

**GOVERNMENT OF RAJASTHAN
ADMINISTRATIVE REFORMS & COORDINATION DEPARTMENT
(GROUP-1)**

NOTIFICATION

No. 13(1) AR&C/Gr.1/2008

Jaipur, dated: 20.10.2011

In exercise of the powers conferred by sub-section (1) of section 10 of the Rajasthan Guaranteed Delivery of Public Services Act, 2011 (Act No. 23 of 2011), the State Government hereby makes the following rules, namely:-

1. Short title and commencement.- (1) These rules may be called the Rajasthan Guaranteed Delivery of Public Services Rules, 2011.

(2) They shall come into force on and from 14th November, 2011.

2. Definitions.- (1) In these rules unless the context otherwise requires,-

(a) “**Act**” means the Rajasthan Guaranteed Delivery of Public Services Act, 2011 (Act No. 23 of 2011);

(b) “**Form**” means the Form appended to these rules; and

(c) “**Section**” means the section of the Act.

(2) The words and expression used in these rules but not defined shall have the same meaning as assigned to them in the Act.

3. Authorisation by designated officer for receiving the application.- The designated officer may, by order, authorise any of his sub-ordinate officer or employee to receive the applications and to issue the acknowledgement thereof.

4. Issuing of acknowledgement to applicant.- 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 acknowledgement and in such acknowledgement the stipulated limit shall not be mentioned:

Provided that if the necessary documents are annexed with application then the last date of the stipulated time limit shall be mentioned in the acknowledgement.

5. Denial or delay in providing service.- The service shall be provided in stipulated time limit and in the event service is denied or delayed, the designated officer shall communicate to the applicant:-

- (i) the reasons for such denial or delay;
- (ii) the period within which an appeal against such denial or delay may be preferred; and
- (iii) the particulars, including all available contact information of the relevant Appellate Authority.

6. Computation of stipulated time limit.- While computing the stipulated time limit for providing services, the public holiday shall not be counted.

7. Display of information on the notice board.- The designated officer shall, for the convenience of common public, cause to display all relevant information related to services on the notice board in Form-2, the notice board shall be installed at a conspicuous place of the office. All the necessary documents that are required to be enclosed with the application for obtaining the notified services shall also be displayed on the notice board.

8. Exemption of fee.- No fee shall be payable along with memo of first appeal or second appeal and revision application.

9. Contents of memo of first appeal or second appeal and revision application.- Every memo of first appeal or second appeal and revision application shall specify the following information,-

- (i) name and address of the appellant or applicant at revision, as the case may be;
- (ii) name and address of the designated officer, officer or employee treated as designated officer under the provision of sub-section (3) of section 4 of the Act, first appeal officer or second appellate authority, as the case be, against whose order appeal or revision filed;
- (iii) particulars of the order against which the appeal or revision preferred;
- (iv) if the appeal is against the refusal of 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.

10. Documents to be enclosed with first appeal, second appeal or revision.- The following documents shall be enclosed with memo of appeal or revision application, namely:-

- (i) self-attested copy of the order against which the appeal or revision is preferred;
- (ii) the copies of the documents mentioned in the memo of appeal or revision application; and
- (iii) the index of the documents enclosed with the memo of appeal or revision application.

11. Procedure for deciding first appeal, second appeal or revision.- While deciding the first appeal, second appeal or revision -

- (i) the relevant documents, public documents or copies thereof shall be inspected;
- (ii) any officer may be authorised for appropriate inquiry, if required; and
- (iii) designated officer or first appeal officer, as the case may be, may be heard in revision.

12. Service of notice of hearing.- The notice of hearing of first appeal, second appeal or revision, as the case may be, shall be served in any of the following manner:-

- (i) by the party or person himself;
- (ii) through process server;
- (iii) by the registered post with due acknowledgement: or
- (iv) through the department concerned.

13. Personal appearance.- (1) In first appeal, second appeal or revision the appellant or applicant at revision, as the case may be, shall be intimated with the date of hearing, at least seven clear days prior to such date of hearing.

(2) The appellant or applicant at revision, as the case may be, may present in person in the hearing of appeal or revision, or may opt not to present in the hearing.

(3) If it is satisfied that the circumstances exist due to which the appellant or applicant at revision is prevented to be present at the hearing, then before taking the final decision one opportunity of hearing shall be given to the appellant or applicant at revision or any other appropriate action may be taken which deems fit.

(4) If any party remains absent after due service of notice of the fixed date of hearing, then the appeal or revision application, as the case may be, shall be disposed in his absence or dismissed due to non-appearance.

14. Order in an appeal or revision.- (1) The 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 revising officer, as the case may be.

(2) The copy of first appeal order shall be given to the appellant and designated officer.

(3) The copy of second appeal order shall be given to the appellant, designated officer and 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, with the direction to recover the amount of penalty from next salary of the designated officer or first appeal officer, as the case may be; and
- (b) Treasury Officer.

(5) In case where the second appellate authority recommend for the departmental enquiry against the designating officer or first appeal officer, as the case may be, he shall send the copy of order passed by him for necessary disciplinary action to the disciplinary authority concerned.

(6) Where in a revision, the order of second appellate authority is revised or modified, the revising officer shall send copy of the said order to the second appellate authority and the officers specified in sub-rule(4) and (5).

15. Recovery of penalty.- (1) On receiving the order of imposition of penalty under sub-rule (4) of rule 14, the Drawing and Disbursing Officer shall recover the amount of penalty from the next salary of the designated officer or first appellate officer, as the case may be, and deposit the same in the government account and send a copy of challan to the second appellate authority concerned.

(2) If in revision any order passed by the second appellate authority is revised or modified the copy of such order shall be sent to the Drawing and Disbursing Officer and Treasury Officer concerned for compliance.

16. Payment of compensation.- (1) In case of order of payment of compensation to the applicant under sub-section (3) of section 7, the second appellate authority shall order to make payment within thirty days.

(2) Any amendment in the amount of penalty in revision, shall not affect the payment of amount of compensation.

17. Maintenance of record.- The designated officer, first appeal officer, second appellate authority and revising officer shall maintain the record of the cases in Form-3, Form-4, Form-5 and Form-6.

18. Monitoring of implementation.- The State Government may introduce a system for centralized monitoring of the timely delivery of notified services, including service delivery through use of Information and Communication Technologies, and for monitoring various provisions of this Act.

19. Direction by the State Government.- 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 first appeal officer, second appellate authority, revising officer and Drawing and Disbursing Officer.

20. Dissemination and training.- The State Government may, to the extent of availability of financial and other resources-

- (i) 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;
- (ii) encourage public authorities to participate in the development and organization of programmes referred to in clause (i) above and to undertake such programmes themselves;

- (iii) promote timely and effective dissemination of accurate information by public authorities about the notified services and timelines and the processes for applications;
- (iv) train the designated officer, first appeal officer, second appellate authority and revising officer, as the case may be, of their duties under the Act;
- (v) compile a guide 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 the Act; and
- (vi) update and publish guidelines referred to in clause (v) above at regular intervals which shall, in particular and without prejudice to the generality of the clause (v) above, include:
 - (a) the objects of the Act;
 - (b) the manner and the form in which request for the services shall be made to the designated officer or file appeal to the appellate authorities;
 - (c) any additional regulations or circulars made or issued in relation to obtain the services in accordance with the Act.

Form - 1
(See rule 4)

FORM OF ACKNOWLEDGEMENT

Name of the designated officer:

Office Address.....

1. Name and address of the applicant
2. Date of receiving application in the office of designated officer
3. Name of the service for which the application is given
4. Particulars of the documents which are essential for receiving service but are not enclosed with the application
5. Last date of the stipulated time limit

Place:

Date:

Signature of Recipient

Name and Designation with seal

Note: In case all the required documents are not enclosed with the Application, the last date mentioned in point 5 above shall not be given.

Form-2

(See rule 7)

FROM OF NOTICE BOARD

Name of the designated officer:

Office Address.....

S. No	Notified services	Documents to be enclosed with the application	Stipulated time limits for providing the services	Designation and address of the first appeal officer	Stipulated time limit for the disposal of first appeal	Designation and address of the second appellate authority.
1	2	3	4	5	6	7

1. Name of the person authorised to receive application in the office of the designated Officer:.....
2. Time limit for filing first appeal: Within thirty days from the date of order passed by the designated officer.
3. Time limit for filing second appeal: Within sixty days from the date of order passed by the first appeal officer.

Note: Please obtain acknowledgement of your application compulsorily.

Form-3

(See rule 17)

FORM OF REGISTER TO BE MAINTAINED IN THE OFFICE OF DESIGNATED OFFICER

Name of the office of the designated Officer:

Month Year

S. No	Name and address of applicant	Service for which the application is given	Last date of the stipulated time limit	Application allowed/ disallowed	Date and details of the order passed
1	2	3	4	5	6

Form-4

(See rule 17)

FORM OF REGISTER TO BE MAINTAINED IN THE OFFICE OF FIRST APPEAL OFFICER

Name of the office of the first appeal officer:

S. No	Name and address of appellant	Date of filing first appeal	Designation of the designated officer (along with the name of office) against the order of whom the appeal is filed	Last date of the stipulated time limit for disposal of first appeal	Date and detail of order in appeal
1	2	3	4	5	6

Form-5

(See rule 17)

FORM OF REGISTER TO BE MAINTAINED IN THE OFFICE OF SECOND APPELLATE AUTHORITY

Name of the office of the second appellate authority:

S. No	Name and address of appellant	Date of filing second appeal	Designation of the first appeal officer(along with the name of designated officer)	Details of disposal of second appeal (a) dismissal; (b) penalty; (c) recommendation of departmental enquiry; and (d) payment of compensation	Date of recovery of penalty	Date of payment of amount of compensation	Follow up action regarding recommendations of Departmental Enquiry	Date of order of revision
1	2	3	4	5	6	7	8	9

FORM-6

(See rule 17)

FORM OF REGISTER TO BE MAINTAINED IN THE OFFICE OF REVISIING OFFICER

Name and address of the office of the Revising Officer:

S. No	Name designation and address of the applicant at revision	Details of order against which the revision is made	Details of order of revision	Remarks
1	2	3	4	5

By order of the Governor,

(Dr. R.P.Jain)
Principal Secretary to the Government

