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## **OPPORTUNITIES AND CHALLENGES FOR TRANSFORMING GOVERNANCE - A SOCIO- LEGAL STUDY OF PUNJAB**

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*“A transparent smart e-governance with seamless access, secure, and authentic flow of information crossing the interdepartmental barrier and providing a fair and unbiased service to citizen.”*

*Dr. A. P. J. Abdul Kalam<sup>1</sup>*

### **1. INTRODUCTION**

The Internet represents a significant revolution in human life. The impact of Information Technology is evident in all social and economic activities in countless ways. The convergence of various forms of communication in the digital realm is creating immense opportunities to achieve speed, versatility, and independence from space and time constraints. Governments are no exception to this transformation. In the post-liberalization era, governments across the country have been actively working to enhance internal efficiencies, responsiveness, coordination, and integration among different government departments, external agencies, citizens, and businesses.

Global trends also highlight the emergence of the e-governance revolution following the Internet and e-commerce revolutions. E-governance is not merely a technological

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<sup>1</sup> Piyush Gupta and R.K. Bagg (eds.) *Compendium of e-governances initiatives in India* 04 (University Press (India) Private Limited, Hyderabad, 2010).

innovation in communication but a transformative process of governance. It refers to the application of Information Technology (IT) to government operations to achieve better governance, often described as SMART Government—Simple, Moral, Accountable, Responsive, and Transparent.

In other words, e-governance, or “electronic governance”, involves the use of Information and Communication Technologies (ICTs) at various levels of government and the public sector to enhance governance. Its purpose is to improve efficiency, transparency, accountability, and overall

E-governance aims to develop processes and structures that leverage the potential of Information and Communication Technologies (ICTs) at various levels of government to enhance good governance. It involves the deliberate application of IT tools across different aspects of governance to achieve efficiency, transparency, accountability, and user-friendliness in transactions between citizens and businesses and the government. This is achieved by providing a digital interface for Government-to-Citizen (G2C) and Government-to-Business (G2B) interactions.

Moreover, e-governance seeks to make interactions between the government and citizens (G2C), government and businesses (G2B), and inter-agency relationships (G2G) more friendly, convenient, transparent, and cost-effective.<sup>2</sup>

## **2. E-GOVERNANCE**

Computers, the Internet, and Information and Communication Technologies (ICTs) offer numerous advantages and have brought significant changes to our lives. Today, we encounter various new concepts such as e-contracts, e-communication, e-transactions, e-governance, and more.

E-governance is a broad term that refers to web-based services provided by local, state, and federal government agencies. It involves the use of information technology, particularly the Internet, to support government operations,

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<sup>2</sup> Mahashari Laxmikanth, *Public Administration* 4 (Tata McGraw Hill Education Limited, New Delhi, 2013).

engage citizens, and deliver public services. This interaction may include obtaining information, submitting filings, making payments, and performing a variety of other activities through the World Wide Web.

Some commonly accepted definitions of e-governance are listed below:

**Dr. A.P.J. Abdul Kalam**, former President of India, has visualized e-Governance in the Indian context to mean: “A transparent smart e-Governance with seamless access, secure and authentic flow of information crossing the interdepartmental barrier and providing a fair and unbiased service to the citizen.”<sup>3</sup>

The **Council of Europe** has taken e-Governance to mean: “the use of electronic technologies in three areas of public action:

- relations between the public authorities and civil society
- functioning of the public authorities at all stages of the democratic process (electronic democracy)
- the provision of public services (electronic public services)”<sup>4</sup>

According to the **World Bank**, “E-governance is the use of information and communication technologies by government agencies to transform relations with citizens, business and other arms of government. It involves information technology enabled initiatives that are used for improving:

1. The interaction between government and citizens or government and business commonly known as e-services;
2. The internal government operations commonly known as e-administration; and
3. External interactions among the members of society, commonly known as e-society.”<sup>5</sup>

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<sup>3</sup> PiyushGupta and R.K. Bagg (eds.) *Compendium of e-governances initiatives in India* 04(University Press (India) Private Limited, Hyderabad: 2010).

<sup>4</sup> Council of Europe, Available at: [http://arc.gov.in/11threp/arc\\_11threport\\_ch2.pdf](http://arc.gov.in/11threp/arc_11threport_ch2.pdf) (last visited on December 12, 2024).

<sup>5</sup> Dr. Jyoti Rattan, *Cyber Laws & Information Technology* 39 (Bhart Law House (PVT) LTD, New Delhi: 2022).

In this case, the focus is on making use of electronic technologies with a view to encourage better interaction between government and citizens, promote democracy and provide public services.

According to **www.ita.gov.om** website, “*Governance is the development, deployment and enforcement of the policies, laws and regulations necessary to support the functioning of a Knowledge Society as well as of e-Government*”<sup>6</sup>

In other words e-governance is the application of ICTs to the processes of government functioning so as to have simple, accountable, speedy responsive and transparent governance. Although the term ‘e-Governance’ has gained currency in recent years, there is no standard definition of this term. Different governments and organizations define this term to suit their own aims and objectives. Sometimes, the term ‘e-government’ is also used instead of ‘e-Governance’.

### **3. E-GOVERNANCE INITIATIVES IN INDIA**

The National e-Governance Plan (NeGP) was presented to the Hon’ble Prime Minister on November 6, 2003. The plan received in-principle approval, with endorsement of its overall program content, implementation approach, and governance structures. Subsequently, on May 18, 2006, the Government formally approved the NeGP, which comprises 31 Mission Mode Projects (MMPs) and 10 key components. However, separate budgetary approvals from the Planning Commission and the Ministry of Finance were envisioned for specific outlays.

The NeGP aims to establish a strong foundation and drive the long-term growth of e-governance in the country. It seeks to create the necessary governance and institutional mechanisms, develop core infrastructure and policies, and implement several Mission Mode Projects at the central, state, and integrated service

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<sup>6</sup>Ministry of Transport, Communications and Information Technology, Govt. of Oman Available at: [http://.ita.gov.om/ITAPortal/Info/FAQ\\_eGovernmen.aspx](http://.ita.gov.om/ITAPortal/Info/FAQ_eGovernmen.aspx) (last visited on January 03, 2025).

levels. The ultimate goal is to foster a citizen-centric and business-centric environment for governance.<sup>7</sup>

### **3.1 Mission Mode Projects<sup>8</sup>**

A mission mode project (MMP) is an individual project within the National e-Governance Plan (NeGP) that focuses on one aspect of electronic governance, such as banking, land records or commercial taxes etc. Within NeGP, "mission mode" implies that projects have clearly defined objectives, scopes, and implementation timelines and milestones, as well as measurable outcomes and service levels.

NeGP comprises 31 mission mode projects (MMPs), which are further classified as central, state or integrated projects. Each state government can also define five MMPs specific to its individual needs.

**3.1.1. Central MMPs:** This category covers 11 major projects at the national level.

**3.1.2. State MMPs:** It encompasses 13 projects, managed by the state government, aimed at the e-delivery of public services to the general public.

**3.1.3. Integrated MMPs:** This includes 7 projects designed to provide integrated e-delivery of services.

### **3.2 Punjab Sewa Kendras: Revolutionizing Public Service Delivery**

Punjab Sewa Kendras represent a paradigm shift in public service delivery in India, moving from traditional bureaucratic models to systems centered on accountability, transparency, and efficiency. This transformation is propelled by advancements in Information and Communication Technology (ICT), which have enabled the government to adopt citizen-centric approaches to governance.

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<sup>7</sup> Available at: [http://arc.gov.in/11threp/arc\\_11threport\\_ch2.pdf](http://arc.gov.in/11threp/arc_11threport_ch2.pdf) (last visited on December 28, 2024).

<sup>8</sup> Available at: <http://deity.gov.in/content/mission-mode-projects> (last visited on December 30, 2024).

Key initiatives like the **National e-Governance Plan (NeGP)**, **Digital India**, and **e-Kranti** illustrate this evolution, reflecting the government's resolve to embed technology into the public service framework. Sewa Kendras, established by the Punjab government, are at the forefront of this transformation. They serve as single-window platforms that utilize e-governance tools to provide timely, high-quality, and efficient services.

The foundation of Sewa Kendras lies in the **Punjab Transparency and Accountability in Delivery of Public Services Act**, complemented by insights from the **Second Administrative Reforms Commission**. These frameworks champion citizen-centric governance and promote the integration of e-governance solutions. A notable example of these principles in action is the **Zero Pendency Approach** adopted in Jalandhar district. This initiative focuses on minimizing application backlogs through proactive, entitlement-based, and incentivized administrative strategies.

The success of Sewa Kendras highlights the critical role of innovative mechanisms in improving citizen satisfaction and reducing dependency on informal intermediaries. Their structured and technology-driven approach underscores the importance of continued innovation and adaptability in public administration, ensuring that service delivery meets the growing expectations of citizens

### **3.3 Authorities of Centre and State Governments for implementations of E-Governance<sup>9</sup>**

For implementation of NeGP, the Programme Management Structure is as follows.

**3.3.1. Prime Minister's Office:** To provide leadership to the NeGP; prescribe deliverables and milestones; and monitor periodically the implementation of NeGP.

**3.3.2. National e-Governance Advisory Group:** Under the Chairmanship of the Union Minister for C&IT, it obtains views of

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<sup>9</sup> Available at: [http://arc.gov.in/11threp/arc\\_11threport\\_ch2.pdf](http://arc.gov.in/11threp/arc_11threport_ch2.pdf) (last visited on December 28, 2024).

external stakeholders, advises the Government on policy issues and strategic interventions necessary for accelerating introduction of e-Governance across Union and State Government Ministries/Departments.

**3.3.3. Apex Committee (NeGP):** Functions under the Chairmanship of the Cabinet Secretary, oversees the NeGP programme and provides policy and strategic directions for its implementation, resolves inter-ministerial issues; moderates and drives services, process re-engineering and service levels of each MMP, wherever required.

3.3.4. Planning Commission and Ministry of Finance: Allocate funds for NeGP through Plan and Non-plan budgetary provisions and lay down appropriate procedures in this regard.

3.3.5. Line Ministries/Departments: Take ownership of the MMP and conceptualize the project by fixing the objectives, hold consultations with all the stakeholders, prepare comprehensive Project Document including identification of e-services and service levels, obtain sanction for schemes, and implement the project and its various components.

3.3.6. State Governments/UT Administrations: Responsible for implementing State Sector MMPs, under the overall guidance of the respective Line Ministries in cases where central assistance is also required. An Apex Committee at the State level headed by the Chief Secretary is constituted to implement the projects.

3.3.7. Department of Information Technology (DIT) including National Informatics Centre (NIC): DIT serves as a secretariat to the Apex Committee and assists it in managing the NeGP projects. DIT assists National e-Governance Advisory Group and Prime Minister's Office; facilitates implementation of NeGP by various Ministries and State Governments; carries out technical appraisal of all NeGP projects; prepares suitable template(s) for preparing project document(s) (e.g. detailed project report), for use by individual departments; provides technical assistance to various Ministries and State Governments either directly or through NIC or in collaboration with external professional Consultants; undertakes monitoring of all the MMPs.

#### 4. LEGAL SYSTEM AND E-GOVERNANCE

**Right to Information Act, 2005** of India is considered as one of the most advanced RTI legislations in the world. However, Right to Information makes little sense if access to that information is limited only to literate, resourceful and computer savvy people. In this context, the RTI can be understood as having two facets from the perspective of the grassroots:

1. Access to general information such as the information that government and others make available, for example concerning entitlements and benefits.
2. Access to specific information such as individual files, services or decisions made by officers.

E-governance can not only ensure, but can equally make Right to Information Under Article 19(1)(a) and Right to Know Under Article 21 of the Constitution of India a meaningful reality. In this context the use of e-governance for strengthening the RTI implementation is mutually beneficial. In fact the RTI act, is India's first law and perhaps the only law in the world that obligates governments to take up e-Governance as provided in Section 4 (1-a). Digitalisation of all government departments which is vital to strengthening e-Governance is quite important to address the information needs of the citizens.<sup>10</sup>

The following provisions of the **Information Technology Act, 2000** reflect India's concern to bring transparency in the functioning of governmental affairs through e-governance:

- (a) Legal recognition of electronic records (Section 4),
- (b) Legal recognition of digital signature (Section 5),
- (c) Use of electronic records and digital signature in governmental dealings (Section 6),
- (d) Retention of electronic record for certain period. (Section 7),

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<sup>10</sup> Singh Shalini "Promoting e-Governance through Right to Information: A Case-study of India" International Journal of Scientific & Engineering Research, Volume 1, Issue 2, November-2010 ISSN 2229-5518



- (e) Establishment of electronic gazette (section 8), However, these provisions provide only a non-absolute right to claim a sound e-governance base (section 9).

## **5. E-GOVERNANCE LEGAL FRAMEWORK IN PUNJAB**

The Government of Punjab is also striving to provide maximum services to its citizens through digital platforms. Initially, the Punjab Right to Service Act, 2011, was enacted with the objective of ensuring time-bound services for the people of the state. However, this Act was repealed and replaced by the Punjab Transparency and Accountability in Delivery of Public Services Act, 2018, which aims to further improve the transparency, efficiency, and accountability of public service delivery.

For years, going to government offices to access services has been a burden for the common citizen. Government bodies have often had a difficult or intimidating image for the average person. Citizens have long sought easier methods to obtain services without unnecessary complications. Understanding the challenges faced by common people, the Government of Punjab (India) introduced the concept of SUWIDHA (Single User-Friendly Window Disposal Helpline for Applicants) Centre in 2002. This initiative was designed and developed by the National Informatics Centre (NIC).

### **5.1 The Punjab Transparency and Accountability in Delivery of Public Services Act, 2018**

As already mentioned that ‘The Punjab Transparency and Accountability in Delivery of Public Services Act, 2018’ repealed The Punjab Right to Service Act, 2011. Sewa Kendras were instituted in August 2016 with the primary objective of streamlining service delivery and improving citizen engagement in the state of Punjab. The implementation was carried out by the Punjab State e-Governance Society (PSeGS), acting as the

executing agency for the Department of Governance Reforms & Public Grievances (DGRPG) under the Government of Punjab.<sup>11</sup>

Sewa Kendras provide services through a single window in a transparent, corruption-free, and accountable manner at the district, sub-division, and block levels. The objective of this project is to facilitate citizens by collecting inputs at a single window, defining stipulated timelines for tasks, accepting defined payments at the counter, and providing services under one roof.

Sewa Kendras are the de facto front-end of government services, where most Government-to-Consumer (G2C) interactions take place. The E-Sewa project was conceptualized to enhance this experience and improve the efficiency of various departments at the district and sub-division levels, enabling seamless service delivery to citizens.

According to the report by the Technical Group of the National Commission, the population of Punjab is projected to be 30.99 million (30,992,000 or 3.10 crore) as of July 1, 2024. Punjab ranks as the 16<sup>th</sup> most populous state in India. Furthermore, the population of Punjab is projected to increase to 3.27 crore by 2036.<sup>12</sup> Currently, more than 400 public services are available to general public through Sewa Kendras in Punjab, including birth and death certificates, Aadhaar cards, residence certificates, caste certificates, marriage certificates, labor registration and services, pension schemes, arms licenses, land records (Fard), Saanjh Kendra services, learner's licenses, RCs, and driving licenses, among others.

Sewa Kendras are run and managed by the Sukhmani Society in each district, under the chairmanship of the Deputy Commissioner. These centers operate under the framework and

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<sup>11</sup> Available at: <https://connect.punjab.gov.in/about-sewa-kendra> (last visited on January 3, 2025).

<sup>12</sup> The Technical Group On Population Proiecttcons "Report 2011" 84) Available at: <https://statisticstimes.com/demographics/india/punjab-population.php> (last visited on January 8, 2025).

supervision of the Punjab State e-Governance Society (PSeGS). The societies follow a self-sustaining revenue model.<sup>13</sup>

E-governance has been a great facilitator for common citizens who previously had to move from one window to another- first to obtain information, and later to get their tasks completed. In many cases, individuals found themselves entangled in the web of agents who charged them heavily for facilitation.

## **6. OPPORTUNITIES FOR TRANSFORMING GOVERNANCE**

- 6.1 **Strengthening Uniform Legal Frameworks:** By refining existing laws and introducing robust grievance redressal mechanisms, Punjab can ensure greater accountability and public trust.
- 6.2 **Leveraging ICT for Inclusivity:** Expanding the reach of ICT infrastructure and providing digital literacy programs can bridge the rural-urban divide, enabling greater participation in governance.
- 6.3 **Public-Private Partnerships (PPPs) in Service Delivery:** Collaborations with private entities can enhance the efficiency of service delivery and introduce innovative governance models.
- 6.4 **Empowering Local Governance:** Strengthening Municipal Corporations /Municipalities and Panchayati Raj Institutions and local bodies can decentralize governance, making it more responsive and accessible to the people.
- 6.5 **Promoting General Public Engagement:** Introducing participatory governance models, such as public consultations and feedback mechanisms, can ensure that reforms align with citizen's needs and aspirations.

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Available

at:

[http://shodhganga.inflibnet.ac.in:8080/jspui/bitstream/10603/13544/11/11\\_chapter%203.pdf](http://shodhganga.inflibnet.ac.in:8080/jspui/bitstream/10603/13544/11/11_chapter%203.pdf) (last visited on November 30, 2024).

**6.6 Zero Pendency Initiatives:** Adopting innovative administrative strategies, like the Zero Pendency Approach, can reduce backlogs and ensure timely delivery of services.

**6.7 Judicial Reforms:** Streamlining judicial processes and leveraging technology for case management can address delays in governance-related legal disputes.

## **7. CHALLENGES IN TRANSFORMING GOVERNANCE**

**7.1 Socio-Economic Disparities:** Punjab faces stark disparities in wealth, education, and digital literacy, which hinder equitable access to governance reforms. Rural areas often lag in adopting e-governance solutions due to limited resources and infrastructure.

**7.2 Legal and Policy Implementation:** While progressive laws like the 2018 Act have been enacted, gaps in enforcement and compliance dilute their impact. Bureaucratic inefficiencies and lack of accountability further exacerbate the problem.

**7.3 Corruption and Informal Practices:** Entrenched corruption and reliance on intermediaries undermine the objectives of transparency and accountability. Citizens often find themselves navigating a system rife with informal practices.

**7.4 Resistance to Change:** The transition from traditional to technology-driven governance faces resistance from both citizens and government officials, often due to fear of the unknown or vested interests.

**7.5 Judicial Backlog:** Delays in resolving legal disputes related to governance and service delivery undermine trust in the system and impede timely justice.

**7.6 Digital Divide and Technological Barriers:** Limited internet penetration, especially in rural areas, and the lack of digital literacy among a significant portion of the population restrict access to e-governance platforms.

**7.7 Cyber Threats to E-Governance:** E-governance initiatives aim to improve public services and governance

through digital technology. However, they are increasingly exposed to cyber threats that can undermine their effectiveness, security, and public trust.

## **8. CONCLUSION**

In the end of this research paper researcher conclude that e-governance is very important aspect of modern governance. In starting e-governance only touches some parts of administration: the operating core, the implementation of public policy, democratic supervision by parliament, and citizens as consumers. E-governance redefines these parts by means of info-logic. It then transforms the relevant processes into informational processes.

If e-governance sticks to the information approach and informational taylorism, it cannot exploit the possibilities of the concept. It then probably fails, or it will be limited to rather trivial initiatives. If informational e-governance does not fail, the situation may become even worse. E-governance will then transform governance into an effective information processing machine. This could endanger the societal foundations upon which public administration rests and the legitimacy of government in the long run. E-governance does not necessarily have to suffer the pitfalls of the information management approach. If it departs logically and sensibly from a traditional public administration perspective, it could avoid a tunnel vision that blinds the real nature of public administration in the modern world. In the end of this research paper we can say that e-governance is a step toward digital India with timely service delivery.

## **9. SUGGESTIONS**

To successfully implement The Punjab Transparency and Accountability in Delivery of Public Services Act, 2018, and ensure the success of the National e-Governance Plan (NeGP), there must be strict enforcement of the provisions of the Act. Furthermore, reengineering processes should be adopted to enhance the efficiency of service delivery in Punjab.

- 9.1. To mandate public procurement through electronic mode across all departments to enhance transparency and competition.
- 9.2. To set up a widespread network of Common Service Delivery Access points for enabling assisted access to electronic services.
- 9.3. To accelerate and standardize delivery of electronic services by providing Common Shareable Service Delivery Platforms by leveraging technologies like Cloud Computing.
- 9.4. To develop, adopt, evolve and notify standards for seamless interoperability of data and applications.
- 9.5. To promote open standards and open technologies.
- 9.6. To enhance institutional framework for Capacity Building Programme for imparting training across all levels.
- 9.7. To design and create a citizen engagement framework for utilization of social media by the government and its agencies.
- 9.8. To design and implement policy framework for placing data in public domain for use and value addition.
- 9.9. To promote Public Private Partnerships in e-Governance projects and facilitate flow of private sector financial and technical capabilities into the national e-governance effort especially in areas where viable investments are feasible.