

CHHATTISGARH LOK SEWA GUARANTEE ACT, 2011

far Q. fq«N, 30-5-2001." 7;-qi45 283] 12 20, 1933 12 2011 7291/8. 196/21-wyr«rø. 30-09- 2011 t, t. 56S 566 2. 3. 4, 5 6. 7. 9. 10. 12 2011 3.7firfi-qq 23 q 2011) 3iUNzrcr, 2011 fr\$T. ÉtAT. (2) (3) (4) (71) (3) 12 2011 23 2011 2011 4941fr4fd, 31fiüa t, V.zr*rq fizi701, i; 566 (2) vrta ft-a-a 3. 4. (1) (2) (1) (2) (4) 12 3-- yqqx 2011 gT(1 gm fifi* ru, fifi-a "fi•æxa t, fifi 3 4 (4) ü-tä aft-fä--q-q @ f{--æfi g-rv -a -rrq 566 (3) 37fi.m-r. 5, 6. 8. 9. (2) (3) 12 2011 ft-a (3) -Gr A-ot t fifi-I ülfî:a -a, 30 a-Äfü 45 3--ßfü *an, 3#ra *TET. GTQ fizi7Ul a-F.ßil 4 (3) --ow-ä (N) 10, (3) (1) (2) 12 e--}qq 2011 fiqq, fig, 12 2011 348 (3) 2011 23 2011) t. 12 2011 CHHATFISGARH ACT (No. 23 of 201 1) THE CHHATTISGARH LOK SEWA GUARANTEE ACT, 2011 TABLE OF CONTENTS Sections 566 2. 3. 4. 5. 6. 7. 8. 9. IO. extent, commencement and application. s Definitions. Right to obtain Lok Sewa in stiputated lime. Liability to deliver Lok Sewa in stipulated time, imposition, recovery and pay•nenl ct)Sl. Appoinunent of Competent Officer. Liability for furnishing false to obtain Lok Sova. Right of Appeal. Deemed service conditions. Power to make rules. Power LO remove difficulties. 12 2011 CHHATTISGARH ACT (No. 23 of 201 1) THE CHHATTISGARH LOK SEWA GUARANTEE ACT, 201] An Act to provide for the delivery of certain public services to citizens by the State Government, local bodies, public authorities or agencies within the stipulated time. and to fix the liabilities of persons responsible for delivery of such services in the event of default and for matters connected therewith or incidental thereto, Be it enacted by the Chhattisgarh in the Sixty-second Year of (be Repub- did, as Sharl title. extent. et»mnleilCC1ncm Rnd app',icntion . Definitions. (3) (4) 'I"his Act Inay be caned the Chhattisgarh I-ok .Sevva Guarantee Act. 20 E I extends [0 lthe whole State of Chhattisgarh. It shall into force on such date as the inay, by nori-ficati0Ti in the affcial Gazette, appoint. 'This Acl shall apply to persons appo?nted to any civil services 0\$ posts ktecnics which are owned, controlled or suhs\antiaily 2. In this Act. unless the context otherwise reques, (a) (b) (c) (d) (e) (D "Appellate Authority" means an ollicer notified-by the Government, local hody, public authorities or aoencics as lthe ease •nay be, and invested with the power to hear appeals against the orders passed by any Compctent Officer under this Act; "Competent Officer" theans an officer so-notified by lthe Government, local body, public authority or agency as the case may tw, under section Sof this Act, and empowered to impose cost for default or delay-caused by the per- son responsible for delivery of Lok Sewa; "Department" means a department of the Government or a section, divisim. branch. otTtce or constituent unit, or by whatever-name calid of a body, public authority or agency as the casenuy tv, 'Government" means the Government of Chhattisgam; "Local means and includesany authority, municipality, any other body. by whatever name -caited, for theGmeheing investd by law to render Ink Sewa within the State af Chhattisgari control. manageor regulate such services within a specified local area (haeof: "Luk Sewa"means and includes citiæn related_public -un• der section 3". "Notification" and "Notified". where the context so requires, means and relate to a notification published in lthe official Gazette; "Prescribed" means prescribed by the rules made under this Act: "Public authority" means any authority or body or institution of self gover- nance eslablished or constituted by any law Enatic by the [.cgislature 01" the Stare of Chhattisgarh or constituted by a notification issued or order made 12 2011 by the Government; and includes : (one) (two) (three) a body owned. controlled or substantially financed by the Govern- ment; -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 instrumen- tality of 'State' as defined under article 12 of the Constitution and rendering Lok Sewa in the State of Chhattisgarh. 4 (2) (2) (3) (4) "Rule" means a rule made by the Governnnen•. under this Act, and actitied as such; "Stipulated time" means the maximum time, notified under Section 3 of lhis Act. to provide Lok Sewa or to decide the appeal by lthe appetta:e authority. Every person shall have the right to oblain Lok Seova ill lthe Stale of Chhallisgarh, within the stipulated lime as no{itied fro;n (i'ne to time by lthe State Governnnen(. In accordance with lthe provisions 01' this Act. Every applican\ who Fails to obtain Lok Sewa within lthe stipuiated time, Shatt be entitled to receive cost as provided under sub-section (4) ot' Section 4, in respect of his application, in the manner as may be prescribed. Every department shall designate the person(s) responsible deliver l_nk Sewa from lthe date of cotnmencement of this Act, and the fact ot such designation shall be displayed in some conspicuous part of the for the information of general public, Every person responsible for delivering Lok Sewa referred to in sub-section (l) shall deliver such services in

accordance with the notification under Section 3. Every application for Lok Sewa shall be acknowledged by the person responsible for delivering the service or by the department, as the case may be. and every applicant shall be entitled to obtain the status of his application in the manner as may be prescribed. Every person responsible for delivering Lok Sewa who fails to deliver such services within the stipulated time shall be liable to pay costs at the rate of one hundred rupees for each day during the period of delay, if any, subject to a maximum COSI 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 service. Provided that no cost shall be recovered from the person responsible for delivering Lok Sewa, if he has been served with a notice and has been accorded an opportunity to be heard by the Competent Officer, in the manner prescribed: Provided further that no cost shall be recoverable, where the application for such service is deficient in any manner and such deficiency has been indicated in the acknowledgment referred in sub-section (3): Provided also that no costs shall be recoverable, where the delay in delivering such service is, in the opinion of the Competent Officer, owing to reasons beyond the control of the person responsible for delivering Lok Sewa. (7) Right to claim Lok Sewa in stipulated time, upon completion of service. (8) Appointment of Competent Officer for furnishing information obtained under the Act. Right of Appeal. Deemed service conditions. Power to make rules. (5) 12 2011 The manner of recovery of costs and payment to the applicant under sub-section (4) shall be as may be prescribed. 5. 6. 8

9. Every department 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 this Act. 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 he who furnishes such fact or information may be liable for criminal action under the law then in force, (2) (3) Any person who is aggrieved by an order passed by the Competent Officer under this Act, shall be entitled to file an appeal before the Appellate Authority, in the manner as may be prescribed; within a period not exceeding thirty days from the receipt of the impugned order; and the Appellate Authority shall decide the appeal within a maximum period of 45 days from the date of institution of the appeal and while deciding the appeals shall follow the principles of natural justice. The order of the appellate authority shall be final and binding. Every department shall notify a person not below the rank of the Competent Officer, to be the Appellate Authority for the purposes of sub-section (1). A copy of the order made by the Appellate Authority, in respect of a person responsible for delivering Lok Sewa, shall be forwarded to the department having administrative or disciplinary control over such person for being maintained in the records pertaining to the work related performance of the person for taking such administrative action as deemed appropriate. The provisions of this Act shall be in addition to, and not in derogation of, the service conditions, the disciplinary and financial rules and such other service regulations as are applicable to the person responsible for delivering Lok Sewa. (1) (2) (3) The Government may, by notification, make rules for carrying out the provisions of this Act. In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely: (a) (c) (d) (e) the manner in which cost of failure to obtain Lok Sewa is to be received by the applicant under section 3 and its payment is to be made to the applicant under sub-section (5) or Section 4; the manner in which an application for Lok Sewa is to be acknowledged and its status is to be obtained by the applicant under sub-section (3) of Section 4; the manner of issuing notice, the procedure for hearing by the Competent Officer, and the manner of fixing the liability of cost, and its recovery under sub-section (4) or Section 4; the manner of preferring an appeal and the procedure governing disposal of such appeal by the appellate authority under section 7; any other matter which is required to be, or may be prescribed. Every rule made under this Act by the Government shall be laid, as soon as may be, after it is made, before the Legislative Assembly of the State. (1) (2) 12 2011 If any difficulty arises in giving effect to the provision of this Act, the Government may, by order published in the official gazette, make such provisions not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient 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 it is made, be laid before the Legislative Assembly of the State. 566 (9) Power to remove difficulties. —2011.