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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV-B

Rules and Orders (Other than those published in Part I, I-A and I-L) made by the Government of Gujarat under the Gujarat Acts.

GENERAL ADMINISTRATION DEPARTMENT

Notification

Sachivalaya, Gandhinagar, 26th February, 2014.

GUJARAT (RIGHT OF CITIZENS TO PUBLIC SERVICES) ACT, 2013.

No. GS/7 /2014/NAP-102013/817/ARTD-1:- In exercise of the powers conferred by sub-section (3) of section 1 of The Gujarat (Right of Citizens to Public Services) Act, 2013 (Gujarat 16 of 2013), the Government of Gujarat here by appoints the 26.02.2014 as the date on which the provisions of section 4 and section 29 of the said Act, shall come into force.

By order and in the name of the Governor of Gujarat.

BHARAT B. PATEL,
Deputy Secretary to Government.

GENERAL ADMINISTRATION DEPARTMENT**Notification**Sachivalaya, Gandhinagar, 26th February, 2014.**THE GUJARAT (RIGHT OF CITIZENS TO PUBLIC SERVICES) RULES, 2014.**

No. GS/ 8 /2014/NAP-102013/817/ARTD-1 :- In exercise of the powers conferred by section-29 of the Gujarat (Right of Citizens to Public Services) Act, 2013 (16 of 2013), the Government of Gujarat hereby makes the following Rules, namely:-

1. Short Title and commencement.-

- (1) These rules may be called the Gujarat (Right of Citizens to Public Services) Rules, 2014.
- (2) They shall come into force on their publication in the *Official Gazette*.

2. Definitions .-

- (1) In these rules, unless the context otherwise requires:-
 - (a) 'Act' means the Gujarat (Right of Citizens to Public Services) Act 2013;
 - (b) 'Form' means form appended to these rules;
 - (c) 'Notified services' means services notified by State Government under section 4 of the Act;
 - (d) 'prescribed format' means formats prescribed by the concerned department delivering a notified service under section 4 of the Act;
 - (e) 'section' means section of the Act.
- (2) The words and expressions used in these rules but not defined shall have the same meaning assigned to them in the Act.

3. Publication of names of Designated Officers, Grievance Redressal Officers and Designated Authority:- As per section 5, section 6 and section 9 (2) of the Act, a public authority shall publish the names and addresses of its Designated Officers, Grievance Redressal Officers and Designated Authority in all administrative units or offices at the State, district and taluka levels, municipal corporations, municipalities, notified areas, panchayats and such other offices. The Names, addresses, e-mail Id, contact numbers, fax numbers of Designated Officers and Grievance Redressal Officers shall also be displayed on the website of each public authority or customer care centre or help desk or *Jan Seva Kendra* and sales outlet, if any.**4. Display of information on Notice Board.-**The Designated Officer and his subordinate public servant of the Public Authority shall, for the convenience of common public, cause to display all relevant information as per Form A regarding the notified services available in his office on the notice board outside its office. Such notice boards shall be exhibited in front of the office. Sufficient number of copies of the prescribed applications forms be made available in the counters for receiving the applications.**5. Manner of receiving application and issuing acknowledgement to Applicants.-**

- (1) In order to exercise the right conferred by section 3 of the Act, the citizen, who desires to obtain service/services, shall apply to the Designated Officer for one or more services as notified by State Government under section 4 of the Act as per prescribed application format or any other form along with the documents prescribed in the check-list in the office.
- (2) The Designated officer or authorized person shall upon receipt of the written application or in such Form wherever prescribed, give due acknowledgement to applicant in Form B within three working days of the making of application.
- (3) In case necessary documents have not been enclosed with the application, then the same shall be clearly mentioned in the acknowledgement and date of delivery shall not be mentioned in such acknowledgement.
- (4) Where all the necessary documents have been enclosed with the application and the application is complete in all respects, then the date of delivery shall be mentioned.

6. Public holidays shall not be included. - The public holidays shall not be included while calculating the stipulated time limit for delivery of service.

7. **Relaxation of Fee.** -No fee shall be levied for application to Grievances Redressal Officer, Designated Appeal Authority and State Appellate Authority.
8. **Manner of receiving complaint.**- (1) In case the notified services are not rendered or not rendered within prescribed time frame, then the aggrieved citizen shall file a written complaint in a format as nearly as possible as prescribed in Form-C through hand delivery, fax, post or registered post with the concerned Grievances Redressal Officer appointed by the public authority under section 6 of the Act.
- (2) The Grievances Redressal Officer shall upon receipt of the written complaint, give due acknowledgement to applicant as per Form B within three working days of the making of complaint.
9. **Manner of giving notice.** -(1) The Grievances Redressal Officer shall issue notice to the designated officer or the subordinate official responsible for delay or default in providing service/services within prescribed time limit. He shall also indicate the time limit within which delaying officer or official shall furnish reply to the notice.
- (2) If the Grievances Redressal Officer is not satisfied with the explanation furnished by Designated Officer or Subordinate official responsible for providing service/services, the Grievance Redressal Officer shall proceed further as per rule 10.
10. **Communicating the information of hearing** - (1) Information of hearing of the complaint by Grievance Redressal Officer shall be communicated by the Grievance Redressal Officer in one of the following manners, namely :-
- (a) By hand delivery;
- (b) By post ;
- (c) By Telephone/Fax/e-mail/SMS (whatever speedy communication opted by the applicant).
- (2) The hearing date shall be communicated to complainant and/or Designated Officer, as the case may be, at least seven days in advance.
- (3) The applicant or Designated Officer, as the case may be, shall make himself present during the hearing.
- (4) If any party remains absent on the date of hearing even after the information of hearing being duly informed to him, then, the application may be decided *ex-parte*.
11. **Procedure for Decision on Complaint.**- (1) The decision of Grievance Redressal Officer on orders of designated Officer or on complaint made under section 6 shall involve the following steps, namely:-
- (i) Review of concerned documents, public records or their copies..
- (ii) In exceptional circumstances, any other officer may be authorized for required investigation.
- (iii) The Designated Officer or subordinate official as the case may be, may be summoned at the time of hearing.
- (2) The decision of the Grievance Redressal Officer shall accompany reasons for arriving at such decision.
- (3) The Grievance Redressal Officer shall dispose the appeal to him within thirty days.
- (4) The Grievance Redressal Officer shall report every complaint which has not been redressed along with the details and nature of the complaints and reasons for non redressal of the complaints to the Designated Authority within fifteen days from the date of the order.
12. **Communication of order by Grievance Redressal Officer** :- (1) The Grievance Redressal Officer shall arrange to deliver the copies of the decision to the parties concerned within seven days from the date of the order.
- (2) In the event of recommendation for disciplinary action against Designated Officer or his subordinate public servant under section 8 (1)(c) or (d), as the case may be, the Grievance Redressal Officer shall send orders issued against him to the concerned Public Authority or Appropriate Authority.

13. **First Appeal before Designated Authority:** - (1) Any person aggrieved by the decision of Grievance Redressal Officer may file appeal with Designated Authority as per sub-section (2) of section 10 of the Act within thirty days from the date of receipt of the copy of the order of Grievance Redressal Officer in format as nearly as possible as prescribed in Form D.
- (2) Every complaint forwarded under sub-section (1) of section 9 shall be deemed to have been filed as appeal.
 - (3) Receipt of such appeal shall be acknowledged as per Form E within three working days.
 - (4) Every Appeal shall be disposed of within forty-five days from the date of deemed appeal or from the date of filing appeal by applicant.
 - (5) All Appeals shall be disposed off in the following manner :
 - (i) The hearing date shall be communicated to complainant, Grievance Redressal Officer concerned and Designated Officer at least seven days in advance.
 - (ii) The complainant, Designated Officer and Grievance Redressal Officer may make himself present during the hearing.
 - (iii) If any party remains absent on the date of hearing even after the hearing being duly informed to him, then the application may be decided *ex-parte*.
 - (iv) The Designated Authority shall arrange to deliver the copies of the decision to the parties concerned within fifteen days from the date of the order.
 - (v) The Designated Authority shall hear the concerned officer before imposing penalty under sub-section (1) of section 23 of the Act.
 - (vi) The Designated Authority shall inform in writing to the Appropriate Authority within fifteen days of hearing if any action under sub-section (7) of section-10 is to be found to be taken.
 - (vii) The Designated Authority shall inform in writing to the concerned Public Authority within fifteen days of hearing to take specific action as may be necessary to render the services in compliance of the notification issued under section 4 of the Act.
14. **State Appellate Authority.**-(1) There shall be one or more State Appellate Authority and There shall be maximum three members in each State Appellate Authority appointed by the State Government.
- (2) The salary and allowances of State Appellate Authority shall be equivalent to the post he held before he has been appointed or he held the last post in the State Government.
 - (3) The member of the State Appellate Authority shall be removed on the ground of proved misbehavior or incapacity after the proper inquiry by the State Government.
 - (4) The State Government may suspend the member of the Appellate Authority if deem necessary, prohibit also from attending the office during inquiry. The inquiry shall be conducted by the State Government. In case of misbehavior or incapacity of a member, the State Government may appoint a Board of Inquiry consisting of Senior All India Service Officer or Officers to investigate the allegation. On the basis of the report of the Board of Inquiry, the State Government may take appropriate action against the member who is alleged.
15. **Second Appeal before State Appellate Authority:** -(1) Any person who does not receive the decision of Designated Authority within forty-five days from the date of appeal or aggrieved by the decision of Designated Authority may file second appeal with State Appellate Authority within thirty days from expiry of such period or from the date of receipt of the copy of the order of Designated Authority, as the case may be, in a format as nearly as possible as prescribed in Form D.
- (2) Receipt of such second appeal shall be acknowledged as per Form E within three working days.
 - (3) All Appeals should be disposed off in the following manner :-
 - (i) The hearing date shall be communicated to complainant, Grievance Redressal Officer concerned, Designated Authority concerned and Designated Officer at least seven days in advance.

- (ii) The complainant concerned, Designated Officer, Grievance Redressal Officer and Designated Authority may make himself present during the hearing.
 - (iii) If any party remains absent on the date of hearing even after the hearing being duly informed to him, then the application may be decided *ex-parte*.
 - (iv) The Appellate Authority shall arrange to deliver the copies of the decision to the parties concerned within fifteen days from the date of the order.
 - (v) The Appellate Authority shall hear the concerned officer before imposing penalty under sub-section (1) of section 23 of the Act.
 - (vi) The Appellate Authority shall inform in writing to the Appropriate Authority within fifteen days of hearing if any action under sub-section (7) of section 10 is to be found to be taken.
 - (vii) The Appellate Authority shall inform in writing to the concerned public Authority within fifteen days of hearing to take specific action as may be necessary to render the services in compliance of the notification issued under section 4 of the Act.
16. **Manner of Publishing Report.**- Every public authority shall publish annual reports in book form within three months at the end of the calendar year under sub section (2) of section 24 of the Act and send it to the respective administrative department of the State.
17. **Maintenance of records of all cases under the Act .** - The Designated Officer, Grievance Redressal Officer, Designated Authority and Appellate Authority shall maintain records of all the cases in Form E-1, Form E-2, Form E-3 and Form E-4 respectively with regard to the action taken and shall send a periodical report to the Head of the Public Authority.
18. **Dissemination and Training .** - The State Government shall, to the extent of availability of financial and other resources -
- (a) develop and organize campaigns and programmes to advance the understanding of the public, in particular of the disadvantaged communities, as to how to exercise the rights contemplated under the Act and encourage public authorities to participate in the development and organization of such programmes.
 - (b) take steps that the relevant provisions regarding the Act shall be included in the curriculum of schools and colleges so as to educate citizens about the Act;
 - (c) provide staff and infrastructure for the effective implementation of the Act;
 - (d) give timely and effective dissemination of accurate information by public authorities about the notified services and timeliness to the citizens and the processes for applications;
 - (e) train Designated Officers, Grievance Redressal Officers, and staff of Appellate Authority, as the case may be, of their duties under the Act;
 - (f) issue direction to the concerned departments of the State Government to frame guidelines containing such information, in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right specified under this Act.
19. **Monitoring of Implementation.** -The State Government shall introduce a system for centralized monitoring of the timely delivery of notified services, through use of Information and communication Technologies/E-Governance, and for monitoring various provisions of the Act.
20. **Awards .-** (1) At the end of each year list of officers or service providers who have not defaulted under the Act in that year shall be published and be issued letter of appreciation as per Form F by head of the Public Authority. The same shall also be noted in the ACR of the concerned officer/employee. The names of such officers shall be recommended to State Government for reward.
- (2) The State Government may give a reward to officers or service providers against whom no default is reported in that year, so as to encourage and enhance the efficiency of the State Government servants. For this, the competent authority shall recommend such names to the State Government at the end of each year. Appropriate reward for such officers may be fixed by the State Government.

FORM A*(See Rule 4)***DISPLAY BOARD**

(State Emblem)

The Gujarat (Right of Citizens to Public Services) Act, 2013.

Name of the Office:

Name of Village/Taluka/ District:

Scheduled Services:

Sr. No	List of services	List of documents (Checklist)	Name of Designated Officer	Time limit for Designated Officer	Name and Address of Grievance Redressal Officer	Time limit for disposal by the Grievance Redressal Officer	Address of Designated Authority and State Appellate Authority	Time limit for disposal by the Designated Authority and State Appellate Authority
1	2	3	4	5	6	7	8	9

Name and designation of the authorized person to give and receive the application :

Instructions to Citizens :-

- To get the acknowledgement receipt compulsorily.
- If services are delayed / not delivered, contact Grievance Redressal Officer along with acknowledgment receipt.

Website :

Email id :

Contact number of call centre/ Help desk number :

FORM B*(See rule 5(2) or Rule 8(2))*

Acknowledgement by the Designated Officer/ Grievance Redressal Officer

1.	Name of the Applicant/Complainant with address	
2.	Date of application/complaint	
3.	Unique Acknowledgement Number	
4.	Name of the Designated Officer/Grievance Redressal Officer with designation and address	
5.	Details of services sought/complaint	
6.	Accept (Yes/No)	
7.	Proposed date of Delivery of services/Time frame of Redressal	
8.	Rejection (with reasons)	

Place :

Signature and Stamp of the Designated Officer/ Grievance
Redressal Officer

Date :

FORM C*(See Rule 8(1))*

Format for filing Complaint with Grievances Redressal Officer

To

The Grievance Redressal Officer,

Name of the concerned Public Authority

Address :-

I want to complain against non-delivery/ delayed delivery of _____ service (Details of requested notified service) by Shri / Smt. / Kum _____ (Name and Designation of Designated Officer).

I had applied for _____ services on _____ (Date). However, the services were not delivered/ not delivered within prescribed time limit of _____ days.

- I hereby declare that I am a Citizen of India.
- I hereby declare that above details are true to the best of my knowledge and belief.

Name & Signature of the Complainant :

Address :

Telephone No./Mobile No.

Place :

Date :

Mode of delivery of complaint :-

Encl :- 1. Copy of Acknowledgement issued by Designated Officer.

FORM-D*(See rule-13(1) or rule 15(1))*

Format for filing Appeal before Designated Authority or State Appellate Authority.

To

The Designated Authority/ State Appellate Authority,

Address _____

I want to file an appeal against decision of Grievances Redressal Officer / Designated Authority (Name & Address) dated _____.

I find the said decision/order to be unjustified and unreasonable owing to following reason(s) :-

The authority may be pleased to strike down the decision / order of Grievances Redressal Officer / Designated Authority and pass any such further order and directions as it may consider just.

- I hereby declare that I am a Citizen of India.
- I hereby declare that above details are true to the best of my knowledge and belief.

Signature of the Appellant

Address :

Telephone No./Mobile No.

Place :

Date :

Mode of Delivery of Appeal :-

Enclosure :

1. Copy of Acknowledgement issued by Designated Officer
2. Copy of Acknowledgement issued by Grievance Redressal Officer.
3. Copy of decision of Grievance Redressal Officer. (in case of Appeal against Grievance Redressal Officer),
4. Copy of Acknowledgement issued by Designated Authority (in case of Appeal against Designated Authority)
5. Copy of decision of Designated Authority (in case of Appeal against Designated Authority)

FORM E*(See rule 13(3) or rule 15(2))*

Acknowledgement by the Designated Authority/ State Appellate Authority:-

1.	Name of the Appellant with address	
2.	Name and Address of concerned Public Authority	
3.	Name of the Defendant and designation/address	
4.	Date of Appeal	
5.	Unique Acknowledgement Number	
6.	Details of services sought/complaint	

Place : Signature and Stamp of the Designated Authority/ State Appellate Authority

Date :

Form E-1*(see rule 17)*

Register to be maintained by the Designated Officer

Name and designation:

Address:

Sr. No.	Name of the applicant with address and acknowledgement No.	Details of services sought	Reasons for rejecting the application if any	Date of Services delivered	Reasons if services denied	No. of days delayed
1	2	3	4	5	6	7

Form E-2*(see rule 17)*

Register to be maintained by Grievance Redressal Officer

Name and designation:

Address:

Sr. No.	Name and Address of the Complainant	Date of Complaint with Acknowledgement. No.	Details of services sought	Name and designation of the Officer Complained against	Reasons for rejecting the application if any	Basis for complaint	Relief asked	Date of disposal of Complaint	Re-marks
1	2	3	4	5	6	7	8	9	10

Form E-3*(see rule 17)*

Register to be maintained by Designated Appeal Authority

Name and designation:

Address:

Sr. No.	Name and Address of the Appellant	Date of Appeal with Acknowledgement No.	Details of services sought	Reasons for rejecting the complaint, if any	Basis for appeal	Name and designation of the designated officer	Name and designation of the GRO	Date of disposal of appeal	Remarks
1	2	3	4	5	6	7	8	9	10

Form E-4*(see rule 17)*

Register to be maintained by State Appellate Authority

Name and designation :

Address :

Sr. No.	Name and Address of the Appellant	Date of final application with Acknowledgement No.	Details of services sought	Reasons for rejecting the Appeal, if any	Basis for appeal	Name and designation of the designated officer	Name and designation of the GRO	Name and designation of the Designated Authority	Date of disposal of appeal	Remarks
1	2	3	4	5	6	7	8	9	10	11

FORM-F

(see rule 20)

(Draft Appreciation letter)

To,

Name and Designation of the officer

It is matter of pride that you have delivered the services under the Gujarat (Right of Citizens to Public Services) Act, 2013 in time to the citizens throughout the year. Owing to excellent and timely services rendered by you, the Department and the Government have earned good name and has resulted in promoting good faith in the citizens towards the Act and the administrative reforms measures taken by the Government. It is assumed

that the employees will get encouragement and enthusiasm from your model service. I would like to place on record the Government appreciation for the outstanding (default free) service rendered by you in the year.....

Wishing you many more success in future.

Signature and Stamp of Head of Public Authority.

By order and in the name of the Governor of Gujarat.

BHARAT B. PATEL,
Deputy Secretary to Government.

