

CHHATTISGARH LOK SEVA GUARANTEE ACT 2011



(fava 2-22 fū. i'. 30-% 2001." 283 J. 1 12 20, 1933 12 2011 196/21-WWEÆ. 30-09- 2011 t, t. sos 12 2011 23) 2011 ii <lfir«, 2. 3. 4. 5, 6. 2. 8. 9. 2. 12 2011 23 2017) 2011 fā-ā Ei f=rqftTfū7 fri a; 74QTfæfa, t: fiūq, ; 566 (1) g-rtq (1) (2) (3) (4) (71) (a) 566 (2) 3. 4. (Z) (1) (2) (1) (2) (3) (4) 12 2011 frrqvii ma ætrrzq; (\$1) 12 " ii •f;vra t, f, VH13 zztfrR' f;rq a q, frfq fr;ril () fqq±p 3 gm, Ofa ft-ufi fifi 12 2011 i.ft ferā fafta Ü4fr.R1 a; t f*-fū 3Tfqzērti ü 30 45 6. 8. 9. (1) (2) (3) (2) frqfd 566 (4) 10. (3) (2) 2011 -*t-é fifi?! Aft t, 3Vö.if f4,-m 12 2011 196/21-wgTF.FJ. 349 (3) 23) t. go 566 (Si 12 2011 CFIHKITISGARH Acr (No. 230f 2011) THE CHHATTISGARH LOK SEWA GUARANTEE ACT, 2011 TABLE OF CONTENTS Sections x 2. 4. 5. 6. 8. 9. IO. S: title. extent, con irnencement and application. Definitions. Right to obtain Lok .%ewa in stipulated time. Liuhilily to deliver Sewa in stipulated time, imposi'ion. recov ery and puyvnt cost. Appointment of Cory .petent Officer. Liability for furnishi ng iājse information to obtain Lok Sewa. Right of Appeal. Deemed service con. litions. Power to make rules. Poucr to remove dif ficulties. 12 2011 CHHATTISGARH Acr (No. 23 of 2m THE CHHATTISGARH LOK SEWA GUARANTEE ACT, 2011 An Act to proviC le for the delivery of certain public services to citizens 'by tho State Government, local l: 'Odies, public authorities or agencies within the stipulated tim e, and to fix the liabilities of persons responsible for delivery of such services in the eveni of default and for matters mnneeted therewith or incidental thereto. Be hy Chhattist.tach tn the Sixty-second Year the Short title. extent, application . (2) This P. ct may be called Chhattisgarh Lok 201 1 ads the whole Slate It shal I collie into totec• such date as the State Gove-mnen•. by not t lieatio n in Lhe appoint. This Act :tp piv to persons appo to ovi! services posls connec lion of the nment of Chhay, •sgarh. public . which owned, cont finance h} the 2. In this Act, unless the context otherwise requires.— (a) (b) (c) (d) (e) (g) "Appel late Authority" me-ans an notified Fy Government. local body, I 'ubiic authoriues agencies as the ease be. and invested with the po wer to hear appeals against the orders passed by any Competent Oficer under this Act; •SComl 'etent Officer" heans an oficer so notified by the Government. local body, public authority or agency as the case may he. under section of this Act, and empowered to impose cost for default or d •lay caused by the per- son responsible for delivery of Lok Sewa. •"Depar tment" means a department of the Government or a section. division. branch, office or constituent unit, or by whatever name called, of a local body, public authority or agency as the case may be; "Government" means the Government of Chhattisgarh; "Local hody" means and includes any authority, municipality, panchayat or any other body, hy whatever name caned. for the time tn. •ing invested by law to render Lok Sewa within the State of Chhattisgarh or to control, manage or regulate such services within a specified local area thereof; "Lak Sewa" means and includes citizen related publie services notified un- der section 3; "Notification" and "Notified", where the eomext so requires. means and relate to a notification published in 'he official Gazelle; "Prescribed" means prescribed by the rules made under this Aet: "Public authorily" means tiny authority hody or instiitition of self gover- nance established or constituted hy any law made hy the Legislature or the Stale of Chhattisgarh or constituted by a notiicaion iēsued or order mude 12 by (he Government; and includes (one) (two) (three) a body owned, controlled or substantially financed by 'he Govern- menti a non-government organization substantially financed, directly or indirectly, by the funds provided by the Government; and an organization or body corporate in its capacity as an ins trumen- tality of 'Sate' as defined under article 12 of the ConstituGion and rendering Lok Sewa in the State of Chhattisgarh. 3. 4. (j) (k) (l) (2) (l) (2) (3) (4) "Rule" means a rule rnade by lhe Government under this Act, and i •otiled as such; "Stipulated time" mean, the maximum time. notified under Section 3 Of this Act. to provide Lok Sewn or to decide the appeal by the appellate auth ority. Every person shall have the right to obtain Lok Sewa in the State of Chhattisgarh. within the s tipulated time as notified from time to time hy lhe State Government, in acc ordance with the provisions or thes Act. Every applicant who to obtain Lok Sewa within the stipulated lli me, shall be entitled to receiv e cost as provided under sub-section (4) of Sect ion 4, in respect of his appli(:ation, in the manner as may he prescribed. Every department shall designate the person(s) responsible deliverin Lok Sewa from the date of commencement of this Act, and Ilie racl of suci designation shall be disl in some conspicuous part of the dep•.artment for the information of eneral public. Every person responsib le for delivering Lok Sewa referred to in sub-section (l) shall deliver such s erviees in accordance with lhe notification under Section 3. Every application for Lok Sewa shali be acknowledged by the person responsible tor delivel •ing the service or by the department, as the case may be, and every applica' shall be entitled to Obtain the status of his applica- tior in the manner as rnny he prescribed. Every person respon Sible for delivering Lok Sewauho fails to deliver such services

within the aipulated time shall be liable to pay costs at the rate 01 one hundred rupee's for each day during the period of delay. if any. subject to a maximum cos'. of one thousand rupees, which shall be recoverable from him towards payment to the person applying for Lok Sewa in respect of failure to obtain such seta,'ice: Provi ded tha(, no costs shall he recovered from the person respon- Sible for cle!iveringiny Sewa unless he has been served Willi a notice ancl has been tecor,ded a reasonable opportunity Eo be heard by the Cosnpvtent Offceec. -an the manner as nyay be prescribed: Provider I Curthet• that, no costs shall be recoverable, where the for service' is deliciént in any such deficiency has itidicat• in the acknowledgntent in Provii]ed also that. no costs shall he 'ble. u llt.ere the in Jing such servvce is. in the opili1011 cnv'ng to be yond lthe control the vev;ponsibli' deliveving 566 (7) Right (0 ohi" in Luk Sewa in stiputltled Liability deliver 1.0k Sewa in lilted time, illjpnqnsitiota. recovery and pay- ment cost. 566 (8) Appointment of Competent OmeeL Liability furnishing for G Ise 12 2011 (5) manner of recovery of costs and payment to the appliCo t under suh- section (4) shall be as may be prescribed. Every dep artment shall notify one or more persons, not below the rank Of the person responsible for delivering Lok Sewa. as competent officer for the purposes of lhis Act. No person shall submit any application which contains any fact or informtion. whi. he knows or has reasons to believe to be false. to obtain any 'Lok Sesva. and he furnishes such fact or information rmay be liable ror criminal action under the law i, the time being in force, information to 1.0k Seya. Right or Appeal. Deemed service Power to make 6. 8. 9. (1) (2) (3) Any person who is aggrieved by an order passed by lthe Competent under this Act, shall be entitled 10 tile an appeal before the Authority, in the manner as may be prescribed. 'ithin a period not ing thirty days from the receipt of the impugnecl'i order; and the AppcILlh Au'horily shall decide the appeal within a maxi mum period or 45 days (row, the date of institution of the appeal and w'niie• deciding the appeals shall follow the principles or natural justice. order of the appellate aulhority shall be final and binding. Every department shall notity a person not being tw•low the rank Competent Officer. to the Appellate Authority for the purposes 01 section (A copy of the order made by the Apjh•ilnte Authority. in respect or u •esponsible for delivering Lok Sewa, shali be forwarded to the depart""t having administrative or disciplinwy control over such person ror n laintained in the records pertaining to lthe work related performance 01 'i' person for taking such administrative action as deemed appropriate by "lthe provisi onsofthis Act shall tx: in addition '0, and not in derogation ot', the sen conditions. the disciplinary and financial rule. and such other service rules and rev iations as at applicable to the person respon Sible for delivering Lok Sewa. The Government may, by norific ation, make rules for carrying out pro visions of this Act. In 1 'articulard, and without prejudice to the generality of the foregoing powe- suc h rules may provide for all or any of the following matters. namely (2) (3) (a) (c) the manner in which cost for failure to Obtain Lok Sewa is to received by the applicant under section 3 and its payment is 10 be made to the applicant under sub-section (5) of Section 4; the manner in which an ar •plication for Lok Sewa is to be acknowl- edged and its status is to be obtained by lthe applicant under suh- section (3) Of Section 4; the manner of issuing the procedure for hearing by Compe- tent Officer. and the manner of fixing the liability of i's recovery under sub-section (4) of Section 4; the manner of preferring an appeal and prcx:edure governing disposal of such appeal by the appellate authority under section 7'. any other matter which is required to be, cr may be prescrilx. •d, Every rule made under this Act by the Government shall be laid, as soon as may be, after it is tnade. befOre the Legislative Assembly or the State. 566 (9) Power to reinose (1) (2) 12 2011 If any difficulty arises in giving effect to the provision: of thisAct. the Govern- ment may. by order published in lthe official gazette. make such provisions not inconsistent with the provisions of this Act, as appear to it to he necessary or pcdient for removing the difficulties: Provided that. no such orders shall be made after the expiry of a period of two years from the date of commencement of this Act. Every order made under this section shall, as soon as may be. after i; is made, tx: laid before 'he Legislative Assembly of the State. gro t. qhz if f€M1\$, 3C-s-2001. •• 31s 'Üfr€rnygV09/2010-201?.' 12 2011—ørmuq 21, 1933 12 2011 2011 (V 23) (3) gm 2011 12 348 O) tqt%.12-u t. 630 12 2011 Raipur. the 12th' December 201 j NOTIFICATION No. F 3- I '201 1 -6.—In exercise of powers conferred by sub-section (3) Of Section I at the Chhattisgarh 1.0k Sewa Guarantee Act, 201 1 (No, 23 of 201 1 the State Government, hereby, appoints the twelfli day of December, 201 1 as the date on which said Act shall come into force. By order and in the name of the Goven•vsr of Chhattisgarh, NIDHI THHIBBER. Secretary. (fö;n Zi. 2-22-TitF7ß ü. 30-5—2001 316 GrFTgi/09;2010-2012." 1933, 14 201' I 2. 3-2/2011/ 201i 23 q;t2011) 9 (1) «gra, f?fq fuq WTH) 201.1 I 2011 631 (V) (31) (Z) 14 2011 t, 2 if fafÉÄ t; t, fifta; (ft-a-q. f€RiTt 14 632 (i) (q) (d) 3. 4. 5. 3(1)

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NOTIFICATION)N No. F 3-2,0011 / I -6.—'In exercise of the Powers conferred by sub-section (I) of Section 9 of the Chhattisgarh Lok Sewa Guarantee Act, 2011 (No. 23 of 2011). the State Government, hereby makes the following rules for laying down the procedure for application, appeal and payment of cost, r tamely :—

2. RULES Short title and commencement.- (1) These rules may be called the Chhattisgarh Lok Sewa Guarantee (Avedon, Appeal, tatha Parivyaya ka Bhugtan) Niyam, 2011. (2) They shall come into force from the date of its publication in the Official Gazette. Definitions.- (1) In these rules, unless the context otherwise requires,- (a) "Act" means, the Chhattisgarh Lok Sewa Guarantee Act, 2011 (No.23 of 2011) (b) "Appellate Authority" means, an officer empowered in Section 2(0) of the Act who can hear appeals against the orders passed by the Competent Officer; (c) 'Competent Officer' means, an officer empowered to impose cost for default or delay caused by the person responsible for delivery of Lok Sewa as mentioned in Section 2(b) of the Act; (d) "Cost" means, cost as imposed for payment by the Competent Authority on a person responsible for delivering Lok Sewa for the services specified in Section 4(4) of the Act. (e) "Department" means, a Department of the Government or a section, division, branch, office or constituent unit, or by whatever name called, of a local body, public authority or agency, as the case may be, as mentioned in Section 2(c) of the Act; (f) "Designated Officer" means, an officer responsible for delivering Lok Sewa as mentioned in Section 40.) of the Act; (g) "Form" means, form attached to these rules made under the Act; 14 2011 632 (13) 3. 4. 5. "Government" means, the Government of Chhattisgarh as mentioned (In) in section 2(d) of the Act; body" means, any Municipal Corporation, Municipality, Panchayat or any Other body, mentioned in Section 2(e) of the (j) "Lok Sewa" means, Services mentioned in Section 2(f) of the Act; "Notification" and "Notified" means a notification published in the (k) Official Gazette under Section 2(g) of the Act; (l) "Prescribed" means, prescribed by these rules; (m) "Public Authority" means, an authority or body or an autonomous body mentioned in Section 2(i) of the Act; (n) "Rule" means, the Chhattisgarh Lok Sewa Guarantee (Avedon, Appeal, tatha Parivyaya ka Bhugtan) Niyam, 2011; (o) "Schedule" means, issuing of Schedule under these rules related to notified civilians in public services under Section 3(1) of the Act; (p) "Stipulated time" means, the specified time to provide Lok Sewa or to decide the appeal by the Appellate Authority notified under these rules; (2) The words and expression used in these rules which are not defined, shall have the same meaning as assigned to them in the Act. Authorization of Designated Officer.- Each department, shall designate a responsible officer, for delivering Lok Sewa in prescribed time under Section 4(1), and the designated officer shall be responsible for necessary action on each application and providing Lok Sewa to the applicant in stipulated time as mentioned in the Schedule. Procedure for receiving' application.- Each Officer designated by department shall authorise his sub-ordinate officer/employee to receive the applications, examine them and to issue the acknowledgement to the applicant for the public services provided by his office. Issuing of acknowledgement to applicant.- The officer/employee, authorised under the said procedure, on receipt of application shall immediately check whether necessary documents have been annexed with the application. Application which is complete in all respect and with necessary documents shall only be entertained. Authorised officer/employee shall give acknowledgement to the applicant in

Form-I, as specified in 4. Incomplete applications shall be returned back to applicant with a note on its incompleteness. Complete applications received on each working day, shall be produced before "Designated Officer" on the same working day for providing Lok Sewa. 632 (14) 14 2011 6. 7

8. Declaration of Competent Officer.- As per Section 5 of the Act, each department shall declare one or more than one Competent Officer, who is/are not below the rank of Designated Officer responsible for providing Lok Sewa, for enquiring the default or delay made by Designated Officer. The Competent Officer shall have the powers to impose cost on Designated Officer under the provisions of the Act. If the Designated Officer failed to provide Lok Sewa in stipulated time, the applicant may submit complaint to Competent Officer. On receiving such complaint, Competent Officer shall enquire into the reasons for delay in providing Lok Sewa and after according a reasonable opportunity of hearing to the Designated Officer, decide the complaint within 30 days. Competent Officer after going through reasons and facts produced by Designated Officer shall decide whether he is responsible or not for delay in providing Lok Sewa. If Designated Officer is found responsible for not providing services in stipulated time then the Competent Officer shall impose cost under Section 4(4) of the Act and give the directions to provide services at the earliest, if the services are not provided to the applicant. Copy of the order passed by Competent Officer shall be endorsed to applicant, designated officer and the officer having administrative control over designated officer. Responsibility of designated officer to provide service required by the applicant at the earliest shall remain intact even after cost is imposed on him. Any person who is aggrieved by an order passed by the Competent Officer shall be entitled to file an appeal before the Appellate Officer within 30 days. Appointment of Appellate Officer.- For the hearing of appeals filed by the aggrieved party against the order passed by Competent Officer, each Department shall notify Appellate Officer under Section 7(2) of the Act whose rank shall not be below the rank of Competent Officer. Appellate officer shall decide the appeal within a maximum time limit of 45 days, from the date of filing appeal and while disposal of appeal follow rules of natural justice. The order passed by Appellate Authority shall be final and binding. Appeal.- Any person who is aggrieved by an order passed by the Competent Officer shall be entitled to file an appeal before the Appellate Authority within a period, not exceeding thirty days from the receipt of the impugned order. There shall be no fees for appeal. (1) The following information shall be furnished in an application for appeal- 632 (15) (i) (iii) (iv) (v) (vi) (vii) 14 2011 name and complete address of the appellant; brief description of required service; date of the application produced before designated officer providing service; date of the application produced before competent officer; particulars of that order of competent officer against whom appeal is made with date; the grounds for appeal; relief sought; 9. IO. 11. (viii) any other information necessary for filing appeal. (2) Documents to be annexed with appeal- The following documents shall be annexed with every application for appeal, namely:- (i) self-attested copy of the order of the competent officer against which the appeal is made; (ii) the copies of the documents mentioned in the application for appeal; (iii) the index of the documents annexed with the application for appeal; (iv) self-attested copies of the documents mentioned in the original applications of applicant and appellant. Procedure for deciding appeal.- In deciding the application for appeal the Appellate Authority shall - (i) inspect relevant documents, public documents or copies thereof; (ii) hear designated officer/ applicant, as the case may be, at the time of appeal. Service of notice of hearing.- The notice of hearing of application for appeal may be served in any of the following manner - by hand delivery (dasti) through special messenger; (ii) by the registered post with due acknowledgement; (iii) in case of a Government servant, through his controlling officer. Personal appearance of the appellant.- (1) In every case the appellant shall be intimated with the date of hearing, at least seven clear days prior to such date of hearing. (2) If any party remains absent after due service of notice of the fixed date of hearing, then the application for appeal may be disposed of in his absence. 632 (16) 14 2011 12. 13

14. Order in appeal.- (1) During hearing of Appeal signature/thumb impression of both the parties shall be obtained in order sheet; (2) The copy of appeal order shall be given to both parties and also endorsed to the following:- (a) For information to Competent Officer and if the appeal of designated officer is rejected then, with the direction to pay amount of cost positively; (b) Administrative or Disciplinary controlling department of concerned designated officer for appropriate administrative action and for record in his service. Payment of cost.- In case of dismissal or rejection of appeal the designated officer has to pay the amount of cost within seven days as imposed by the Competent Officer on him. Method for the payment

or cost.- (1) Cost shall be paid in the following manner:- (a) Each Competent Officer shall open a savings account in his own name in a nationalized bank for depositing and withdrawal of amount collected as the cost and maintain record of the amount deposited and withdrawn in his office in a separate cash book. (b) Each Designated Officer shall deposit amount of cost imposed on him in the account opened by Competent Officer as mentioned in the (a) above and shall inform to the Competent Officer along with the photocopy of counterfoil as given by the bank. (c) Amount deposited as above shall be paid to the applicant in person or by cheque/bank draft or through money order. (d) For the payment of cost to the applicant, fees incurred on bank draft or money order shall be borne by Competent Officer through interest on the amount deposited in bank or by concerned drawing and disbursing officer from contingency (2) Payment by other methods - (i) If the Designated Officer failed to pay the amount of cost imposed on him as specified in rule 13, then the Competent Officer shall direct drawing and disbursing officer to recover the amount of cost from the next salary of the Designated Officer and deposit it in the bank saving account as mentioned in rule 14. Directions of Competent Officer shall be binding on drawing and disbursing officer. (ii) Amount received as above method shall be deposited by the drawing and disbursing officer under intimation to the Competent Officer. 2011 632 (V) 15. 16. 17. 18



19. Officer, who in turn pay it to applicant specified in the rule 14(J Calculation of stipulated time for the service.- For providing Lok Sewa Calculation of stipulated time shall be in the form of working days. Display of information on the notice board.- The Designated Officer in



Form-2 attached with these rules shall cause to exhibit the relevant information of the services on a notice board installed at a conspicuous place of his office for the convenience of general public. The details of necessary documents to be attached with an application for obtaining notified services shall be displayed on the notice board. Maintenance of record of disposed cases under the Act.- For the maintenance of record of disposed cases under the Act, The Designated Officer, shall maintain the record of the cases in

Form-3, and appellate officer in Form-4 attached with these rules. Liability for furnishing false information to obtain Lok Sewa.- No person shall submit any application which contains any fact or information, which he knows or has reasons to believe to be false, to obtain any Lok Sewa, and who furnishes such fact or information may be liable for criminal action under the law for the time being in force.

Monitoring and inspection.- The State Government may issue directions from time to time for effective implementation of the provisions of the Act, superintendence of the cases filed under the Act and for the inspection of the offices of the Designated Officer, Competent Officer, Appellate Authority and Drawing and Disbursing Officer. LAW order and in the name of the Governor of Chhattisgarh, NIDHI

CHHIBBER, Secretary. 632 18) 2011 FORM 1 (See rule 5) Form of acknowledgement under the Chhattisgarh Lok Sewa Guarantee Act, 2011 Name and address of the office of Designated Officer 1. 2 3.



5. Name and address of the applicant Date of receiving application in the office of designated officer. Name of the service for which the Application is given. Particulars of the documents which are essential for receiving service, but are not enclosed with the application. Last date as per stipulated time limit for delivery of Lok Sewa Place : Date : Note:- Signature of Recipient Name and Designation with Seal. In case of not receiving all the documents with the application the last date mentioned in point 5 above shall not be given. 14 2011



FORM 2 (See rule 16) Form for providing information on notice board Name, Designation and Office. of the Designated Officer. Notified Documents Stipulated 632 (19) Stipulated time limit for the disposal of appeal S. No. (1) 1 2 1



2. Public to be Service annexed (2) with the application (3) time limit for the s' :rvices (4) Name and Designation of the Competent Officer (5) Name and Dexignatiou and address of the office of Appella,te Authority (6) Name, and Chamber of the Officer/employce authorised t receive application in the office of Designated Officer Time limit "Or filing appeal. Within thirty days from the decisio n of competent officer. Note- Plea se obtain acknowledgement of your app,lication compulsorily.

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FORM 3 (See rule 11) Form of register to be maintained in the office of Designated Officer Name of the office of the designated officer. Month Year S. No. (1) Name and address of applicant (2) Service for which the application is given (3) Application allowed/ dis-allowed (4) Last date of the stipulated time limit (5) Date of providing service (6) Date and details of the order passed by Competent Officer (7) file

14 2011 FORM 4 (See rule 17) 632 (27) Form of register to be maintained in the office of Appellate Authority Name of the office of the Appellate Authority. S. Name and No. address of appellant (1) (2) Date Designation of the filing, Competent Officer appeal (Alongwith the name of office) against the decision of whom the appeal is filed) (3) Last date of the stipulated time limit as fixed for the disposal of appeal (5)

Date and detail of order in appeal. (6) 634 (35) 16 2011 fä-v 16 2011 2011 (7iAtü3) 3, 4, iÄT, frff-a (TR), 2011 Gi-Ffi e 45 30 30 , 30 (ftFT (ftTé1T ut.e; I Ini.A2.LEkJ Ehle (9€) VE9 16 2011 634 (37) 2. gT*1 q.i.FTT 15 30 30 30 632 (8) 3. Rzrr * 1 5. 14 20.11 zrr€T 2011 agf Refi I feriG 14 2011 (fizrq '16 (4) (6) 632 (9) (7) 1 2 3 1. 2. 632 (10) 14 2011 17 üfü) (2) (.3) (4) (5) (6) (7) 14 2011 (ÄZFT 17 02 (11) (2) (3) (4) (5)

