan Mantri Awaas Yojana- Urban (PMAY-U) extends financial support to construct, purchase, or rent all-weather pucca houses for one crore poor and middle-income families across all urban areas.
- The National Urban Digital Mission (NUDM) facilitates the Urban Local Bodies to extend digital services to their citizens. These include, but are not limited to, effective management of traffic, vehicle parking, water supply, etc. In conjunction with the Smart Cities Mission, the NUDM provides an effective framework for sustainable city governance.
- The Smart Cities Mission (SCM): Though the Mission was applicable in J&K only for Srinagar and Jammu, yet, the concepts and practices adopted by it can be usefully replicated in all cities and towns. Also, the Integrated Command & Control Centres set up under the SCM can be made use of, with some amendments, to larger areas as well, for more efficient management of water supply, sanitation, transport systems, disaster prevention and relief, and various other aspects of sustainable urban management.

- Urban Infrastructure Development Fund (UIDF): Provides soft loans (Bank rate less 1.5 per cent) for urban infrastructure development work implemented through Public/State Agencies, Municipal Corporations, Urban Local Bodies in Tier 2 and Tier 3 cities.
- Urban Challenge Fund (UCF): Announced in Budget 2025-26, it will finance up to 25% of the cost of bankable projects with a stipulation that at least 50% of the cost is funded from bonds, bank loans, and PPPs.
- City Investments to Innovate, Integrate and Sustain (CITIIS 2.0): Provides support to create State and city-level Climate Data Observatories, develop climate action plans for cities and build capacities of municipal functionaries.
- Swachh Bharat Mission (SBM) - Urban: Supports the cities and towns in undertaking projects for making them open defecation free (ODF), clearance of the legacy pile of civic waste, and put in place a waste management system for sustainable collection and disposal of the city's solid waste.
- PM eBus Seva: Provides financial support to the urban local bodies and state agencies for introducing eco-friendly eBuses for city public transport services.
- PM Street Vendor's AtmaNirbhar Nidhi (PM SVANidhi): Provides subsidised loans to street vendors and also indices cities to systematise street vending activities.
- Viability Gap Funding (VGF): The VGF Scheme is designed to encourage securing the efficiencies of the private entrepreneurs in setting up and operating civic infrastructure and services. Any such activity taken up in PPP mode becomes eligible for a capital subsidy of up to 60 per cent of the cost, to make it financially viable.

Though some of these schemes would not be applicable for small and medium towns, each one of them provides a set of useful frameworks for planning the sustainable development of cities and villages that can be made use of. And the applicable schemes should be utilised fully. Similar convergence can be attempted for the villages as well.

Convergence with the people

The Chenab bridge has led to opening the regions of Kashmir beyond the city of Srinagar for the rest of the country, and vice versa, in an exponential way. While many residents would feel excited about the prospects of economic and social prosperity, there could be many issues of anxiety as well. A section of locals is reported to be upset with the prospect of tourists coming with deep pockets, to buy the locals out of their properties. Then there are social and emotional sensitivities as well. Above all, the ecological sensitivities of the fragile Himalayan region remain looming.

Luckily, all such concerns emanate almost invariably from human actions and, as such, can and should be resolved by concerted human pro-action. The visitors should be made aware of the local sensitivities, while the locals need to be associated with the various processes of regional and local planning and management issues. The package for the visitors should be designed in a way that makes them aware of the social, cultural and ecological heritage of the Himalayan region ahead of and during their sojourn in Kashmir also share with the local people a similar awareness about their own regions. The Chenab Bridge should connect not only geographies, but hearts too.

About the Author

Mr. Sudhir Krishna

He is a retired 1977-batch IAS Officer of the Karnataka Cadre.

Maintenance and Welfare of Parents and Senior Citizens Act, 2007: A Critical Analysis of the Latest Court Judgements

Shri S. Sivanandham, Ms. Sindhanaa Andavan & Shri Logesh S.

Abstract

Senior citizens were long overlooked in India's legal framework due to the dominance of joint families, where they held a respected position, and their smaller population did not attract policy attention. However, the growing prevalence of nuclear families has left many elderly people neglected and financially insecure. The Maintenance and Welfare of Parents and Senior Citizens Act, 2007, is a beneficial legislation enacted to address this gap. The objective of the paper is to understand the salient features of the Act in light of various judicial interpretations, enforcement challenges, and the need for policy revision and reforms. This paper explores the mandate for maintenance from children and relatives to Senior citizens under Section 4, the role of Maintenance Tribunals in dispute resolution, and safeguards against their neglect and exploitation. Special focus is given to Section 23, which allows the cancellation of property transfers by senior citizens if the transferee fails to support them. Eviction rights, restrictions on legal representation and state welfare obligations are also discussed. Sample orders for granting maintenance, cancelling property transfers due to neglect, and rejecting cancellation requests under the Act are included in the Annexures.

Introduction

In 1982, a report called the International Plan on Ageing (World Assembly on Ageing) published in Vienna, Austria was the first international debate on the rights of the older person and marked the first major international effort to address the concerns of an ageing global population. The next move towards the rights of the older person was adopted in 1991, known as "The United Nations Principles for Older Persons". These principles provided a framework for the protection and promotion of the rights and well-being of older persons. In view of the United Nations' principles for older persons, the Government of India announced a National Policy on Older Persons in 1999, which envisaged legislative measures for securing the welfare of senior citizens. In April 2002, countries the world met together at Madrid, Spain and adopted a global comprehensive Plan of Action, "to respond to the opportunities and challenges of population ageing in the twenty-first century and to promote the development of a society for all ages". This plan was commonly known as the Madrid International Plan of Action on Ageing (MIPAA), and this plan focuses on three priority directions,

- Older persons and development.
- Advancing health and well-being into old age; and
- Ensuring enabling and supportive environments.

India, being a signatory to the Madrid International Plan of Action on Ageing (MIPAA), covers the priority areas of older people, like their development, health and wellbeing during their old age and ensuring, enabling and supportive environment for the elderly. This gave birth to the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

The Senior Citizen Act, 2007, was initiated by the Ministry of Social Justice and Empowerment to address the growing concerns and challenges faced by the elderly population. The Act provides a legal framework to protect their rights and interests, including their right to maintenance, healthcare, and a life of dignity and aims to prevent and address instances of neglect, abandonment, and abuse of senior citizens by their children or other family members.

The Senior Citizen Act, 2007, draws its strength from Articles 14, 21 and 41 of the Constitution of India. Article 14 ensures that all citizens are treated equally before the law, which indeed prohibits discrimination on the grounds of religion, race, caste, sex or place of birth. Article 21 of the Constitution encompasses the right to live with dignity. It is pertinent to note that Article 41 in Part IV under the Directive Principles of State Policy is the only direct reference to the elderly in the Constitution, which states:

41. Right to work, to education and to public assistance in certain cases

The State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want.

The DPSPs, though non-enforceable, play a pivotal role in shaping the governance of the nation. The framers of the Constitution envisioned this part as the cornerstone of welfare-oriented and democratic governance. Article 41 emphasises a nuanced concern for 'old age'. While the Constitution upholds the principle of equality among all individuals, it acknowledges the significant variations in their needs. Consequently, any policy decision taken by the government must be tailored to address the diverse needs of various sections of society, like the protection of a dignified life for the senior citizens.

Before going into the powers and functions of the Tribunal conferred under the Act and Rules, understanding the scope of the Act and Rules is essential. The Statement of Object and Reasons states in a nutshell the reasons for its enactment, which are as follows: -

"Statement of Objects and Reasons - Traditional norms and values of the Indian society laid stress on providing care for the elderly. However, due to the withering of the joint family system, a large number of the elderly are not being looked after by their family. Consequently, many older persons, particularly widowed women, are now forced to spend their twilight years all alone and are exposed to emotional neglect and to lack of physical and financial support. This clearly reveals that ageing has become a major social challenge, and there is a need to give more attention to the care and protection of older persons. Though the parents can claim maintenance under the Code of Criminal Procedure, 1973, the procedure is both time-consuming and expensive. Hence, there is a need to have simple, inexpensive and speedy provisions to claim maintenance for parents."

The objectives of the Act are:

1. To establish a mechanism to provide need-based maintenance for parents and senior citizens.
2. To provide better medical facilities for senior citizens.
3. To institutionalise a suitable mechanism for the protection of the life and property of older persons.
4. To set up old-age homes in every district.

In *Sunny Paul v. State NCT of Delhi*, the Hon'ble Delhi High Court highlighted the two main objectives of the Act as:

- To institutionalize a mechanism for the protection of the life and property of senior citizens (Chapter V).
- To set up an appropriate mechanism for providing need-based maintenance to parents and senior citizens (Chapter II).

In Promil Tomar v. State of Haryana[ii], the Hon'ble Punjab and Haryana High Court held that peaceful living for the senior citizens in their property is the apparent objective of the Act.

Who can claim maintenance and who has to pay?

Under Section 4 of the Act, maintenance can be claimed by

- Senior citizens (Indian citizens who have attained the age of sixty years or more)[iii]
- Parents (biological, adoptive, or step-parents, who are not necessarily senior citizens)[iv]

Both groups qualify for maintenance if they are unable to maintain themselves from their earnings or their properties. Notably, parents need not be senior citizen to claim maintenance. Despite this, in Rani v. Additional District Magistrate, the Hon'ble High Court of Punjab and Haryana held that the Maintenance Tribunal cannot entertain the maintenance application since the applicant was less than 58 years and thus was not a senior citizen.

Parents can claim maintenance from their children, excluding their minor children[vi]. Childless Senior Citizens can claim maintenance from their relatives, who are likely to inherit the property after their death.[vii] In Sheetal Devang Shah v. Presiding Officer[viii], the Hon'ble Bombay High Court observed that the daughter-in-law cannot be directed to pay maintenance to her mother-in-law, by noting that the Section 2(a) does not include a daughter-in-law. Apart the Hon'ble High Court of Patna in Ram Autar Rai v. The State of Bihar and others has quashed the order passed by the Tribunal, by stating that the application filed by the father-in-law and mother in law against their son-in-law is not maintainable under the Act.

It is relevant to note that the Maintenance and Welfare of Parents and Senior Citizens (Amendment) Bill, 2019 proposes expanding the scope to allow parents-in-law and grandparents to claim maintenance, and maintenance can be claimed from children, grandchildren, step-children, adoptive children, children-in-laws, and legal guardians of minor children also.

Procedures involved in claiming maintenance

Section 5 of the Act outlines the procedure for parents and senior citizens to claim maintenance from their children or legally obligated relatives, ensuring that liability continues even after the death of one of them.[xi] The Act empowers a designated Maintenance Tribunal, presided over by an officer not below the rank of Sub-Divisional Officer, to be constituted by State Governments for hearing and deciding maintenance applications.[xii]

Parents and senior citizens can file an application themselves, or if incapable, an authorised person or an organisation registered under the Societies Registration Act, 1860 can apply on their behalf. Additionally, the Tribunal has the power to take Suo motu cognizance of cases and can order interim maintenance during the proceedings.[xiii]

Upon receiving an application, the Tribunal is required to issue a notice to the respondent(s) and ensure they are given an opportunity to present their case. Following this, the Tribunal conducts an inquiry and determines the maintenance amount. The entire adjudication process must be completed within 90 days, though the Tribunal has discretionary power to extend this period by 30 days on justifiable grounds.

The Tribunal is vested with the authority of a Civil Court, allowing it to take evidence on oath, compel witness attendance, and order the production of evidence. It is also legally recognised as a Civil Court under Section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973.[xiv]

Once an order for maintenance is passed, the children or relatives are obligated to pay, and must do so within 30 days from the date of the order or as specified by the Tribunal. Upon failing, the Tribunal may issue a warrant (after three months from the application date) to recover the amount. In case of continued non-payment, the defaulter may face imprisonment up to one month or until repayment, whichever is earlier.

Maintenance Officer and Conciliation Officer

A Maintenance Officer is an Officer appointed by the State Government, not below the rank of District Social Welfare Officer. He is authorised to represent a senior citizen in Tribunal or Appellate Tribunal proceedings. [xv]

A Conciliation Officer under this Act refers to the Maintenance Officer or any person or representative of an organisation registered under the Societies Registration Act, 1860. Before hearing a maintenance application, the Tribunal may refer it to the Conciliation Officer, who must submit a report within one month on the possibilities of amicable settlement. If a settlement is reached, the Tribunal may record it and pass an order accordingly.[xvi]

The Hon'ble Madras High Court in M. Mohamed Saffee v. The District Collector[xvii], noted the limited utilisation of the conciliation mechanism under the Act and emphasised that Tribunals must actively make efforts to facilitate dispute resolution through conciliation.

Maintenance amount

Section 9 of the Act states that the Tribunal is authorised to order the maximum maintenance allowance as determined by the State Government, but it shall not exceed Rs 10,000 per month[xviii]. However, in Sheetal Devang Shah v. Presiding officer[xix], the Hon'ble Bombay High Court upheld a Tribunal order obligating the son to pay Rs 25,000 as maintenance per month. The 2019 Bill proposes to remove this upper limit of Rs. 10,000 and empowers the Tribunals to decide an appropriate maintenance amount considering: (i) standard of living and earnings of the parent or senior citizen, and (ii) the earnings of the children[xx].

Proviso to Section 4 of the Act states that if more than one child or relative are likely to inherit the property of the senior citizen, then maintenance should be paid by them in proportion to their inheritance of the Senior citizen's property.[xxi]

In addition to the maintenance amount, the Tribunal may order simple interest between 5% and 18% on the maintenance amount from the date of filing the application. [xxii] It can also modify the allowance if incorrect information was provided initially, if there is a significant change in the financial status of either party, or if a Competent Civil Court issues a relevant decision. [xxiii]

If a senior citizen or parent is eligible for maintenance under Chapter IX of the CrPC and this Act, they can claim maintenance under only one Act, not both.[xxiv]

Power of the tribunal to cancel transfer deeds

One of the key provisions of the Act is Section 23, which empowers the Tribunal to either cancel a transfer deed or enforce the right to maintenance arising from a transferred property by a senior citizen to a transferee. Unlike the maintenance relief under Sec. 4, which is available for both parents and senior citizens, recourse under Sec. 23 is available only to senior citizens.

Section 23 deals with two kinds of transfers:

- Transfer of an estate from which the senior citizen is entitled to maintenance. Sec. 23(2) states that this right to receive maintenance can be enforced against a transferee with notice of such right or in gratuitous transfers, but not against a transferee who paid consideration without notice.
- Transfer of property where the deed includes a condition requiring the transferee to provide basic amenities and physical needs to the senior citizen. Sec.. 23(1) states that if the transferee fails to provide these, the transfer is deemed fraudulent, coercive, or under undue influence, and the Tribunal may declare it void at the transferor's discretion.[xxv]

However, different benches of the Hon'ble Supreme Court and High Courts have taken two different stances regarding the requirement of an explicit condition in the deed to cancel them under Sec. 23(1)

Stance 1: "Condition to maintain transferor should be expressed in the transfer deed to invoke Sec 23"

The Hon'ble Supreme Court, in 2022, vide Sudesh Chhikara v. Ramti Devi[xxvi,] laid down two conditions to invoke Section 23(1):

a) The transfer must have been made subject to the condition that the transferee shall provide the basic amenities and basic physical needs to the transferor, and

b) The transferee refuses or fails to provide such amenities and physical needs to the transferor.

The court concluded that, if the document does not contain the said condition, then Section 23(1) of the Act will not be applicable.

In a recent 2023 case of Sankarappan v. Appellate Authority[xxvii], the Hon'ble Madras High Court noted that the sale deed contains no conditions obligating the transferee to provide the basic amenities to the transferor. The court also noted that the transferor has executed them out of his love and affection towards the transferee, and he has undertaken not to cancel the same for any reason.

The court held that to invoke Section 23 of the Senior Citizen Act, the deed must explicitly include such a condition. If not, the Maintenance Tribunal has no jurisdiction, and the transferor's only remedy is to approach the Civil Court for relief. This rationale has been laid down previously by the same court in the cases of S. Selvaraj Simpson v. The District Collector[xxviii] and R. Sekkappan v. S. Kannappan[xxix].

Stance 2: "Condition to maintain transferor need not be expressed in the transfer deed to invoke Sec. 23, it can be implied and inferred from circumstances"

The Hon'ble Supreme Court in 2025 in the case of Urmila Dixit v. Sunil Sharan Dixit[xxx] ruled that conditions mentioned in the Sudesh case must be interpreted liberally to support the law's beneficial purpose, and not in the strict sense defeating the lawmaker's intent.

In 2015, the Hon'ble Kerala High Court in Radhamani v. State of Kerala[xxxi] ruled that there is no requirement under law to have an express condition in the written document. It can be implied from the circumstances of human conduct and uphold the order of the Tribunal. If love and affection were the circumstances for executing such a deed, any failure on the part of the transferee to provide amenities and physical needs to the transferor would attract the grounds for revocation under Section 23. This ratio was reiterated by the same court in the case of G.S. Manju v. K.N. Gopi[xxxii] and Subhashini v. The District Collector.[xxxiii]

Recently, in 2022, the Hon'ble Madras High Court in Mohamed Dayan v. The District Collector[xxxiv] once again opined that love, affection, and the good intention of the parents are the implied conditions to invoke the deeming clause of fraud, coercion, or undue influence and cancel the Settlement Deed. This dictum was reaffirmed by the High Court of Madras in the case of D. Eswari v. Collector[xxxv]. To add further, a Division Bench of the Hon'ble Madras High Court in S. Mala v. District Arbitrator and District Collector, Nagapattinam and others on 06.03.2025[xxxvi] once again confirmed that, when the transferee did not provide the promised care, the senior citizen can invoke Section 23(1) to annul the transfer.

In light of the above judgements, it can be understood that if a condition exists in the deeds and if the same is breached, then the Tribunal has the power to cancel the deeds.

In case of having no explicit conditions, the Tribunal must look into the circumstances under which the document was executed. Any emotional detachment or creation of an atmosphere as opposed to the one existing when the senior citizen made the transfer deed would be sufficient to attract Section 23 of the Act.

It is important to note that even if the deed includes a maintenance clause, the Tribunal should not cancel the deed without sufficient evidence. The burden of proof lies with the applicant to demonstrate that the transferees are not fulfilling their obligations vide documents, witnesses, etc. If the senior citizen or parent fails to provide adequate proof, the Tribunal should not cancel the deed. In such cases wherein alternative arrangements are made to care for the Applicant, the Applicant can be directed to approach the Civil Court. The Tribunal's role is limited to ensuring maintenance, not invalidating property transfers.

Special circumstance where the transferred property was sold/mortgaged:

In Axis Bank v. Assistant Commissioner[xxxvii], a father executed a gift deed transferring property to his children, who later mortgaged it to the bank. After the children failed to maintain him, the father filed an application, and the Assistant Commissioner cancelled the gift deed under Section 23(1) of the Act. The bank, unaware of the order, learned of it only after the children defaulted on the loan. Since the Act lacked a specific provision for the bank to appeal, it approached the Karnataka High Court via a writ petition. The court quashed the Assistant Commissioner's order, considering the larger public interest of the bank to recover the loan amount.

This case gives a clear-cut decision that when a third party is unaware of the Senior Citizen's rights, then the third party is not responsible under Sec. 23, and the deed cannot be cancelled.

Appeal

Each district has an Appellate Tribunal, chaired by the District Collector, to hear appeals against Tribunal decisions[xxxviii]. Appeals must be filed within 60 days, though delays may be condoned for valid reasons. The Appellate Tribunal is required to dispose of appeals within one month of receipt.[xxxix] Section 16 of the Act emphasises that only Senior Citizens and Parents are allowed to file an appeal. The Hon'ble Madras High Court in K. Raju v. UOI[xl] held that an appeal is a creature of a statute and no right of appeal is inherent in any person unless such right is expressly conferred by any statute. The court further observed that the verbatim text of Section 16 of the Act is clear and does not leave any room for any other interpretation, and therefore additional words cannot be read into the provision to discover a right in favour of a class of persons excluded by necessary implication in the appellate provision.

In K. Lokesh v. The Bangalore district maintenance and welfare of parents and senior citizens appellate tribunal[xli], the Hon'ble Karnataka High Court noted that the language of Section 16 of the Act is plain, clear, and unambiguous. The right to appeal cannot be extended to children or third parties. The Court also clarified that children or transferees aggrieved by the orders under Section 23 of the Act still have recourse through Article 226 of the Constitution. Though this might lead to parallel proceedings in different courts, the court ruled that this circumstance cannot be justified by expanding the right to appeal under Section 16 of the Act to include a new category of individuals, as this right was not conferred by Parliament.

It is relevant to note that the 2019 Amendment Bill proposes extending the right of appeal to children and relatives[xlii].

Legal representation

Section 17 of the Act bars legal practitioners from appearing before Tribunals and Appellate Tribunals. This provision was challenged in multiple High Courts.[xliii]

The first case filed in this regard was Paramjit Kumar Saroya v. UOI[xliv], where the Hon'ble Punjab and Haryana High Court noted that Section 30 of the Advocates Act, 1961, gives advocates the absolute right to practice before all courts and tribunals. This provision, which came into force on 15.06.2011, much after the Senior Citizens Act, 2007, supersedes Section 17 of the latter Act, thereby allowing advocates to appear before Maintenance Tribunals. The court further urged the Central Government to have a relook at Section 17 in light of the Advocates Act.

The Hon'ble Kerala High Court in Adv. K.G. Suresh v. UOI[xlv] declared Section 17 of the Senior Citizens Act, 2007, as ultra vires of Section 30 of the Advocates Act, 1961, and upheld that legal practitioners may, in the interest of elderly persons, appear on their behalf in any proceedings in the Tribunal. The same proposition was reaffirmed by the Hon'ble Delhi High Court in Pawan Reley and Anr v. UOI[xlvi] and in Tarun Saxena v. UOI.[xlvii]

The very existence of Section 17, even after becoming obsolete in light of multiple High Court Judgments and the passing of the Advocates Act reiterates the dire need to revise the Act.

Eviction and handover of possession

Though Section 23 of the Act does not explicitly provide for eviction and handing over of possession, various judgments of the Hon'ble Supreme Court and High Courts upheld the Tribunals' order of the eviction of the transferee from the property and restoration of possession to the senior citizen.

In M. Mohamed Saffee v. The District Collector[xlviii], the Hon'ble Madras High Court has upheld the power of the Maintenance Tribunal to order the eviction of the occupant of the premises belonging to the senior citizens/parents alone. Furthermore, the Hon'ble Delhi High Court in Aarshya Gulathi v. Government of NCT Delhi[xlix] held that the Maintenance Tribunal has the power to evict legal heirs from the self-acquired or ancestral property of parents on account of ill-treatment or non-maintenance.

In Urmila Dixit v. Sunil Sharan Dixit, the Hon'ble Supreme Court, observing the ratio in S. Vanitha v. The Deputy Commissioner, has recognised the authority of the Tribunals constituted under the Act to order eviction when it is necessary for the protection of the Senior citizen.

While Courts have upheld the Tribunal's order to evict and hand over possession, caution must be exercised to not create a parallel authority to the civil court. It shall be exercised, on a case to case basis, depending on the dire need of the Senior Citizen and only if the facts concerning such cases justify the need.

Old age homes and medical support

Section 19 of the Act emphasises the responsibility of the State government to provide a basic level of care and support for the elderly citizens who lack sufficient means to support themselves. This provision bestows the State government the power to create a scheme for the management of the old age homes. Each old age home should have the capacity to accommodate a minimum of 150 indigent senior citizens.[l]

As per Section 20 of the Act, the State Government is obligated to provide basic amenities to the senior citizens, which includes resolving issues connected with access to healthcare, providing adequate bed facilities in the government hospitals, prioritizing senior citizens in queues, expanding treatment facilities, bolstering R&D on elderly diseases and setting up a dedicated geriatric care units in district hospitals, etc.[li]

In the case of Dr. Ashwani Kumar v. UOI[lii] the Hon'ble Supreme Court issued the following directives for effective implementation of the Act to protect the rights of elderly persons:

- The Central Government will gather data from States and UTs on old age homes and file a Status Report.
- It will also collect information on medical and geriatric care facilities for senior citizens and submit a report.
- Efforts must be taken to publicise the Act and raise awareness about senior citizens' rights.
- The Central Government must issue directives to States for effective implementation of the Act and review progress as per Sections 30 and 31.

Offences and procedure for trials

Section 24 criminalises abandoning of a senior citizen who is to be taken care of, with a penalty not exceeding five thousand rupees or imprisonment for a term not exceeding three months or both.[liii] Section 25 states that the offences committed under the Act are bailable and cognizable and are summarily triable by the Magistrates (where the maximum term of imprisonment does not exceed three months).[liv]

Bar of jurisdiction of civil courts

According to Section 27 of the Act, Civil Courts have no jurisdiction over matters covered by this Act, nor can they grant injunctions on any action taken under this Act.[lv].

Power of central and state governments

The Act grants power to the Central Government to give directions and monitor the State governments regarding the effective execution and implementation of the Act. The State Government was also granted power under the Act to enact rules to carry out the purposes of the Act without prejudice to itlvii. Further, Section 28 of the Act also grants protection to the Central Government, State Governments, Local Authorities, and other officers of the Government for their acts done in good faith for the welfare of the Senior Citizens and Parents under this Act. [lviii]

Conclusion

The Maintenance and Welfare of Parents and Senior Citizens Act, 2007, while it can be seen as a significant milestone towards ensuring the well-being of senior citizens, the legislation has certain shortcomings that hinder its effective implementation.

The definition of the term "maintenance" is somewhat narrow. It primarily focuses on financial support and may not encompass all essential needs of senior citizens. The Act is silent on the procedure for eviction and handover of possession to the Senior citizen when ordered. Another major concern is the enforceability of tribunal orders. The Act does not explicitly outline the mechanism for implementing these orders without further judicial intervention, creating ambiguities that delay justice. Furthermore, the Act doesn't provide clear guidelines to determine an appropriate amount of maintenance in case there is more than one child. This often leads to disputes and inconsistencies in court orders. Similarly, in cases where a property transferred by the senior citizen is being sold/ mortgaged by the Children, the Act doesn't address handing over the possession back to the Senior Citizen.

Despite these legislative gaps, the courts have played a positive role in ensuring the welfare of the senior citizens. Time and again, courts have upheld the primacy of rights of the elderly over any other aspect, giving due consideration to the Act as beneficial legislation. The courts have also given an expansive meaning to the terms used in the legislation to meet the objectives of the Act, as well as to ensure that the voice of the elderly does not go unheard.

Moving forward, a more comprehensive approach is needed to fortify the Act's provisions and ensure its effective implementation. A well-structured legal framework, combined with judicial oversight and periodic policy revisions, will be essential in safeguarding the rights and dignity of senior citizens in India.

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ANNEXURE 1 – SAMPLE ORDER FOR MAINTENANCE

BEFORE THE MAINTENANCE TRIBUNAL, GOBICHETTIPALAYAM.

(Constituted under Sec. 7 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007)

DATED:

PRESENT:

App. No. of 2024

….Applicant

Vs.

…..Respondents

ORDER

1. It is admitted on both sides that the Applicant is a senior citizen cum parent of the Respondents as defined under Section 4(1) of The Maintenance and Welfare of Parents and Senior Citizens Act, 2007.
2. It is also admitted on both sides that the Respondent(s) are the children/ relative of the Applicant as defined under Section 4(1) of The Maintenance and Welfare of Parents and Senior Citizens Act, 2007.
3. The case of the Applicant is that, …………….
4. Per contra, the Respondent states …………
5. On hearing the initial arguments of both parties, the prayer that is to be decided under the ambit of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 is as follows:
    1. Under Section 5(8), reproduced as, "5. Application for maintenance.—(8) If, children or relative so ordered fail, without sufficient cause to comply with the order, any such Tribunal may, for every breach of the order, issue a warrant for levying the amount due in the manner provided for levying fines, and may sentence such person for the whole, or any part of each month's allowance for the maintenance and expenses of proceeding, as the case be, remaining unpaid after the execution of the warrant, to imprisonment for a term which may extend to one month or until payment if sooner made whichever is earlier: Provided that no warrant shall be issued for the recovery of any amount due under this section unless application be made to the Tribunal to levy such amount within a period of three months from the date on which it became due."
    2. Under Section 9(1), reproduced as, "9. Order for maintenance.—(1) If children or relatives, as the case may be, neglect or refuse to maintain a senior citizen being unable to maintain himself, the Tribunal may, on

being satisfied of such neglect or refusal, order such children or relatives to make a monthly allowance at such monthly rate for the maintenance of such senior citizen, as the Tribunal may deem fit and to pay the same to such senior citizen as the Tribunal may, from time to time, direct."

6. The issue to be decided by the Tribunal is whether the Applicant is entitled to an Order for maintenance under the Act.
7. Since there is no other controversy in the facts of the case, and the facts stated in para 1 and 2 are admitted on both sides, this court straightaway goes into the issue involved in this case.
8. The Applicant on ....(date) approached this Tribunal, and filed a petition before this Tribunal, seeking maintenance, stating that the Respondent refused to take care of their basic living needs and denies care and protection in their old age and requested this Tribunal to take appropriate actions under the Act.
9. As per the provisions of the Act, this court issued notice to the Respondent and offered the opportunity of being heard for both sides and conducted an inquiry on (date).
10. This Court has heard and considered the rival submissions made by both sides and perused the materials available on records regarding the case.
11. Since the rift between the Applicant and the Respondents did not resolve, under Sec.9 of the Act, this Court finds it appropriate to award a sum of Rs. 10,000 as a monthly maintenance allowance, starting from the date of receipt of this order, to the Appellant. Hence, the application is allowed.

OR

11. Since, the Respondents have conveyed their willingness to take care of the Applicant, and in order to provide one more opportunity, this court finds fit with the order passed by the Madurai Bench of the Hon'ble Madras High Court in M. Mohamed Saffee Vs. The District Collector in W.P. (MD) No. 26219 of 2022 dated 20.01.2023 which directed that an effort to conciliate the dispute must be made by the maintenance Tribunal. Considering this Order and in the hope of an amicable settlement between the Applicant and the Respondents, this Court transfers the case to the Conciliation Officer. Hence dismissed.

OR

11. Since, during the proceedings both the Applicant and Respondents have agreed for the amicable settlement and as such the Applicant agreed to withdraw the application, this Court agrees and dismisses the application as withdrawn. Hence dismissed.

ANNEXURE 2 – SAMPLE ORDER FOR CANCELLATION OF DEED

BEFORE THE MAINTENANCE TRIBUNAL, GOBICHETTIPALAYAM.

(Constituted under Sec. 7 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007)

DATED:

PRESENT:

App. No. of 2024

….Applicant

Vs.

…..Respondents

ORDER

1. It is admitted on both sides that the Applicant is a senior citizen cum parent of the Respondents as defined under Section 4(1) of The Maintenance and Welfare of Parents and Senior Citizens Act, 2007.
2. It is also admitted on both sides that the Respondent(s) are the children/ relative of the Applicant as defined under Section 4(1) of The Maintenance and Welfare of Parents and Senior Citizens Act, 2007.
3. The case of the Applicant is that, …………….
4. Per contra, the Respondent states …………
5. On hearing the initial arguments of both parties, the prayer that is to be decided under the ambit of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 is as follows:

   Under Section 23(1), reproduced as, "23. Transfer of property to be void in certain circumstances.—(1) Where any senior citizen who, after the commencement of this Act, has transferred by way of gift or otherwise, his property, subject to the condition that the transferee shall provide the basic amenities and basic physical needs to the transferor and such transferee refuses or fails to provide such amenities and physical needs, the said transfer of property shall be deemed to have been made by fraud or coercion or under undue influence and shall at the option of the transferor be declared void by the Tribunal."

6. The issue to be decided by the Tribunal is whether the settlement deed executed by the Applicant in favour of the Respondent can be cancelled under Sec. 23 of the Act.
7. Since there is no other controversy in the facts of the case, and the facts stated in para 1 and 2 are admitted on both sides, this court straightaway goes into the issue involved in this case.

8. The Applicant on ....(date) approached this Tribunal, and filed a petition before this Tribunal, seeking the prayer to cancel the settlement deed executed by the Applicant in favour of the Respondent, claiming that the Respondent has committed fraud and executed the Settlement deed in his favor and refused to look after him and requested this Tribunal to take appropriate actions under the Act.

9. As per the provisions of the Act, this court issued notice to the Respondent and offered the opportunity of being heard for both sides and conducted an inquiry on (date).

10. This Court has heard and considered the rival submissions made by both sides and perused the materials available on the records regarding the case.

11. The careful consideration of the application concludes that the present case revolves around Section 23(1) of the Act. Analysing the provision, this court finds that the tribunal has the power to cancel the deeds, if a condition to look after the transferor exists in the deed and if the transferee fails to provide the basic amenities and physical needs which are required. Per contra here, the settlement deed is made with love and affection without any expectation in return.

12. The Hon'ble Supreme Court in Sudesh chhikara vs. Ramti devi and anr 2022 livelaw (sc) 1011 laid down the conditions for attracting sub-section (1) of Section 23:

a. The transfer must have been made subject to the condition that the transferee shall provide the basic amenities and basic physical needs to the transferor; and

b. Transferee refuses or fails to provide such amenities and physical needs to the transferor.

13. It is relevant to note the judgment delivered by the Hon'ble Supreme Court in the case of Urmila Dixit vs. Sunil Sharan Dixit 2025 INSC 20, wherein it ruled that "the two conditions mentioned in Sudesh (supra) must be appropriately interpreted to further the beneficial nature of the legislation and not strictly which would render otiose the intent of the legislature."

14. Further, this Court refers to the case of Mohamed Dayan vs. The District Collector and others in W.P. No. 28190 of 2022 dated 08.09.2023, in which the Hon'ble High Court of Madras held that "Even in the absence of any express condition in the document, "Love and Affection" being the consideration for execution of Gift or Settlement Deed, such love and affection becomes a deeming consideration and any violation is a ground to invoke Section 23(1) of the Act". Relying on Mohamed Dayan case, the

Hon'ble High Court of Madras in, Gandimathi Vs. The Sub Divisional Magistrate and others W.P. No. 16720 of 2020 dated 24.01.2024 again stated "it is not necessary that there should be a specific recital or stipulation as a condition in the transfer of deed itself to invoke Sec. 23" and upheld the order passed by the Tribunal cancelling the settlement deed, in view of the fact that the Children failed to look after his parents. In Palanimuthu Vs. the Principal Officer and others W.P. No. 1987 of 2023 dated 24.04.2024, the High Court upheld the order of the Tribunal cancelling the Partition deed executed by the father in favour of his children when they failed to maintain him stating "condition referred in Section 23 has to be understood based on the conduct of the transferee and not with reference to the specific stipulation in the deed of transfer. The transfer itself being based on love and affection, that would form part as a condition of the transaction for future conduct as well." Further, in D. Eswari vs. the Collector and another in W.P No. 27492 of 2024 dated 22.10.2024, the same proposition of law was upheld by the Hon'ble High Court.

15. Therefore, it is concluded that the first condition of Sudesh Chhikara case to invoke Sec. 23 stands satisfied in the present as an implied condition to maintain the transferor shall be derived based on the 'love and care' consideration mentioned in the deed.

16. Now, with regards to the second condition of the Sudesh Chhikara case to invoke Sec. 23, it is also satisfied as the as the Tribunal is of the view that the Applicant has not been maintained by the Respondent. It is relevant to note that the Hon'ble Supreme Court in the case of Urmila Dixit vs. Sunil Sharan Dixit 2025 INSC 20 held that "the Gift Deed is to be cancelled under Sec 23 since the conditions for the well-being of the senior citizens were not complied with."

17. Therefore, the Settlement Deed No. dated executed by the Applicant in favour of the Respondent shall be cancelled from the date of this order. The application is allowed and the Respondent is hereby directed to vacate the property and possession be restored to the Applicant within 8 weeks from the date of this order.

ANNEXURE 3 – SAMPLE ORDER FOR DENIAL OF CANCELLATION OF DEED

BEFORE THE MAINTENANCE TRIBUNAL, GOBICHETTIPALAYAM.

(Constituted under Sec. 7 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007)

DATED:

PRESENT:

App. No. of 2024

….Applicant

Vs.

…..Respondents

ORDER

1. It is admitted on both sides that the Applicant is a senior citizen cum parent of the Respondents as defined under Section 4(1) of The Maintenance and Welfare of Parents and Senior Citizens Act, 2007.
2. It is also admitted on both sides that the Respondent(s) are the children/ relative of the Applicant as defined under Section 4(1) of The Maintenance and Welfare of Parents and Senior Citizens Act, 2007.
3. The case of the Applicant is that, …………….
4. Per contra, the Respondent states …………
5. On hearing the initial arguments of both parties, the prayer that is to be decided under the ambit of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 is as follows:

    Under Section 23(1), reproduced as, "23. Transfer of property to be void in certain circumstances. — (1) Where any senior citizen who, after the commencement of this Act, has transferred by way of gift or otherwise, his property, subject to the condition that the transferee shall provide the basic amenities and basic physical needs to the transferor and such transferee refuses or fails to provide such amenities and physical needs, the said transfer of property shall be deemed to have been made by fraud or coercion or under undue influence and shall at the option of the transferor be declared void by the Tribunal."

6. The issue to be decided by the Tribunal is whether the settlement deed executed by the Applicant in favour of the Respondent can be cancelled under Sec. 23 of the Act.
7. Since there is no other controversy in the facts of the case, and the facts stated in para 1 and 2 are admitted on both sides, this court straightaway goes into the issue involved in this case.

8. The Applicant on ………(date) approached this Tribunal, and filed a petition before this Tribunal, seeking the prayer to cancel the settlement deed executed by the Applicant in favour of the Respondent, claiming that the Respondent has committed fraud and executed the Settlement deed in his favour and refused to look after him and requested this Tribunal to take appropriate actions under the Act.
9. As per the provisions of the Act, this court issued notice to the Respondent and offered the opportunity of being heard for both sides and conducted an inquiry on (date).
10. This Court has heard and considered the rival submissions made by both sides and perused the materials available on records regarding the case.
11. The careful consideration of the application concludes that the present case revolves around the Section 23(1) of the Act. Analysing the provision, this court finds that the tribunal has the power to cancel the deeds, if a condition to look after the transferor exists in the deed and if the transferee fails to provide the basic amenities and physical needs which are ought to be done. Per contra here, settlement deed is made with love and affection without any expectation in return.
12. The Hon'ble Supreme Court in Sudesh chhikara vs. Ramti devi and anr 2022 livelaw (SC) 1011 laid down the conditions for attracting sub-section (1) of Section 23:

a. The transfer must have been made subject to the condition that the transferee shall provide the basic amenities and basic physical needs to the transferor; and
b. Transferee refuses or fails to provide such amenities and physical needs to the transferor.

13. It is relevant to note the judgment delivered by the Hon'ble Supreme Court in the case of Urmila Dixit vs. Sunil Sharan Dixit 2025 INSC 20, wherein it ruled that "the two conditions mentioned in Sudesh (supra) must be appropriately interpreted to further the beneficial nature of the legislation and not strictly which would render otiose the intent of the legislature."
14. Further, this Court refers to the case of Mohamed Dayan vs. The District Collector and others in W.P. No. 28190 of 2022 dated 08.09.2023, in which the Hon'ble High Court of Madras held that "Even in the absence of any express condition in the document, "Love and Affection" being the consideration for execution of Gift or Settlement Deed, such love and affection becomes a deeming consideration and any violation is a ground to invoke Section 23(1) of the Act". Relying on Mohamed Dayan case, the Hon'ble High Court of Madras in, Gandimathi Vs. The Sub Divisional Magistrate and others W.P. No. 16720 of 2020 dated 24.01.2024 again stated

"it is not necessary that there should be a specific recital or stipulation as a condition in the transfer of deed itself to invoke Sec. 23" and upheld the order passed by the Tribunal cancelling the settlement deed, in view of the fact that the Children failed to look after his parents. In Palanimuthu Vs. the Principal Officer and others W.P. No. 1987 of 2023 dated 24.04.2024, the High Court upheld the order of the Tribunal cancelling the Partition deed executed by the father in favour of his children when they failed to maintain him stating "condition referred in Section 23 has to be understood based on the conduct of the transferee and not with reference to the specific stipulation in the deed of transfer. The transfer itself being based on love and affection, that would form part as a condition of the transaction for future conduct as well." Further, in D. Eswari vs. the Collector and another in W.P No. 27492 of 2024 dated 22.10.2024, the same proposition of law was upheld by the Hon'ble High Court.

15. Therefore, it is concluded that the first condition of Sudesh Chhikara case to invoke Sec. 23 stands satisfied in the present as an implied condition to maintain the transferor shall be derived based on the 'love and care' consideration mentioned in the deed.

16. Now, with regards to the second condition of the Sudesh Chhikara case to invoke Sec. 23, it is not satisfied as the Tribunal is of the view that the Applicant has been maintained by the Respondent and her wellbeing is being taken care of because of the following reasons:

    To add on, the High Court of Bombay in Nandkishor Shivdin Sahu Vs. Sanjeevani Naresh Patil in W.P No. 3637 of 2024 dated 29.08.2024, has held that if only vague allegations are made and are unsupported by any specific findings, then the maintenance tribunal should not cancel the deeds. This court finds no merit on the side of the Applicant, as he is taken good care of by the Respondents, hence the Settlement deed cannot be cancelled.

17. In the result, the application for cancellation of Settlement Deed is rejected. It is open for the applicant to file an appeal within 60 days against the Order of this court under Sec.16 of the Act.

    Note: As per section 16 of the Act, only Senior Citizens and Parents are allowed to file an appeal within 60 days against the order of the Tribunal.

18. This proposition of law was upheld by a division bench of the High Court of Madras in K. Raju Vs. Union of India and others in W.P. No. 29988 of 2019 dated 19.02.2021 stating that an appeal is a creature of a statute and no right of appeal inheres in any person unless such right is expressly conferred by any statute and further added that the words used in the Section 16 of the Act are clear and do not permit any other interpretation and additional words cannot be read into the provision to discover a right in favour of a class of persons excluded by necessary implication in the appellate provision.

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List of Statutes referred:

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3. Maintenance and Welfare of Parents and Senior Citizens (Amendment) Bill, 2019.

List of Case Laws referred:

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2. Adv. K.G. Suresh v. Union of India, AIR 2021 Ker 152.
3. Axis Bank Ltd v. Assistant Commissioner, W.P. No.52158 of 2017 dated 25.10.2024.
4. D. Eswari v. Collector, W.P No. 27492 of 2024 dated 22.10.2024.Sunny Paul v. State of NCT of Delhi, AIRONLINE 2018 DEL 1777.
5. Dr. Ashwani Kumar v. Union of India, AIR 2018 SC (SUPP) 2541.
6. G.S. Manju v. K.N. Gopi, LAWS(KER)-2019-10-178.
7. K. Lokesh v. The Bangalore District Maintenance and Welfare of Parents and Senior Citizens Appellate Tribunal and Special Deputy Commissioner, 2024 LiveLaw (Kar) 1.
8. K. Raju v. Union of India and others, AIRONLINE 2021 MAD 36.
9. M. Mohamed Saffee v. The District Collector, 2023 (2) CTC 828.
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11. Paramjit Kumar Saroya v. Union of India, AIR 2014 P&H 121.
12. Pawan Reley v. Union of India, W.P. (C) 3074/2019 and CM APPL 14133/2019 dated 27.09.2022.
13. Promil Tomar v. State of Haryana, (2014) 1 RCR (Civil) 403.
14. Radhamani v. State of Kerala, 2015 SCC Online Ker 33530.
15. Ram Autar Rai v. The State of Bihar and others, Criminal Miscellaneous No. 43583 of 2015, dated 20.01.2025
16. Rani v. Additional District Magistrate and another, CWP 15922 of 2021 dated 16.05.2022.
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18. Sankarappan v. Appellate Authority under the Maintenance and Welfare of the Parents and Senior Citizen Act, 2007, 2023 SCC Online Mad 8097.
19. Sheetal Devang Shah v. Presiding officer of the Maintenance and Welfare of Parents and Senior Citizens, 2022 SCC Online Bom 1068.
20. S. Mala v. District Arbitrator and District Collector, Nagapattinam, 2025: MHC:706
21. Smt. S. Vanitha v. The Deputy Commissioner Bengaluru Urban District, 2021 (15) SCC 730.
22. S. Selvaraj Simpson V. The District Collector, W.P No. 32650 of 2022 dated 06.12.2022.
23. Subhashini v. The District Collector, Kozhikode, AIRONLINE 2020 KER 674.

24. Sudesh chhikara v. Ramti devi and anr, 2022 livelaw (SC) 1011.
25. Tarun Saxena v. Union of India, AIRONLINE 2021 DEL 561.
26. Urmila Dixit v. Sunil Sharan Dixit 2025 INSC 20.

About the Author

Shri S. Sivanandham

He is a 2022-batch IAS officer of Tamil Nadu Cadre. He is currently posted as the Sub Collector and Sub Divisional Magistrate (SDM) of Gobichettipalayam in the Erode District of Tamil Nadu

Ms. Sindhanaa Andavan

She is a practicing advocate at the Madras High Court.

Shri Logesh S.

He is a practicing advocate at the Madras High Court.

Grade Inflation in Performance Appraisals: Is the Happy Family Syndrome Sustainable?

Mr. Subrata Biswas

Abstract

Employees constitute the best resource that an organisation can possess, and performance appraisals of employees are meant as much to assess their capabilities with a view to developing their potential as to add value to the organisation in terms of its performance. Proper performance appraisals are thus supremely significant for the overall health of an organisation. However, it's mostly found that such appraisals are not duly done in government organisations where the appraisers often tend to over-grade their subordinates for fear of being unpopular. As a consequence, the employees who are really outstanding performers are clubbed in the same bracket along with far-from-outstanding performers and thus, chalk and cheese are evaluated likewise. It's the organisation that takes the beating in such cases since the outstanding performers gradually lose their zeal to perform, even as the grading officers in government organisations are seemingly more concerned with putting up a false picture of a so-called 'happy family'. Grade inflation essentially being a zero-sum game, the author wonders how far and in what direction our country can possibly go as long as this 'happy family' syndrome survives unabated in the public sector.

Introduction

Human resources remain the most valuable resource in an organisation. Every other resource is a static resource there. Organisations may have the fastest processing computers, nice air-conditioned rooms, great cafeterias, sprawling gymnasiums, well-stocked libraries and even temperature-controlled swimming pools. However, in the absence of competent people leveraging the said resources in the best possible way, these static resources are liable to be regarded more as pieces of liability than otherwise. It's only the human resource which remains the dynamic component in resource allocation. It's the workers who would work on computers; it's the employees who would play games and sports or participate in debates and discussions, and keep themselves updated. And the people may feel motivated or demotivated by various organisation policies and incentive-disincentive distribution, and that can work as a force multiplier or can leave a pull-back effect on the overall performance objective for the organisation. Human resource thus remains the most valuable resource in a professional setting, and the same has to be unfailingly cared for and curated. And performance appraisal does play a big role there. That is one instrument which provides an actionable clue to the captains of the organisation as to who the really good staff are, as opposed to those not-so-good.

Performance Appraisal: No Easy Ball Game

Can there be a one-size-fits-all formula for performance appraisal across the spectrum? Some organisations have a profit-making goal, and the employees' assessment can probably be easily viewed as a function of that goal. Some organisations, like public hospitals, may have a specific goal of service delivery and thus, their employees' performance may also be judged as a function of that objective. On the other hand, the yardstick may not be that simple while judging the performance of school teachers since a student's performance may not depend entirely on how her teacher taught in the classroom. A teacher may at most be responsible for her own *output* in a classroom, but that *output* may not be all too easily related to the final *outcome*.[1]

The challenge becomes highly complicated while assessing the performance of civil servants since the government does not run for profit. And thereby hangs a tale! The more bloated the bureaucracy, the more complex it is to judge the performance of one individual, since the latter actually controls too little of everything, and his success or failure is integrally linked to what many others do or fail to do in the process. Those others are either vertically or horizontally linked to that one evaluatee whose performance is required to be appraised by his/her supervisor. And the higher one travels in terms of hierarchy, the larger the number of such others who get to be linked to the evaluatee incidentally. The latter's task gradually becomes essentially managerial in character, and his success starts depending on how well those others succeed in their respective spheres. Thus, a District Magistrate's achievement may be in terms of how much developmental work has taken place in one assessment year or how many lives could be saved during a devastating flood though the hard fact may remain that the DM as an individual may have done very little, if at all, beyond laying the inaugural brick or extended her hand at distributing relief materials on the first day at relief camp. The achievement of a District Police Chief may be in terms of a downward crime curve or an uptick in terms of investigational successes, even though the principal work may have been done by a host of other officers under his control. A captain is as good or as bad as his team, and thus, others' successes contribute to his success as much as others' failures pull him down. The lower the level of a government employee, the less critical the

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[1] *Outcome of teaching may be in the form of how well a child fares in a test or how easily a college pass-out lands a job offer. However, these successes or otherwise have a number of variables apart from a teacher's work in the classroom, eg. the student's familial background, the amount of support she enjoyed at home, etc.*

criticality of such interdependence. The interdependence assumes deeper and deeper significance as one goes up the hierarchical ladder.

Performance Parameters in the Public Sector

Beyond certain specific parameters unique to respective government agencies, senior officers in the public sector are thus judged against certain common yardsticks, which mostly talk about their social skills and behavioural competencies. Of course, knowledge of work as a parameter is there. But if work is to be viewed as a composite achievement at one's level—more in the sense of getting a thing done than doing it on one's own—even that knowledge of work becomes a function of one's managerial competency. Thus, a senior person gets to be appraised in terms of 02 broad areas—(I) his personal attributes and (ii) his functional competency. He gets to be evaluated against Personality, Capacity for sustained work, Tact, Communication ability, etc, on one hand and also vis-à-vis his Knowledge, Initiative, Ability to control or encourage subordinates, etc, on the other. It is quite evident that the two groups are undeniably interlinked. Someone who is poor at being tactful, for example, would hardly succeed in getting a task done that involves multiple stakeholders. The same holds good for communication ability as well; likewise for personality.

In terms of behavioural science, one's functional competency may help him in good standing, mostly when he is well endowed with necessary personal attributes, the simple reason being that man is far from a machine and thus, unlike a machine, man doesn't work sustainably only on the basis of command. A human being needs something more—maybe some motivation, some recognition, some ego gratification. Thus, eventually, an officer gets to be assessed mostly against how his mind controls him. Someone who discovers problems almost everywhere but cannot find a solution, or rather, who thinks he has got a solution but cannot implement it because of blameworthy others, should hardly feel good about life around him, and such a soul would invariably be the last one to take any high initiative. A senior officer is actually meant to exist there in order that he may find workable solutions to problems in his own way, and not just to report those problems to his superiors and keep complaining that the latter are not addressing the issues he has flagged.

Challenges in performance appraisal in the public sector

The reporting officer in a performance appraisal system is ordinarily one or two stages above the reportee so that s/he can be in a better position to evaluate the work done by the appraisee. And one cannot rule out an element of bias bred out of this proximity, which may go either way vis-à-vis the reportee. Over and above this, some appraisers have their very own take on life, which is what impacts their assessment exercise. Behavioural scientists have accordingly listed out as many as six (06) broad categories of appraisal error in this regard: (i) Halo Effect and Horn Effect, (ii) Leniency Error (loose rating), (iii) Error of Strictness. (tight rating) (iv) Central Tendency Error (v) Recency Effect (vi) Contrast Error (vii) Similarity (similar-to-me-) Effect.

The Halo and Horn effect: The halo effect has been defined as "the influence of a rater's general impression on ratings of specific rate qualities" (Lance, 1997). In other words, the rater gives good grades to the subordinates although their performances are not that worthy. For example, if an employee has hardly any absences, his rater may give him a high rating because of his dependability. This is because raters sometimes cannot evaluate the employee's other attributes separately. Raters often overlook poor performances in overall terms if they happen to like one or two special attributes of their subordinates, though they are required to grade against each of the documented attributes. Lefkowitz concluded from his review of 24 studies that positive regard for subordinates is often found to be related to greater halo effect and better interpersonal relationships (Lefkowitz, 2000).

The horn effect is the opposite of the halo effect. It means that the rater might give a poor grade, although the ratee's performance is not that unworthy. In other words, some appraisers have a tendency to view negatively all behaviours or actions of a subordinate because the superior dislikes one particular behaviour or action of that subordinate. In order to reduce the halo and horn effects during the rating process, some solutions have been proposed (Norzalina Noor, 2023). One of these solutions is appropriate rater training. Another one is to ask raters to give proof of the events or problems which cause them to evaluate the ratees poorly.

The Leniency error: This is the second most common appraisal error. Some raters or managers are concerned about damaging a good working relationship by giving a not-so-good rating. They thus have a tendency to give an unduly high rating to ratees. It can be said that the leniency errors may result from the purpose of giving a high rating.

Personnel psychologists have said that performance appraisal ratings obtained for administrative purposes involving the issue of pay raises or promotions would be more lenient than ratings aimed for simple feedback (Williams, 1997). Some raters are known in the organisations as *"loose raters"*. They have the tendency to give top ratings to all subordinates unless they have a very clear deficiency, since they may not want to *"adversely impact"* the future of their subordinates. They do not want to be perceived as *"unwanted person"* either in the eyes of the ratees.

The error of strictness: This error is the opposite of the error of leniency, in which raters give unfavourable or poor appraisals regardless of the actual performance level of the ratees. In other words, some raters are extraordinarily tight, and they have a very high evaluation standard. According to them, nobody is perfect, so nobody can actually bag a full 100% mark in an appraisal. In order to reduce this error, rater training is recommended by personnel psychologists.

The central tendency error: Instead of awarding really poor or good grades, there is a tendency on the part of some raters to evaluate all ratees as *average*, even if performance actually varies. In other words, some raters want to rate the employees in the middle of the scale rather than place them too high or too low. This error occurs mostly for reasons such as (Dessler, 2000): (i) The rater doesn't know the ratee very well, and he thus prefers some kind of a safe path to avoid a wrong judgment. (ii) Some raters believe appraisal is a waste of time; as a result, they give an average rating regardless of the employee's actual performance value.

The Recency effect: Appraisals are generally conducted once a year. This period might be very long for the rater to remember all performance-relevant information vis-à-vis the employees. As the appraisal time approaches, the rater tries to find or recall information that reflects on the ratee's performance. Unfortunately, recent events or behaviours are more noticeable. As a result, recent events are weighted more heavily than they should be. Thus, some raters only see the ratee's latest behaviour regardless of the employee's actual year-long performance. (Lunenburg, 2012). Employees and managers can minimise this error by keeping a track of ongoing behavioural or critical incidents in files that record both good and poor behaviours and outputs. Although time-consuming, they ensure that information for the entire period is incorporated into the appraisal.

The contrast error: The contrast error is the tendency to rate people relative to other people rather than to performance standards. If the raters appraise many employees in a short time, it is unavoidable that they do the appraisal by comparing the ratees. In other words, the appraisal grade of a ratee might be affected by the grade of a ratee who is appraised just before her or him. For example, if everyone else in a group has otherwise a poor performance, someone performing somewhat better may be appraised as really great due to contrast error. The vice versa is also possible.

However, there is a counter narrative too, suggesting that comparing an employee against others in the group is what an appraiser should do especially when the latter awards grades like *Very Good or Outstanding* since it's only against a given group of performers that one performer may be adjudged *outstanding*, the simple idea being that one has to stand apart from his or her group. The same goes for *Very Good* as well.[2]

[1] Para 4.8 of DoPT's *Brochure on Preparation and Maintenance of Annual Performance Assessment Report of Central Civil Services* reads, "In awarding a numerical grade the reporting, reviewing and accepting authorities should rate the officer against a larger population of his/her peers that may be currently working under them or would have worked under them in the past".

The similarity effect: Some appraisers overlook the actual performance of the ratee; on the other hand, these raters have a tendency to give better ratings to those subordinates similar to themselves in behaviour, personality or background (Pulakos, 1983). Some ratees might also encourage this bias in the mind of the rater. They may make efforts to demonstrate that their behaviours, tastes and tendencies match those of their superior or try to hide those that do not match with the superior's, with the intention that this would please the superior and consequently let them award better ratings. One solution to reduce such rater errors is to expose the supervisors to appraiser rating training and follow-up training on how to rate performance appraisals.

There is probably no way to eliminate these errors and biases completely. In order to minimise these factors, recent studies suggested that raters must be aware of the system very well and organisations should provide rater training for their managers (Sulsky, 2001).

The Indian Experience: No dearth of Govt. Orders on How to do Performance Appraisal

The Department of Personnel & Training (DoPT) has issued a gamut of circulars and Office Memorandums (OMs) on how to rate a subordinate's performance in a very objective manner, what should be the guiding principles in this regard, and what should be the objectives of such performance appraisals.

The very opening of the **Brochure on Preparation and Maintenance of Annual Performance Assessment Report of Central Civil Services** reads: "The performance of Government is ultimately the sum total of the performances of the individuals through which it functions. The government has, therefore, to know from time to time how its constituents function. This information is essential for proper Personnel Administration and Management". The document admits that the immediate superior officer, vis-à-vis a Government servant, who is the Reporting Officer, should be vitally concerned, in writing the Annual Performance Assessment Report (APAR) of every one of his subordinates in an objective and impartial manner. As the superior officer functions through his subordinates, he also gets credit for the good work done by them. It would, therefore, be in the interest of the Reporting officer himself to assess the performance of the subordinates truly and objectively and thereby give them counselling and proper guidance for improvement of their performance.

Thus, a Reporting Officer here is entrusted with the onerous responsibility of identifying both strengths and weaknesses of the officers he is reporting on. The reportee's strengths, as much as his other areas, should be objectively documented and shared with him accordingly. The practice of communicating appraisal reports to the persons reported upon is there in the Government. In

India, and thus, everyone there, including the members of the All India Services, gets to know about how exactly they have been assessed. This open practice is not there in certain other Governments. But the Reporting Officers can easily let the appraisees know indirectly or in a discreet way as to what the former think about what the latter should try to change about themselves.

A Shadow Falls Between Objective and Practice:

Very often, it so happens that Reporting Officers hardly point out any deficiencies of their juniors, and interestingly, an overwhelming majority of officers are given Outstanding grades by their superiors. If people constitute the human resource in an organisation, the act of curating this resource has its own share of veritable challenges and more terribly so, in a government organisation. We are aware of how a well-meaning gardener prunes many non-proliferating branches and removes a lot of dead wood with a view to ensuring a good future for the trees in general, or how a well-meaning mentor does not turn a blind eye to a mentee's shortcomings and rather lets him know where he really stands so that he can improve his standing in future. Similarly, he also lets him know about his strengths so that it can further boost his confidence and instill a feel-good effect. A performance appraiser in a private organisation does freely assess his subordinate and does not shy away from pointing out the latter's weaknesses. It's the assessor in the Govt sector who is often found significantly wanting in his task of writing appraisals of his subordinates. In fact, the practice of over-grading and thereby causing a grade-inflation has apparently reached such an endemic stage that qualitative expressions have assumed almost diametrically different connotations that stand at an incredible distance from their actual lexical meaning. Good thus has long come to mean actually anything but good, and Very Good has become a sobriquet for Average. Outstanding is the new expression to mean just Good, and a grade well over the mean point of the Outstanding range probably denotes just the starting point of Very Good, while there's actually none outstanding—be it statistically or lexically![3]

The author's experience of a deputational stint with a central organisation under the Ministry of Home Affairs suggests that all employees—not just the senior officials—are, in general, awarded grades at least between 6 and 8 on a 10-point scale. It's only when someone would be found terribly, unbearably and exceptionally wanting against the required parameters that he would probably be awarded around four on 10. Thus, the Very Good bracket would be

[3] A vast majority of IAS Officers as well as the IPS Officers in West Bengal cadre have almost made it a point to award anywhere less than 8 an act of rarity. West Bengal Civil Service (Executive) Officers also follow suit in an exceedingly large number of cases where 9 out of 10 is almost a new minimum. I know many such senior officers on a personal level, who openly admit in informal settings that they do award 10 out of 10 in many cases and 9.5 ordinarily otherwise since they do not want their juniors to face any impediment in terms of promotions, special selections, etc. None thus emerges *outstanding* in a severely skewed distribution of grades!

almost a minimum, and a significant population would be placed in the Outstanding category. The leniency bias, as discussed earlier, would be the chief reason behind this. All central organisations follow the practice of appraisal disclosure following its finalisation, and thus, the employee gets to see who has awarded him how much or what has been written by whom by way of his description. Thus, no one wants to be unpopular!

It's only in an extremely rare number of cases that the author, during his stint with the central organisation, had come to know of any horn effect being evident in performance appraisal.[4] The rule of appraisal disclosure also tends to soften the appraisers who, left to themselves, are otherwise strict raters. No sane supervisor would otherwise like to unmask himself and be projected as a spoilsport or a villain within his organisation, where others routinely masquerade as fair supervisors. Central tendency error incidentally does not usually become an issue, at least at the level of Reporting Officers in a government organisation, since the number of ratees at that level does not reach an unmanageable point. And impacted by the leniency factor, even the central point in grade distribution ordinarily hovers around Very Good and Outstanding!

A Few Case Studies in Halo Effect and Leniency Error :[5]

(i) Y was the head of the organisation. He was extremely hard on vigilance issues, and he had a knack for snooping on others within the organisation. X was a senior appraisee, and he was significantly lax in almost every major area of functioning. However, he had a spotless record in terms of honesty and integrity, and Y could not collect any adverse information regarding the appraisee. Y obtained a super outstanding grade at the hands of X. An archetypal instance of halo effect.

(ii) X was a very sincere, honest and hardworking officer in a unit headed by Y. However, he was extremely poor at handling complex situations involving diverse stakeholders. X was also a poor communicator. Y himself was an extremely poor worker and loved to delegate responsibility to X, his immediate junior. Y awarded a super outstanding grade to X. Another example of the halo effect.

(iii) Y himself was otherwise a very efficient and worthy officer. However, he was also extremely kind-hearted and always felt bad about pointing out others' deficiencies. X, as a midlevel official, was just a good worker under the control of Y, who awarded him an outstanding grade. Out and out, a case of leniency bias.

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[4] In fact, there was only one such case of so-called horn effect during my entire experience spanning over 04 years at the central government on deputation!

[5] All the cases are real life stories. It's only that the identities of the persons involved are not revealed, for obvious reasons. Thus, X is always the officer appraised and Y always the appraiser.

(iv) Instances galore, and all these cases amount to diluting the very purpose of performance appraisal in the public sector. Unlike in a corporate setting, where the appraisers themselves run the risk of facing the wrath of higher management on account of clubbing chalk and cheese in the same fold, the reporting officers in the government sector are seemingly more concerned about their own image in the eyes of their subordinates and peers. Otherwise, how does a random distribution of grades awarded in an Indian public sector setting defy the time-tested bell curve, where most incidences should have otherwise normally fallen between 4 and 6 on a 10-point scale? The Good bracket has a range of scores between 4 and 6, and that should be fairly understandable. Instead, a random Annual Score distribution in an Indian public sector setting presents a decidedly skewed picture with an overwhelming majority of cases falling between Very Good and Outstanding, i.e. between 6 & 8 and between 8 & 10. In fact, even a cursory look at these annual performance markings would unfailingly vouchsafe that there is hardly anything substantial therein. There are instances where a ratee is awarded Very Good or even Outstanding; nevertheless, the special remarks or a pen-picture to be mandatorily drawn by the rater hardly mentions anything beyond a quartet of words like A very good officer! By normal standards of human psychology, an appraiser would have otherwise just gushed eloquently in his remarks on someone whom he awards a super Very Good or a super outstanding grade. However, words' worth cannot be objectively measured,, and that's how even the HR section of the government just counts in terms of what is measurable in terms of appraisal, i.e. overall scores. And thus, someone who genuinely deserves a super-outstanding score of 9 on 10 or even beyond that gets to be clubbed along with a bunch of pseudo-outstandings, which is what discourages and disincentivises the former. Who actually suffers in such a case? The appraiser is rated higher by his peers and subordinates. The not-so-deserving employee also benefits from it. But the genuinely deserving candidate suffers by way of comparison since he loses out in terms of competitive advantage. And the organisation as a whole suffers in this procedure as more and more undeserving candidates make it higher and higher. The super-generous and super-kind appraisers thus actually betray their very organisation by way of proffering a largesse to the non-performers or to the not-so-good performers in terms of APARs involving markings higher still and higher!

Outstanding babus and Far from Outstanding governance:

Anecdotal feedback has always said that bureaucrats in India have almost always been awarded outstanding grades. Reason demands that such a rich gamut of talented bureaucrats all over the country should also usher in reasonably outstanding governance. The stakeholders' perception, however, has remained far from satisfactory! A Hong Kong-based research firm had rated Indian civil servants as the least efficient bureaucracy out of 12 Asian countries way back in 2013. Singapore, on the other hand, was credited with having the best civil servants in terms of efficiency levels[6]. In any case, the World Bank parameters of governance indicators tell us about India's standing in terms of *government effectiveness, regulatory quality* and *rule of law,* which is quite an unimpressive percentile.[7] And yet our senior officers have remained predominantly *outstanding* in an overwhelming number!

The malaise has been in existence since the federal government switched over from the ACR regime to the APAR regime, i.e. from confidentiality to disclosure of grades. News reports suggest that even former Cabinet Secretaries to the Government of India publicly rued that indiscriminate awarding of outstanding actually ensured there was none really outstanding, or that it was quite absurd to find that over 90% of senior officers would be awarded outstanding[8]. Once again, that brings us face-to-face with the hard fact of life: With such an overwhelming majority being called outstanding, does anyone really stand out? And isn't it that so many outstanding candidates in the organisation should actually raise the common bar of being good, and thus, someone still needs to achieve something very special in order to earn a Very Good, and something still very exceptional in order to get an outstanding?

Ethereal Happiness vis-à-vis Ephemeral Happiness: Any Similarity with Grade Inflation in CBSE X and XII Board Exams?

John F. Kennedy, the Professor and Dean of Christ University, Bengaluru in a thought-provoking opinion-piece in The New Indian Express dated 23rd December 2023 wrote on grade inflation in CBSE X & XII Board exams following a 38% uptick in the number of 95 percenters in CBSE X exam in 2021 and a whopping 81% increase in the share of 95 percenters in CBSE XII exam. It encouraged a kind of policy isomorphism, and even State Boards followed suit. Maharashtra State Board ensured there was a 1000% increase in the 90 per cent category! And all this was in 2021, when students took the exam after a significant detachment from studies following pandemic disruptions. Everyone apparently intended to help everyone by way of awarding more than s/he deserved. In the process, everyone was happy; students were happy; the

[6] https://economictimes.indiatimes.com/news/politics-and-nation/indian-babus-most-inefficient-in-asia-singapore-best-report/articleshow/4614739.cms?from=mdr 4th June, 2009.

[7] https://www.worldbank.org/en/publication/worldwide-governance-indicators/interactive-data-access For 2021, 2022 & 2023, India's percentile varied between 61 and 67.9 for *government effectiveness* whereas Singapore's stood steadily at 100 percentile for all the three years; it was between 49 and 50.9 percentile for *regulatory quality* while Singapore's stood once again at 100. India stood between 50 and 56 percentile against *Rule of Law* whereas Singapore stood between 91 and 98.6 percentile.

[8] https://economictimes.indiatimes.com/news/politics-and-nation/government-to-come-up-with-a-better-system-to-appraise-the-performance-of-bureaucrats-/articleshow/19687573.cms?from=mdr 23rd April, 2013

institutions were happy; the parents were happy[9]. But it was all a case of ephemeral happiness that didn't last even beyond when the students thronged the college gates for undergraduate admission forms. The number of college seats remained where it had been earlier, and thus, many colleges opted for separate entrance tests since they were not in a position to differentiate between chalk and cheese based on grades![10] The chalk thus had to be content with an ephemeral happiness, while only the cheese could taste its ethereal variant[11]. One can say, it was essentially a zero-sum game beyond that ethereal feel of happiness!

Appraisal grade inflation in the public sector in India likewise causes a zero-sum game where none really stands to gain, including the ones who are really outstanding, just because even the really outstanding ones get to be clubbed with the unreal outstandings in terms of points, and no extra edge is enjoyed by those who really deserve it.

Should there be a cap on overall grades?

The Surinder Nath Committee[12] in its report submitted in 2003, pointed out a critical deficiency in the appraisal system in the Government, which the Committee thought was significantly responsible for grade inflation and concomitant assessment dilution. The Committee observed, "At present, there is no specified requirement of distribution of overall grades across the set of appraisees (e.g. 'Outstanding' grade not to be given to more than 5% of the appraisees, 'Very Good' to not more than 15% etc.) This fact provides a further stimulus to grade inflation". In the absence of any such in-built restraining mechanism, neither the Reporting Officer nor the Reviewing Officer in the Government sector chooses to be unpopular and an overwhelming majority of appraisees are graded Very Good at the minimum and Outstandings awarded right, left and centre. The grading officers behave as if they can afford to play ducks and drakes with assessment grades, and they are entitled to squander them in the way they like. The grading officers need to appreciate that only a small minority can actually stand out from the class and be adjudged outstanding, and probably some more can be actually very good, if at all. In

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[9] https://www.newindianexpress.com/opinions/2023/Dec/12/grade-inflation-helps-no-one-end-obsession-with-marksism-2640944.html

[10] https://timesofindia.indiatimes.com/blogs/toi-editorials/merit-over-marks-competitive-grade-inflation-is-warping-college-admissions-common-entrance-test-is-the-answer/

[11] John F. Kennedy may have written the opinion piece in 2023 in the context of one particular year. But grade inflation in general has remained a malaise with CBSE evaluation. Only as late as in 2024, the board came up with a paradigm shift in its evaluation policy following its decision to introduce *Relative Grading* and not to place more than a certain number of students in each individual performance bracket. https://www.cbse.gov.in/cbsenew/documents/Grading_System_Explained_16052024.pdf

[12] *The Department of Personnel & Training (DoPT)* constituted a group, in December 2002, under the Chairmanship of Lt. Gen. (Retd.) Surinder Nath, former Chairman of the UPSC, to review and make recommendations with regard to the existing systems of performance appraisal, promotions and lateral movement in respect of the Group A services under Govt. of India.

case the Reporting Officers happen to find a few more appraisees as very good or outstanding than might be warranted in terms of Surinder Nath Committee observation, it's the Reviewing Officers who may be expected to plot the appraisees in a larger canvas and rationalise the grading in an overall comparative context of the organisation. However, the Government of India has not yet acted upon this specific Surinder Nath Committee observation regarding putting a ceiling on the award of very goods and outstandings. Dilution of appraisal thus still goes on unabated!

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About the Author

Mr. Subrata Biswas

He is a 2012-batch IAS officer of the West Bengal Cadre. He is serving as Senior Special Secretary in the Agriculture Department, Government of West Bengal

Girl Child Education: The Key to Progress

Ms. Naazneen Bhasin & Dr. Sarika Rachuri

Abstract

The cornerstone of development is equal opportunity for all, irrespective of caste, creed, colour, economic status, gender and all forms of discrimination. Girls represent a key demographic whose empowerment directly contributes to social and economic progress. The entire body of development economics, with all its attendant sub-streams, is clear that female literacy is an imperative to development. Eminent Nobel laureate Claudia Goldings, who has richly contributed to the study of labour force participation rate, reiterates that gender equality in education and empowerment is a key determinant not only of social but also of the overall economic advancement of a nation. What may have started out as a thought in the mind of Simon Kuznets (hidden household income) and much later, Amartya Sen (the marriage of human rights and development economics in the tragic concept of 'missing women') and concomitantly, social service titans who point to the correlation among household savings, welfare schemes and the attendant price of silver in their sample rural villages, has spawned a generation of research studies on the direct causation between female literacy and all other development indicators.

Female literacy is not only a catalyst for economic growth, often reflected in an improved trajectory of GDP (gross domestic product), but also underpins a wide range of other socio-economic outcomes. Notable among the outcomes are improved health, reduced poverty, enhanced gender equality, and better overall quality of life. All are closely embedded in the literacy of women. As such, investments in female education have far-reaching effects that go beyond economic metrics, fostering sustainable development across multiple dimensions of society.

This paper attempts to explore how vital female literacy is to two important outcomes, health and economic development. In this context, the link between girl child education and key development indicators—infant mortality rates and labour force participation rates—is explored in depth. As such, a conclusive case for further investment in Girl Child Education is made out.

Introduction

There is a rich body of literature that emphasises the quintessential debate of growth versus development. A spate of literature has explored the various determinants of economic and social development, viz, capital accumulation, technological, institutional frameworks, and human capital. One composite measure of economic prosperity, or social well-being, is HDI. The core pillars of the Human Development Index are education, health and employment. These are indicated by life expectancy (health), mean years of schooling, expected years of schooling and per capita income. Of these, female literacy is vital, as it plays a central role in influencing not just education levels but also broader socio-economic outcomes.

According to the United Nations (UN) Population Division and other global demographic estimates (2023-2024), women typically make up about 49.6% of the world's population. When women are educated, they not only uplift themselves but also contribute significantly to economic growth, social stability, and public health. Educating girls and investing in their education has various positive externalities. Against this backdrop, the link that female literacy has to socio-economic outcomes needs to be investigated. The paper delves into various parameters and explores the link between female literacy and the above aspects. The first section provides a review of literature on various factors in general and two important outcomes in particular: health captured by infant mortality rates and labour force participation captured by employment. The next section looks into data and methodology, and the third section looks into the progress of female literacy in India. The paper then outlines gender-based Government schemes. The concluding sections make the case for and throw up further questions on the education of the girl child, her employment opportunities, and development outcomes.

Literature Review

Several studies reveal the significance of education in influencing socioeconomic outcomes. Educated women are more likely to make informed decisions about their health and the health of their families (Reshi, Sudha and Dhar 2022). As such, investing in the girl child leads to higher incomes, better-informed healthcare decisions, and more educated children, thus fostering a stronger and more prosperous generation. As a result, societies that prioritise female education are essentially building a more resilient, productive, and innovative workforce. By viewing women as a vital part of human capital development, we recognise that their education is not only a path to personal empowerment but a powerful engine for national development.

Concomitant to the above is the economic thought that a continuous policy commitment to gender equality is needed, not just for its own sake, but as quintessential for growth and development (Duflo, 2012). As such, quality education for women helps unlock the full potential of entire communities, accelerating both demographic and economic progress. Several authors argue that the education of women has a transformative potential, but with female education, gender parity has to enhance access and opportunity. (Kabeer 2005).

Acharya (2008) emphasises the importance of both access and gender-responsive educational content. She argues that education must go beyond numerical parity and aim to transform gender relations through critical pedagogy and an inclusive learning space.

Investing in girls' education has a discernible influence on socioeconomic outcomes. Female education not only benefits individual women but also yields broader social gains. Educated mothers are more likely to send their children to school, invest in their nutrition, and foster gender-equitable attitudes, resulting in long-term social transformation. (Schultz TP 2002). Women's education enhances their autonomy in reproductive decisions, leading to delayed marriages, lower fertility rates, and increased use of contraception—key factors in improving maternal and family health (Jejeebhoy, 1995).

The next section seeks to explore the causality between female education and its bearing on social outcomes like infant mortality.

Data and Methodology

The paper draws data from secondary sources. The data is collected from CMIE, research papers, Census, and NSSO rounds. Female education is indicated by female literacy rates as a percentage of the total population. To measure the impact of female literacy on socio-economic outcomes, the variable selected is Infant Mortality Rate (IMR), which shows infant deaths per 1000 newborns. To assess economic outcomes, we have used the National State Domestic Product and Female Labour Force Participation Rate. The data for female literacy is drawn from 2017 to 2017. Several correlations and scatter diagrams have been used to understand how female literacy is associated with infant mortality rates and female labour force participation rates. This broadly gives us an understanding of how socio-economic outcomes measured by health (IMR; Infant Mortality Rate) and economic empowerment measured by FLFPR; Female Labour Workforce Participation Rate are affected by female literacy. A regression analysis has been done to understand the impact of female literacy on health outcomes.

Female Literacy Rates in India

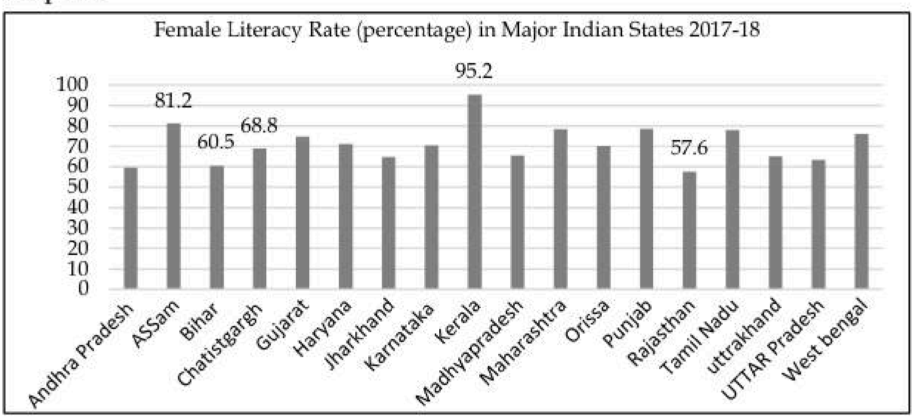
India has made rapid strides in women's education since its Independence. The following table and graph are illustrative:

Table 1.1 Literacy Rates in India Since Independence (1951 to 2011)

Year	Rural			Urban			Combined		
	Female	Male	Total	Female	Male	Total	Female	Male	Total
1951	4.87	19.02	12.1	22.33	45.6	34.59	8.86	27.15	18.32
1961	10.1	34.3	22.5	40.5	66	54.4	15.35	40.4	28.31
1971	15.5	48.6	27.9	48.8	69.8	60.2	21.97	45.96	34.45
1981	21.7	49.6	36	56.3	76.7	67.2	29.76	56.38	43.57
1991	30.17	56.96	36	64.05	81.09	67.2	39.29	64.13	52.21
2001	46.7	71.4	59.4	73.2	86.7	80.3	53.67	75.26	64.83
2011	57.93	77.15	66.77	79.11	88.76	84.11	64.63	80.88	72.98
% Increase in 2011 over 2001	24%	8%	12%	8%	2%	5%	20%	7%	13%

As seen from the above table, India has made rapid strides in improving literacy levels, both for men and women. From a mere 8.86 per cent, India has, in the 2011 Census, reported a progress of 64.63 per cent. Of course, there are rapid strides in the urban population, where 79.11 per cent of women are literate and the gender gap in education is narrow compared to the rural population. But even in the rural sector, the growth in female literacy has been phenomenal. This progress, from 8.86 per cent to 64.63 per cent, is a testimony to the efforts of our policy makers and government in their relentless efforts to improve education levels. However, inequities persist at the state level. For instance, Kerala, which has the highest female literacy, mirrors the education levels of some developed nations, while Rajasthan portrays a dismal picture and is persistently behind the national average.

Graph 1.1

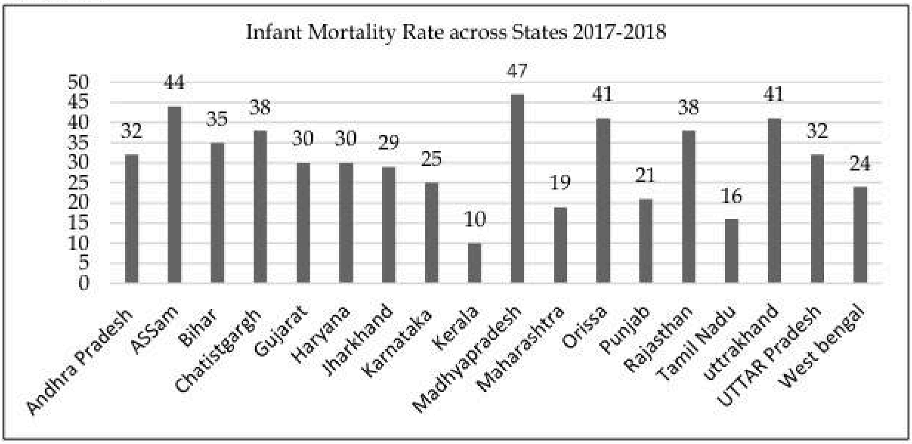


These stark differences also reflect in socio-economic outcomes and create a regional disparity and gross inequalities at the state level.

The Infant Mortality Rate

States like Kerala report significantly lower IMR compared to the rest of the country, and its average is comparable to the rest of the world, whereas Rajasthan and Uttar Pradesh have higher numbers, as can be seen in Table 1.2

Table 1.2



A key Millennium Development Goal was to reduce infant mortality by two-thirds between 1990 and 2015. Although a large number of countries are below targets, what has clearly emerged is that female literacy is the key to a lower IMR. Of course, there are exceptions like Assam, where the infant mortality rate is higher because of the prevalence of anaemic women between the ages of 18 and 29, and the high percentage of women getting married before the legal minimum age[13]

A wide regional variation in female literacy and infant mortality rates is a common feature in India. A significant study (Bhattacharjee and Gautam) attempts to understand the statewide variation of infant mortality rate in India and determines the factors affecting the decline in infant mortality rate. The study examines that the female literacy rate is significant at 1% level with the expected negative sign. In other words, infant mortality rate is negatively related to female literacy the higher the female literacy rate, the lower the IMR.

Another case study (in Ethiopia) through a secondary, serial cross-sectional univariate, bivariate, and multivariate analyses was conducted to search causality between women's education and infant death (Yibeltal Kiflie

[13] https://dainikasam.assamtribune.com/opinion/decline-in-mmr-imr-in-assam-encouraging-but-malnutrition-still-a-major-hurdle-1581948

Alemayehu et al, 2015). It says that female literacy impacts infant mortality in an inverse manner. The correlation is negative. How does it augur for our country? The next section tries to analyse the same.

Impact of Female Literacy Rate on Health

To assess the health outcome, we have chosen the Infant Mortality rate, which is directly related to awareness among women. The finding is a negative correlation of -0.61. To find out the impact of female literacy on outcomes like Infant Mortality Rate, a cross-sectional regression has been done: female literacy (X1) and NSDP (X2) as dependent variables and Infant Mortality Rate (IMR) as an independent variable. The data pertains to 20 big states of India for the year 2017-2018. Regression results are given as follows.

Y= 82.57 -0.64 X1 - 0.0001 X2

Y= IMR

X1 Female Literacy rate

X2= NSDP

The above brings out the following: an increase of 1 unit of female literacy leads to a 0.64 unit drop in Infant Mortality Rate. The impact of NSDP on Infant Mortality Rate is smaller—a small increase in NSDP by 1 unit can reduce Infant Mortality Rate by 0.0001unit. Both the variables are significant as the p-values are below 0.5.

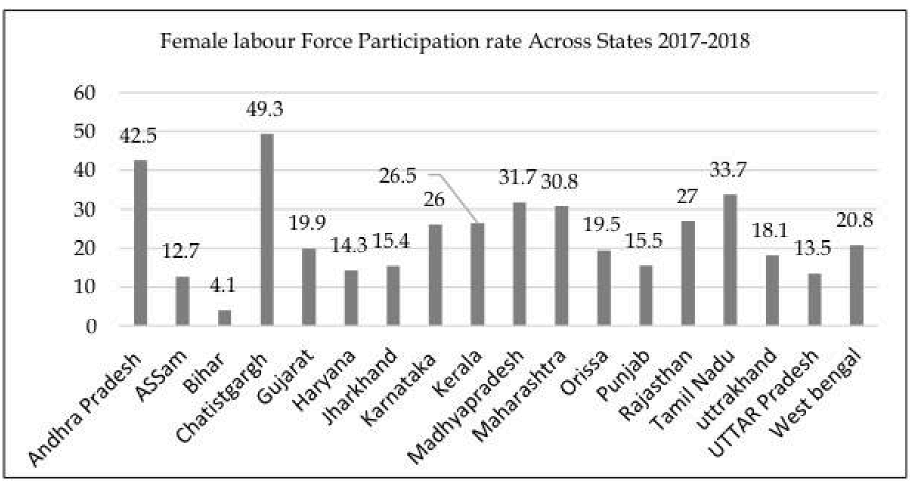
The R^2=0.56. The regression analysis suggests a moderate level of explanatory power; the p-value associated with female literacy is statistically significant, confirming its meaningful and independent impact on the Infant mortality rate. A moderate R^2 is on account of other indicators; prima facie, variables that impact socio outcomes like healthcare expenditure, social awareness, level of hospitalisation, etc., not all of these variables have been accounted for in the present model. For now, these findings indicate that female literacy plays a significant, albeit not exclusive, role in improving health outcomes. Although the regression results are moderate, they align with the broader development experience. The Kerala model is a case in point. With a record high of female literacy, Kerala has one of the lowest infant mortality rates; it has also consistently reported better health outcomes. As seen from our data, 10 per 1000 live births indicate that female literacy has a discernible and measurable impact on health outcomes because literacy promotes higher levels of health care, hygiene and strengthens the chances of survival of the infant. Again, to reiterate, the education of women promotes the lives of infants as women then have better access to health care facilities, are better equipped to understand maternal health care, hygiene and make informed decisions about family planning. Yes, there are other drivers too, which have not been captured in our study, but female education comes out as a prime driver. These findings buttress the need for prioritising girls' education as a public health strategy. Does female literacy also translate into higher female employment? The next section addresses this issue.

The Workforce Participation Rate

One unique metric of female empowerment is their economic status, and this can be captured by the variable: female labour force participation rate, which is expressed as the percentage of women in gainful employment or actively seeking jobs.

Higher female labour force participation means that women are economically contributing to the household kitty; as such, their contribution adds to the GDP. Thus, employed women are an important agent in the employment vector. However, like many other variables, there exists a wide disparity in female labour force participation across Indian States, with as low as 4.1 per cent in Bihar and 50 per cent in Chhattisgarh (Table 3). Objectively, it is believed that a higher female labour force participation is caused by female literacy, which should be the main driver, and higher female labour force participation should result in a higher NSDP. To find out the causality, state-level data were examined to analyse the correlation between female literacy and female labour force participation (FLFPR). Counter to the intuitive and economic doctrines, the correlation coefficient was very weak (0.19), indicating little bearing of female literacy on female employment. To investigate further, we found out the Spearman's Rank correlation between female Literacy and FLFPR and NSDP. While there exists a modest and positive correlation of ***0.36*** between NSDP and FLPR, the Rank correlation between female literacy and FLFPR is negligible (-0.05). Therefore, these results point to a disconnect between participation rate and female literacy.

Table 3



The disconnect between the female labour force participation rate and female literacy provides insights; the laudatory effort of government policy initiatives of achieving 64 per cent at the national level has not bargained for the conundrum: Female literacy has not transformed into employability and skill enhancement. This becomes even more evident when we examine female dropout rates. As per the Ministry of Human Resource Development, the average annual drop-out rate for females at Primary, Upper Primary, and Secondary levels is 4.1, 4.5 and 17.8, respectively. Further analysis indicates a huge gender gap across ages for both rural and urban sectors.

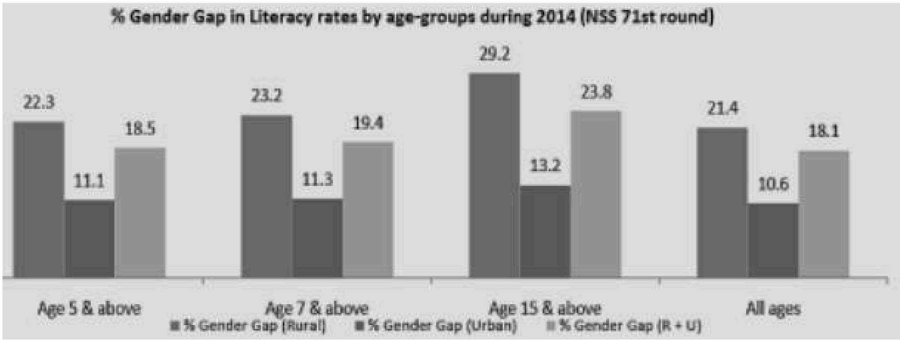
Further, as per the NSS 71st round (Jan'2014-Jun'2014), in urban areas, for all levels of education, the average expenditure per student is higher for males than for females. These barriers decimate the potential of female education to translate into meaningful employment. Policies like Beti Bachao and Beti Padhao have been strengthening the role of education, but these have improved access, not employability. That female literacy is not translating into female labour force participation is a question that has no easy answers.

One reason for a weak correlation could be (Kapsos, Siberman, Bourmpoula) that participation by educational attainment follows a U-curve. Women with less education tend to have a higher participation rate than women with primary or secondary education. This observation may be related to socio-economic status, since women in poorer households may be required to complement their household's income through market work in order to meet minimum subsistence needs. As household income increases, women drop out of the labour force as domestic non-market work is perceived to have a higher status than market work. In contrast, women with higher levels of education and those living in affluent households also have higher participation rates than women in middle-income households. Some authors suggest that these women benefit from increased investment in their human capital and may be able to obtain jobs with better working conditions and adequate remuneration. These findings align with the broader U-shaped hypothesis, discussed by eminent Nobel laureate Claudia Goldin, that higher literacy initially leads to a decline in female labour force participation, driven by social constructs and a lack of respectable employment opportunities. The fact that the skill gap is not addressed by female literacy makes it imperative to invest further in skill development for women.

Gender Indices

The United Nations Development Program (UNDP) presented the Gender-related Development Index (GDI) and the Gender Empowerment Metric in 1995. Both of these indices place a significant emphasis on the participation of women in economic and political life (Ms Priya). Further, it is important to refer to the Global Gender Gap Index. This index provides scores between 0 and 1,

Table 4: Gender Gap in Literacy Rates by Age Group



where 1 shows full gender parity and 0 is complete imparity. It is the longest-standing index, which monitors progress in closing these gaps since its inception in 2006. The graph below illustrates the gender gap.

Government Measures

Most of the schemes for girl child education fall within the umbrella of the National Education Policy 2020 and the National Curriculum Framework for the Foundational Stage 2022. One such is the 'Poshan Bhi Padhai Bhi', which seeks to enhance early learning through the Anganwadi system for children, from birth to 6 years. Illustratively, 'Navchetna' is a National Framework for Early Childhood Stimulation for Children from Birth to Three Years and 'Aadharshila' is a National Curriculum for Early Childhood Care and Education for Children from Three to Six Years. Special focus has been given to the screening, inclusion and referrals of Divyang children.

Aadharshila is driven by the pressing need for a contextual curriculum that specifically offers Anganwadi educators an opportunity to upgrade their own and children's learning. 'Mission Shakti' is another scheme for strengthening interventions for women's safety, security and empowerment. It has two sub-schemes, 'Sambal' and 'Samarthya'. Another initiative is the One Stop Centre (OSC), launched in 2015, aimed at providing comprehensive care to women survivors of abuse, violence, and trauma. OSCs offer a range of services such as medical, legal, temporary shelter, police assistance, psychological and counselling support. OSCs demonstrate that safety is key to empowerment, the next most important being the education of the girl child. Further, under the Scheme for Adolescent Girls (SAG), the targeted beneficiaries are girls in the age group of 14 to 18 years across the districts of the Northeast Region and Aspirational Districts of other States. The scheme involves health check-up and referral service, nutrition & health education, and skilling for employment. While a detailed impact analysis of the schemes outlined is beyond the scope of this paper, it will, nevertheless, throw up pointers for policy making.

Conclusion

Some aspects of the impact of girl child education on socio-economic development have been discussed in this paper. The paper is exploratory in nature and tries to draw a critical link between female literacy and the infant mortality rate. While a moderate R^2 of 0.56, female literacy alone does not explain the entire infant mortality rate, it emerges as a statistically significant variable, further reinforcing the need to study female literacy as a development imperative. While counterintuitive, it is important to note that development outcomes are shaped by a complex web of factors, some immediately observable and some which require primary research, with an attempt to control as many variables as possible. The findings, nonetheless, resonate with the literature survey quoted at the beginning of the paper and the Kerala Model, which underscores the benefits of investment in female education. Overall, a case is made out for further, in-depth research into girl child education as a necessary and sufficient condition for the development goals of the country, in order to conclusively inform policymaking.

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About the Author

Ms. Naazneen Bhasin

is a 2007-batch IPS of the Haryana Cadre. She is presently serving as Inspector General of Police (IGP), Haryana Armed Police (HAP), Madhuban (Karnal), along with the additional charge of IGP, Recruit Training Centre (RTC), Bhondsi (Gurugram).

Dr. Sarika Rachuri

She teaches Economics at the ICFAI IBS Business School, Mumbai.

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