Digital Governance Needs Decision Receipts

Episode 73 | Big Ideas

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Transcript

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Abstract

Governments worldwide have spent two decades digitizing services for efficiency. Digital public infrastructure, from identity systems to payment platforms, has reduced the need for citizens to visit multiple offices. But this efficiency has a cost: when a digital system denies a service, citizens hit an opaque "digital wall" with no human to negotiate with. With AI accelerating digitization further, this problem will only intensify.

Srivastava, CTO of eGov Foundation, proposes two interlocking solutions. First, every government decision, whether made by a bureaucrat, an algorithm, or an AI system, must emit a "decision receipt" that records which rules were applied to which facts and in what sequence. Like a restaurant bill that lets you verify charges, these receipts give citizens a concrete object to challenge. Second, traditional monolithic agencies must be modularized into separate bodies for rule-making, registry management, service delivery, appeals, and audit. This separation ensures that appeals go to an independent authority, not back to the same system that said no.

Supplementary Resources

- **From Decision to Redress: Designing for Ease of Contestation in a Digital State** by Manish Srivastava (Blog)
  https://digitalstatecraft.substack.com/p/from-decision-to-redress-designing
- **The Governance Stack: A Systems Architecture for the Digital State** by Manish Srivastava (Blog)
  https://digitalstatecraft.substack.com/p/the-governance-stack

Contents

1 Introduction to digital statecraft and governance transformation **3**

2 Government digitization and the digital wall problem **3**

3 Designing systems for ease of contestation **4**

4 Modularizing institutions for transparent governance **4**

5 Decision receipts as accountability mechanisms **5**

6 How decision receipts work in practice **6**

7 Building plan approval as a case study **7**

Introduction to digital statecraft and governance transformation

[00:09] Aditya Paul: Welcome to a new episode of Big Ideas. I'm Aditya and I'm very excited to introduce today's guest, Mr. Manish Srivastava. Manish is currently serving as the CTO of eGov Foundation and has extensive experience building speedy, scalable, and sustainable systems for citizen-centric public service delivery, digital public infrastructure, and more recently, AI.

[00:32] Aditya Paul: He enthusiastically talks about how there is a massive change in governance which is no longer institutional, but rather infrastructural. He also opines regularly on his blog Digital Statecraft, where he further extends this view that modern state is no longer just shaped only by its rules and institution, but increasingly are be shaped by its digital infrastructure.

[00:57] Aditya Paul: That being said, without further adieu, I would let Manish talk about the his big idea revolving around how technology is reshaping governance.

Government digitization and the digital wall problem

[01:07] Manish Srivastava: So governments worldwide have been using technologies to digitize their systems. Um, as citizens, uh, we engage with a variety of agencies. If you look at, um, uh, so if, if, if the the citizen, the citizens basically interact with a variety of government agencies, um, for a variety for different services.

[01:32] Manish Srivastava: And, um, and each of these agencies have been using, uh, digital technologies, uh, to optimize and improve internal efficiencies. And this has been going across, um, for a couple of, last couple of decades. Um, in the, uh, lately, we've also seen these new, uh, types of, uh, agencies which what we call as, uh, digital public infrastructure, uh, whether it is identity systems, um, payments, uh, systems, and data exchange, um, systems that have been allowing, uh, information to be exchanged across agencies, um, so that the citizens don't have to run across, uh, various agencies.

[02:19] Manish Srivastava: And this all has been primarily helping improve, um, efficiency of the, uh, of governance in the last couple of decades.

[02:30] Manish Srivastava: Now, while this is a good thing, one of the things that is also happening as digitization is happening in the government is, um, when something breaks down and if there is an issue, then, uh, you hit what is called the digital wall because in the traditional, uh, pre-digital era, you would talk to a bureaucrat and the bureaucrat would help resolve the issue and you would have a human to human interaction.

[02:55] Manish Srivastava: As digital systems are dis-intermediating the interaction between the government and the citizen, uh, the systems are basically becoming an opaque, um, uh, wall, a digital wall, uh, and this needs to be addressed. Now with AI coming in, digitization is going to further increase, uh, across the governments.

[03:18] Manish Srivastava: And so one of the things that we'll have to think about is how do we design systems not just for transactional efficiency, um,

Designing systems for ease of contestation

[03:30] Manish Srivastava: but also for contestation. How do we design systems for ease of contestation? And, and so how do we, if, if any of the systems basically says no to the, to the citizen for a service that they applied or a welfare scheme that they have applied, how do they get this resolved?

[03:51] Manish Srivastava: And this becomes an important, uh, factor as to how we will design, uh, digital governance in the future. And the, and the key aspect, the moment you start thinking about, um, that this system has already given the, uh, a no to the citizen, it is, it makes no sense to go back to the same system because then you are stuck in this vicious loop, um, trying to get the same actor to resolve the issue that you are, uh, basically, the service that they are supposed to deliver.

Modularizing institutions for transparent governance

[04:25] Manish Srivastava: And it becomes, um, important to think about that how do we redesign these institutions and these agencies? And this is where the whole concept of taking these institutions and breaking them into modular, um, uh, units, um, becomes critical. Um, those would basically, you have a separate, uh, agency which defines the rules, different separate agency which manages the registries, separate agency which actually delivers the service, separate agency which does the audit, and separate agency which actually manages the appeals.

[05:03] Manish Srivastava: So unless and until we build these modular institutions, modularize the institutions, digital governance will accelerate opacity. So, the some of the, the one of the big ideas that basically we need to think about again, is how do we ensure, how do we redesign the traditional agencies today which are being, uh, designed for efficiency towards ease of contestation.

[05:29] Manish Srivastava: And one of the big, the the the big idea basically that I have been trying to chase is how do we modularize these institutions? And once you modularize these institutions, then how do we, what is the role of digital technologies in basically enabling these institutions to interoperate with each other?

Decision receipts as accountability mechanisms

[05:47] Manish Srivastava: And, and the crux of the matter, the heart of the matter is what I call a decision receipt.

[06:00] Manish Srivastava: The best way to think about the decision receipt is almost like when you go to a restaurant and you eat, then they give you a receipt of items that, uh, food items and you check the bill and then you can actually, the bill becomes the way for you, the receipt becomes the means with which you can argue or contest, uh, that, uh, the similar way, whenever government makes a decision, they they must issue a decision receipt.

[06:25] Manish Srivastava: The decision receipt basically consists of what rules were applied to what facts and in what sequence was this done so that the, the, what decision was arrived by applying these rules to these facts, right? And, and once you have this entire as a decision receipt and it is a, it is an object that the government issues to you and not just saying you a no.

[06:50] Manish Srivastava: If it issues a a decision receipt to the citizen, then the citizen can actually go from the service provider to an appellate authority and present the decision receipt saying that look, I'm here to contest it. And the appellate authority basically then focuses on resolving the issue, either by saying the fact needs to be corrected or an exception needs to be granted to the, uh, to the citizen, or, uh, the, the, it, it, it issues a mandate to the service provider that you've made a flaw and you need to fix this, um, uh, thing.

[07:25] Manish Srivastava: So once unless until we do this, so this, this decision receipt becomes is a big idea of the future is in, in my view, which is going to, um, as we move forward beyond DPIs, as and if we want to continue to accelerate the speed of service delivery, um, uh, through digital mechanisms, uh, we will also have to think about how decision receipts, uh, enables contestation and how do we redesign, uh, the government towards, uh, enabling, ease, easing contestation without compromising efficiency.

How decision receipts work in practice

[08:05] Manish Srivastava: So the next, uh, what I wanted to talk about was, uh, a little more details. Um, any decision eventually is application of a set of rules, uh, to a set of facts. And once the, and typically there is a bureaucrat who's actually interpreting the rules and the facts and making the decision. In the digital world, increasingly these decisions are being encoded in digital systems.

[08:27] Manish Srivastava: And, and and as we go forward, a lot of the concern that people are raising is that this will be done through AI or code or the digital systems that have been written by AI. And then and hence, uh, it be and hence the the legitimacy of that decision becomes very questionable. And this is where in, in if we want to continue to digitize, one of the and to ensure that this is legitimate, we want to ensure that these receipts are getting emitted out of the any system.

[08:57] Manish Srivastava: Whether it is a bureaucrat giving a decision, whether it's an AI system or a traditional digital system that is giving a decision, they must emit a receipt, which should, which should basically explain, uh, what rules and what facts was used to make these decisions. Once the citizen has this receipt, and if they are not happy with the decision, they can actually go to an appeals.

[09:19] Manish Srivastava: But for that, the appellate authority must exist. Appellate authority cannot be the same authority which actually made the decision. Um, it, uh, and that is, that is why important for the separation to happen. Um, so now once the appellate authority happens, the appellate authority can actually give a correction order. Once they give a correction order,

Building plan approval as a case study

[09:40] Manish Srivastava: uh, once they give a correction order, the correction order can either go to the re- to the regulator. Um, so this is typically rules are given by the regulator. So the regulator, you, you give it to the regulator to, uh, or you give the, uh, the, the correction order is routed to the registrar to correct the facts.

[10:06] Manish Srivastava: The registrar will correct the facts. Or it is or the correction order goes to the, um, uh, decision making authority which would typically be the provider, the service provider. Uh, the, whether it is, now the the interesting thing is service provider can be a government agency and the service provider can be, be, uh, a public, uh, a private agency.

[10:28] Manish Srivastava: It doesn't matter now because if the rules are clear and the facts are clear, the decision and there is a there is a way to access the, uh, the decision, then we will be able to do this. Now for example, right, today, if you want to look at, uh, so let's say if we take a simple example like building plan. Today building codes plan codes are basically defined in in a regulation, okay, how do you build a building plan?

[10:56] Manish Srivastava: Um, uh, the registrars basically maintain all the various, uh, data associated with, uh, what are the land use, uh, scenarios, where what building is allowed, what are the, the what are the size of the road, etc. All of those details are essentially maintained by various registrars. And then, um, today when the, when an architect, when a citizen or a an architect on behalf of the citizen basically files for a building plan approval, um, the, the rules and the facts are taken and a decision is, decision becomes basically the decision gets made, uh, and, and, the decision gets made, the decision can be made either by the bureaucrat or or using an AI system or using a decision receipt.

[11:44] Manish Srivastava: Um, and and if the, if, if if it is in 90, 95%, cases if it is, if it has no issues, it goes through and, and and you get speed and efficiency. But in some cases where you have a issue, now the citizen has an access, citizen has a decision receipt wherein they can actually go to an appellate authority who can then actually who can then basically ask for a correction order.

[12:08] Manish Srivastava: And once the correction order is come, either the rules, uh, is given or an exception is given or the decision is reversed and then the citizen basically the whole thing happens. So today what is happening is all, uh, either if you're going through the only the bureaucratic approach, then you have a long queue and a long a long wait time for the citizen.

[12:28] Manish Srivastava: If you are doing through the digital system while you're getting it fast, it becomes problems when the the system says no. So this is the dichotomy that we are feeling facing today with if you are going to do completely manual then it will slow down. If you're going to do it completely fast using digital systems, then it contestation becomes harder. So the way to resolve this issue is even if you're doing it with a digital system, the, the way to resolve is how do you design ease of contestation.

[12:56] Manish Srivastava: So the the decision receipt and the appeals becomes the foundational piece, uh, going forward. Thank you.