

UTTAR PRADEWSH JANHIT GUARANTEE RULES 2011



aFJ7fÄTl ØTI_ 2 3 6 IN pursuance or the provisions of the clause (3) of Article 31X the Constitution, the Governor is pleased to order the publication of the following English translation of notification no-24 13/1-14001 dated 23. 01 No. 2413 Dated, Lucknow. • December 23, 2011. AN exercise of the powers conferred by section 10 of the Uttar Pradesh Janhit Guarantee Adhiniyam, 2011 (U.P. Act no. 3 of 2011), the Governor pleased to make the following rules laying down the procedure for application, appeal, revision, recovery or penalty and payment of compensation:-

Short title and commencement Definitions.

Authorisation by UTTAR PRADESH JANHIT GUARANTEE RULES. 1.(1) "These rules (may be called the Pradesh Janhit Guarantee Rules, 2011 (2) They shall be deemed to have come into force on January 2011 2. (I) In these rules, unless the context otherwise requires,- (a) "Act" means the Uttar Pradesh Janhit Guarantee Adhiniyam, 2011 (U.P. Act No. 3 of 2011); (b) "Form" means a Form appended to these rules; (c) "Revision Officer" means an officer nominated by the State Government for the purpose of revision under section 8 of the Act; (d) "Section" means a section of (2) Words and expressions used in these rules but not defined shall have the same meaning as assigned to them in the Act. Notwithstanding anything to the contrary contained in the Act, the designated Officer may, by order, his subordinate Designated Officer or any officer or employee receive the applications and to issue the acknowledgment of the application.

23 2011 11 4. • the person authorised under rule 3 shall give acknowledgement to the applicant in



Form - 1 and if necessary documents have not been annexed with the application. then it shall be clearly mentioned in the acknowledgement and in such acknowledgement the stipulated time limit shall not be mentioned. Provided that if the necessary documents are annexed with the application then the last date or the stipulated time limit shall be mentioned in the acknowledgement.

5. In computing the stipulated time limit in providing the services, the public holidays shall not be included. 6. Designated officer cause to exhibit the relevant information of the services on a notice board in Form 2 installed at a conspicuous place of his office for the convenience of general public; he necessary documents to be attached with an application (or obtaining notified services shall be displayed on the notice board.

7. No court fees shall be payable along with an application for appeal or revision.

8. The following information shall be included in an application for appeal or revision, as the case may be, filed to the First Appeal Officer, Second Appellate Authority or Revision Officer, namely - (i) name and address of the appellant and the person seeking revision; (ii) the name and address of the designated officer, first appeal officer or second appellate authority, as the case may be, against the decision of which the appeal or revision is filed; (iii) particulars of the order against which the appeal or revision is made; (iv) if appeal is against the refusal or acknowledgement of the application by the designated officer, then the date of application and the name and address of the designated officer to whom the application was presented; (v) the grounds for appeal or revision; (vi) the relief sought, and (vii) any other relevant information which is necessary for the disposal of appeal or revision.

9. The following documents shall be annexed with every application for appeal or revision, namely (i) self-attested copy of order against which the appeal or revision is made; (ii) the copies of the documents mentioned in the application for appeal or revision; (iii) the index of the documents annexed with the application for appeal or revision; (iv) the proof of deposit of penalty, in case of application (or revision and without such proof no application for revision shall be admitted for hearing).

10. On deciding the application for appeal or revision - (i) the relevant documents, public or copies thereof shall be inspected; (ii) any officer may be authorised for appropriate inquiry, if required; (iii) designated officer, appeal officer, as the case may be, may be heard in revision. 9 Issuing or acknowledgement to applicant • public holidays not included in the stipulated time limit. Display or information on the notice board. Exemption of Court Fees. Contents of Application for Revision. to be annexed with appeal or revision. Procedure for appeal or revision 01. Time limit for appeal or revision. The appellant or person in revision. Order in appeal or revision. (iv) "Service of notice of appeal or revision to an applicant" appeal 11. in any of the following manner (i) by the party himself; (ii) by hand delivery (dasti) through post office server; (iii) by the registered post with due acknowledgement; or (iv) through the department. 12. (1) In every case the appellant or the person at revision shall be intimated with the date of hearing, at least seven working days prior to such date of hearing. (2) The appellant or the person at revision, as the case may be, may present in person in the hearing of application for appeal or revision, or may opt not to be present in the hearing. (3) If it is satisfied that the circumstances exist due to which the appellant or the person at revision is prevented to be present in the hearing, then before taking the final decision an opportunity of hearing shall be given to the appellant or the person at revision. (4) If any party remains absent after due service of notice of the fixed date of hearing, then the application for appeal or revision, as the case may be, shall be disposed of in his absence or dismissed due to non-appearance. 13. (1) Order of appeal or revision shall be pronounced in open proceedings and shall be in writing by the first appeal officer, second appellate authority or revision officer, as the case may be. (2) The copy of first appeal order shall be given to the appellant and the designated officer. (3) The copy of second appeal order shall be given to the appellant, the designated officer and the first appeal officer. (4) In case of imposing penalty, the second appellate authority shall endorse a copy of order to the concerned - (a) Drawing and Disbursing Officer, (b) Treasury; and (c) Disciplinary Authority. (5) Where the revision officer, after hearing of the application or revision, amends the order of second appellate authority, then he shall send a copy of the order to the second appellate authority and the officers specified under sub-rule (4). Whenever the revision officer comes to the conclusion, that the penalty imposed was unjustified, the amount deposited or paid shall be refunded to the concerned officer in the following head of account: "0070, Other Administrative Services. 60 Other services- 900 - Deducted - Refunds- 14. (1) On receiving the order

of intposiLi0!h pf penalty under sub-rule (A) of rule 13, the drawing and disbursing officer shall regbver the amount of penalty. The next salary of the designated officer or the officer, as the case may be, and shall deposit in the following head of account: " 0070 - Other Administrative Services - 60 - Other services - 800 - Other receipts. • 12- Imposed penalties on account of Uttar Pradesh Jmhith Guarantee Act, 2011 and shall send a copy of challan to the concerned second appellate authority. 23 2011 (2) If in revision any decision is made in the order or second appellate authority then concerned drawing disbursing officer shall comply with such order



15. In the case of order Of or compensation to the applicant under sub- section (3) Of section 7.the
secona, ppelialc authority Shull make an order to make payment within •thirty days. shalt bc made by the
Drawing and Disbursing officer through cheque 16. The designated officer. fii' '{appeal officer. second
appellate authority and revision omecr shall tnaintain the réc of the.cases in



Form 3, 4, 5 and 6. 11 Pay.neru calnpeusolion Maintinence or record or cases •under. tile Aet 4 By Order, K.K. SINHA Pramukh Sachiv Fornt 1 Sec rule (4) FORM OF ACKNOWLEDGEME •r UNDER THE UTTAR PRADESH JANHIT GUARANTEE.. ACT, 201 Name of the Designated Officer and Office Address Name and Rddress of the app!icanl. 2

3. Place .Date Note Date of receiving application in the office of designated I officer. Name orthe service ror which] the application is given. Particulars of the ducutnents which arc essential for receiving service, but are nbt enclosed With (he applicaliân Last date or the stipulated time limit. 11 Signature or Recipient Name and Designation with seal In case of not receiving ali the d\$,unlents with the applicaEion, (hc last date mc,nlioned in äbove Shall not bc given. (See 6) FORM OF NOTICE-: BOAR) .Name, designation and Office of the S. No. (1) Noti fied scrvt.e (2) Documents to be annexed with the application (3) Stipulated limit for the services (4) ancl address oli• the appc;il officer (5) Stipulaled lituit for disposal of first appeal (6) Within Ihirty days Within sixty days Designation uncl address of the second yppclkue authority. (7) Designated Officer l. Nalne or the person authorised receive . application in the office of designated officer



2. Time limit for filing first appeal • from the decision designated Officer, 3. Time limit for filing second appeal - officer from the decision of first appeal. Please Obtain of your application compulsorily Form (See II) FORM OF REGISTER TO BE FURNISHED IN THE OFFICE OF DESIGNATED OFFICER Name of the Office of the designated Officer : No. Month) Service which the application is given (3) Year stipulated time Name and address of applicant (2) Application allowed / disallowed (5) Date and clause passed (6) 23 2011 Form 4. (See rule 16) FORM OF REGISTER TO BE FURNISHED IN THE OFFICE OF FIRST APPEAL OFFICER Name of the Office of the First Appeal Officer : S. No. (1) Name and address of applicant (2) Date of filing first appeal. (3) Last date or Designation of the designated Officer (Along the stipulated With the name of office) against the decision of whom the appeal is filed (4)



Form 5 (sec rule 16) time limit (5) Date and details of order in appeal (6) 11 FORM OF REGISTER TO BE MAINTAINED IN THE OFFICE OF SECOND APPELLATE AUTHORITY Name of the Officer of the Appellate Authority : Name and address of appellant (2) Date of filing second appeal (3) Designation Details of Date of the First disposal or recovery second appeal or penalty Appellate Officer. , (Along with: the nature of (b) penalty. Order) . . . against decision of whom second appeal is filed (4) (c) recommendation of departmental enquiry) payment of compensation (6) Date of payment or amount of compensation (7) Follow up action. regarding recommendations or Departmental Enquiry (8) Details of order of revision (9) (See rule 16) FORM OF REGISTER TO BE MAINTAINED IN THE OFFICE OF REVISION OFFICER Name of the Officer of the Revision Officer Details of order of depositing penalty (4) Details of order Remarks No. designation and address of the Person in revision (2) Details of order against which the revision made (3) or revision (5) By Order. K.K. Prannik Sachin (6) 572 (Kio) — (Qio/elo/}ho) I Rel al.

