

CHHATTISGARH PUBLIC DISTRIBUTION SYSTEM (INTERNAL GRIEVANCE REDRESSAL) RULES 2016

/ 38 Q. 30-05-2001, " 347] 1. 2. 9 2016— 18, 1938 1 2016 — 2016 2013 20) 14, 15 gä 2012 40 (1) - (1) 2016 (2) (3) 693 694 (2) (u) (u) (g) (U) (q) (\$1) (31) (e) 31fÄfruq' 2013 (2013 20), '31124171' 'fä-é1T 3+fÜq5R[" 15 (l) 3TfiÄfhuq \$1 8 31fÄQj[ü" 14 \$1 19 2012 (ED. 5 2013), a, -e-q-a 34ftfruq, 2013 (2013 20), 2012 @. 5 2013), 1955 (1955 Ni 10) 694 (1) A. ü.— 2013 (2013 20) 31fäfauH, 2012 5 2013) fir€fT 4. BATVT ü.— (1) fä-€[T f6-5AT a-qfütT 694 (2) (*IGNA), (5) fÄz;-å NIT m-ITTT 2011 (ED. 23 2011) 3-TT?TR uT€1 Q-T«IT 2015 -d AT 091 694 (3) (10) filFTT 6. #ex.— (1) 31fÄfä-u-q fh-q-vuv I 7. 2013 (2013 20) I fhu4Ü[(05) 16 (3) 694 (5) 10. 3.T?Aa-T Q-fä— vrou I 11. (1) 16 (4) (2) AT gINT \$1 (9) (10) 7b Orc uT a, Niq_ Tl-q-q-T I -t Q -ro I 694 (6) (7) ft--ci-éT -qj-g--å fifi) 3\$TQ), 12. — (1) 13. kli.— (1) I ft4fÄ@9ru *-Ufi \$1 OfTTk 2016 14. (1) GTäVIT (2) q-rfÄ-qj-€T (4) qTfQ<T N-ITQ4 694 (7) 694 (8) 1 2016 10-64/2009/?414/29-2. — 348 (3) 01 2016 Naya Raipur, the 1st September 2016 NOTIFICATION 694 (9) Noe E 10-64/2009/Food/29-2. — The following draft of the Chhattisgarh Public Distribution System (Internal Grievance Redressal) Rules, 2016, which the State Government proposes to make in exercise of the powers conferred by Section 14, 15 and 16 read with Section 40 of the National Food Security Act, 2013 (20 of 2013) and Section 19 and 30 of the Chhattisgarh Food and Nutritional Security Act, 2012 (No. 5 of 2013), is hereby, published as required by sub-section (1) of Section 40 of the National Food Security Act, 2013 (20 of 2013), for information of all persons likely to be affected thereby and notice is hereby given that the said draft shall be taken into consideration after expiry of fifteen days from the date of publication of this notification in Official Gazette: Any objection or suggestions regarding the said draft received from any person before the specified period during office hours in the Office of Director, Directorate of Food, Civil Supplies and Consumer Protection, C-Block, Block-2 Third Floor, Indrawati Bhawan, Naya Raipur shall be considered by the Government of Chhattisgarh. 1

2. DRAFT RULES Short title, extent and commencement.- (1) These rules shall be called the Chhattisgarh Public Distribution System (Internal Grievance Redressal) Rules, 2016. (2) It shall extend to the whole of the State of Chhattisgarh. (3) It shall come into force from the date of its publication in the Official Gazette. Definitions. (1) In these rules, unless the context otherwise requires,- 694 (10) (a) (b) (d) (f) (g) (h) (j) (k) "Agent" means any person who has been authorized by any party for submission of appeal or reply before the Commission; "Central Act" means the National Food Security Act, 2013 (20 of 2013); "Central Government" means the Government of India; means Chairperson of the "Chairperson" Chhattisgarh State Food Commission; Commission" means the Chhattisgarh State Food Commission; District Grievance Redressal Officer" means an Officer appointed under sub-section (1) of Section 15 of the Central Act; "Food Security Allowance" means the amount of money to be paid by the State Government to the entitled persons under Section 8 of the Central Act; "Member" means Member of the Chhattisgarh State Food Commission; "Nodal Officer" means Food Controller/ Food Officer at District level and Joint Director, Food at State level under Section 14 of the Central Act and Section 19 of the State Act respectively; "State Act" means the Chhattisgarh Food and Nutritional Security Act, 2012 (No. 5 of 2013); "State Government" means the Government of Chhattisgarh. (2) Words and expression used herein but not defined shall have the same meaning as respectively assigned to them in the National Food Security Act, 2013 (20 of 2013), the Chhattisgarh Food and Nutritional Security Act, 2012 (No. 5 of 2013), the Essential Commodities Act, 1955 (No. 10 of 1955) and the Rules made thereunder. 3. 4. 5. 694 (11) Grievance Redressal Mechanism.- There shall be an Internal Grievance Redressal Mechanism for monitoring and redressal of grievances regarding implementation of the provisions of the National Food Security Act, 2013 (20 of 2013) and the Chhattisgarh Food and Nutritional Security Act, 2012 (No. 5 of 2013), comprising of the District Grievance Redressal Mechanism and the Chhattisgarh State Food Commission. District grievance redressal mechanism.- (1) For expeditious and effective redressal of grievances of aggrieved persons, District Collector or the Additional Collector [Joint Collector, as may be, authorized by the Collector shall be designated as the District Grievance Redressal Officer. (2) Name of the office of the District Grievance Redressal Officer 0 his designation and telephone number shall be displayed in the Office of Gram Panchayat, Urban Local Body and Fair Price Shop building. Procedure of grievance redressal mechanism at district level.- (1) District Grievance Redressal Officer shall hear the

grievances received from call centers, Nodal Officer or directly from the beneficiaries, regarding non-distribution of entitled food grains or meal and matters relating thereto. (2) Complaints shall be filed before District Grievance Redressal Officer in the proforma prescribed by the Director, Department of Food, Civil Supplies and Consumer Protection. (3) Complaints to the District Grievance Redressal Officer shall be received in the Office of the Gram Panchayat and Urban Local Bodies and assistance shall be given to aggrieved persons in filling the prescribed proforma if such a request is made and accordingly acknowledgement shall be given to the complainant. 694 (12) (4) Grievances received in Gram Panchayat (Rural Level) shall be entered in a separate register by Panchayat Secretary, who shall forward the same to Sub-Divisional Officer (Revenue) within three days. The Sub-Divisional Officer (Revenue) shall make an online entry of such complaint on the website and forward the same online to District Grievance Redressal Officer and physically within a period of seven days. (5) Grievances received in the Urban Local Bodies shall be maintained in a separate register and online entry of the same shall be made by the body on the website and forward the same online to the District Grievance Redressal Officer and physically within a period of seven days. (6) District Grievance Redressal Officer can make enquiry into the grievances through Officers authorized in this behalf (not below the rank of Food Inspector of the Department, Nayab Tehsildaar of Revenue Department, Cooperative Inspector of Cooperative Department and Sub-Inspector of Police Department). Such Officers shall conduct enquiry within the time limit prescribed in the Chhattisgarh Lok Sewa Guarantee Act, 2011 (No. 23 of 2011) and submit the report to the District Grievance Redressal Officer. (7) District Grievance Redressal Officer, on receipt of the enquiry report, shall give an opportunity to both the parties to represent their case and based on the facts he can either provide allowance to the affected person as per the provisions of the Food Security Allowance Rules, 2015 or issue suitable orders under the provisions of the State Act. (8) District Grievance Redressal Officer shall redress the grievance within a period of fifteen days from the date of receipt of enquiry report from the authorized Officer and inform the complainant accordingly. 6. 7. 694 (13) (9) Appeal against the order passed by the District Grievance Redressal Officer can be submitted to the Chhattisgarh State Food Commission within a period of thirty days from the date of issue of order. (10) District Grievance Redressal Officer shall submit through the Administrative Department, Annual report of the action taken to the Chhattisgarh State Food Commission. Call Center.- (1) Call Centres shall be established to lodge complaints and suggestions from the consumers regarding implementation of the Central Act and the State Act. (2) Telephone numbers of the Call Centers shall be displayed at every Fair Price Shop building and on Antyodaya and Priority ration cards. (3) Complaints received at the Call Centers regarding non-distribution of food grains or meals under the Central Act and the State Act shall be submitted by the Nodal Officer to the District Grievance Redressal Officer. (4) Redressal of other complaints lodged by the consumers regarding implementation of Public Distribution System shall be done according to the procedure prescribed by the Director, Food, Civil Supplies and Consumer Protection. Chhattisgarh State Food Commission.- There shall be established the Chhattisgarh State Food Commission as per the provision of Section 16 of the National Food Security Act, 2013 (20 of 2013) for monitoring and review of implementation of provisions of the said act as well as of the State Act. Administrative control of the commission shall be under the Department of Food, Civil Supplies & Consumer Protection, Government of Chhattisgarh. 8. 9. 2016 Procedure of Appointment of the Chairperson and Members The method of appointment of of the Commission. Chairperson and members of the Commission shall be as under, (a) the State Government shall appoint the Chairperson and Members from amongst the persons having qualifications specified under sub-section (3) of section 16 of the Central Act. (b) In case the post of Chairperson or Member becomes vacant due to death or for any other reason (creation of new post), the appointment shall commence immediately on such post becoming vacant. (c) Procedure of appointment of Chairperson and Members of the Commission on the vacant post (other than by death or creation of new post) shall commence, at least 3 months prior to such post becoming vacant. Duties of Member Secretary:- Member Secretary of the Commission shall perform the following duties in consultation with the Chairperson, namely: (a) Ensure compliance of the decisions taken by the Commission regarding implementation of the Central Act and State Act; (b) Call meetings of the Commission in consultation with the Chairperson and intimate the members of the Commission accordingly; (c) prepare agenda for the meeting in consultation with the Chairperson; (d) make available the agenda of the meeting to the Chairperson/members of the Commission prior to 3 days of the meeting; (e) prepare minutes of the

meeting and make it sure to implement the decision taken in the meeting and submit 9 2 016 694 (15) 10. 11. information regarding compliance of the decision taken in the next meeting; (f) ensure, creation of new posts, appointments and budget provision etc. in consultation with the State Government for various activities of the Commission; (g) prepare annual report and audit report of the Commission and submit the same at the State Assembly through State Government and to make other arrangements; (h) perform duties within the financial limits fixed by the Chairperson of the Commission; and (i) to act as Disciplinary Authority for officers and employees of the Commission. Salary and other allowances payable to the Chairperson and Members of the Commission.- Chairperson and Members of the Commission shall receive salary, honorarium and other allowances as specified by the State Government, from time to time, and the same shall be paid from the Consolidated Fund of the State Government. Terms of office of Chairperson and Members of the — (1) The term of office of Chairperson and Commission. Members of the Commission shall be such as specified under sub-section (4) of Section 16 of the Central Act. (2) The Chairperson or Member can resign from the post by submitting resignation letter signed under his hand and addressed to the State Government: Provided that, such post shall become vacant only when the State Government accepts resignation: Provided further that, the Chairperson or Member can be removed from his post in accordance with the provisions 694 (16) 12. contained in sub-section (9) and (10) of Section 16 of the Central Act. (3) Prior to appointment as Chairperson or Member of the Commission, person has to declare that he shall not have any financial or other interests, which may negatively affect the performance of his duties as a Chairperson or Member. (4) Terms and conditions of service of the Chairperson or Members shall not be changed against his interest during his tenure. (5) On resignation or removal of the Chairperson or Member under sub-rule 2, the post so becoming vacant shall be filled through new appointment. (6) In case of any vacancy in the post of Chairperson of the Commission, the senior most member (as per the date of appointment) of equivalent post shall perform the duties of Chairperson, till a new appointee takes over the charge as the Chairperson of the Commission. (7) In case the Chairperson of the Commission is found unable to perform his duties due to absence, illness or any other reason, senior most member (as per the date of appointment) of the Commission shall perform the duties of Chairperson, till the Chairperson takes over the charge. (1) Head office of the Commission, working days, etc. - Head Office of the Commission shall be situated at the State capital. (2) Working days and working hours of the Commission shall be same as that of the State Government. (3) Official seal and emblem of the Commission shall be such as may be specified by the State Government. 9 2016 694 (17) 13. 14. (4) Chairperson may call the meeting of the Commission at any time, as and when required. (5) Quorum for the meeting of the Commission shall be at least of four members. Office staff of the Commission and their terms of service. - (1) There shall be one post of Registrar, not below the rank of Class-I Officer on deputation basis. (2) Appointment of the staff approved for the Commission shall be made as per the procedure adopted by the State Government from time to time. Appointment and promotion of the clerical staff, technical staff and Class IV posts shall be made according to the provisions of recruitment rules applicable to the Non-Gazette Clerical and Class-IV Staff of the Chhattisgarh Food, Civil Supplies and Consumer Protection Department. (3) Service conditions prescribed by the State Government, from time to time, for the Government Employees shall also be applicable to the officers/ employees of the Commission. (4) Salary payable to the officers/ employees of the Commission shall be paid from the Consolidated Fund of the State Government. Procedure for hearing of appeal.- (1) Any appeal against the order passed by the District Grievance Redressal Officer shall be submitted to the State Commission within thirty days of issue of the order: Provided that the Commission may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that there was sufficient cause for not filing it within that period. 694 (18) 2016 (2) Appeal shall be submitted to the Commission either in person by the applicant or through his duly authorized agent or may be sent at the address of the commission through post. (3) Appeal submitted above should be legible, under clear headings, paragraphed and summarized. (4) Certified copy of the order passed by the District Grievance Redressal Officer against whom the appeal is filed and such other documents in support of the appeal shall be enclosed with the appeal. (5) In case the appeal is filed after the time limit prescribed in sub-rule (1), an application along with supporting affidavit showing reason of delay in submission of the appeal shall be filed along with the appeal. (6) On receipt of an appeal, the Commission may, after giving the parties to the appeal an opportunity of being heard, pass such orders thereon as it thinks fit, confirming, modifying or setting aside the order appealed against. (7) If

the Commission fixes a date for hearing of the parties, complainant or his authorized agent shall be bound to attend the hearing on the date fixed or the extended date. In case the complainant or his authorized agency fails to attend the hearing on the fix date, Commission may either reject the appeal or decide it on the grounds and facts available in the case. (8) The order passed by the Commission shall be signed with date by the members of the bench constituted by the Commission and shall be intimated to the parties free of cost. By order and in the name of the Governor of Chhattisgarh, MANOJ KUMAR SONI, Special Secretary. - 2016

