

Uttar Pradesh Shashan
Gram Vikas Anubhag-7

In pursuance of the provisions of clause(3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of notification no.2854/38-07-09-45N.R.E.G.A/08 dated...24...., September, 2009

Notification

No-2854/38-7-09-45N.R.E.G.A./08

Lucknow: Dated:24September, 2009

Whereas Government notification no. 1308/38-7-09-45NREGA/08 Dated: May 26, 2009 was issued for the information of the persons concerned and for inviting objections and suggestions in regard to the Uttar Pradesh Employment Guarantee Grievance Redressal Mechanism Rules, 2009 as required under sub section(1) of section 32 of the National Rural Employment Guarantee Act, 2005(Act no. 42 of 2005);

And whereas no objection or suggestion has been received within the stipulated time;

Now, therefore, in exercise of powers under clause (d) of sub section (2) of section 32 of aforesaid Act the Governor is pleased to make the following rules:-

The Uttar Pradesh Employment Guarantee Grievance Redressal
Mechanism Rules, 2009

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| Short title and commencement | 1- | (1) These rules may be called the "Uttar Pradesh Employment Guarantee Grievance Redressal Mechanism Rules, 2009".
(2) They shall come into force with effect from the date of its publication in the Gazette. |
| Definitions | 2- | (1) In these rules unless the context otherwise requires- "Act" means the National Rural Employment Guarantee Act, 2005 (Act no-42 of 2005).
(2) Words and expressions used in these rules not defined but defined in the Act shall have the meanings assigned to them in the Act. |
| Who can make complaints | 3- | Any citizen of India or any registered non-government institution may make complaints under section- 19 of the Act. Any application without name or in false name shall not be considered. |
| Points of Complaints | 4- | A complainant may make complaint on any subject-regarding violation of the Act such as:-
(1) non issuing of Job Card as per rules when it was demanded by a villager. |

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- (II) not giving the Job Card when it has been made.
 - (III) Wrong entries in Job Card.
 - (IV) not providing work within time to Job Card holder when asked for work.
 - (V) not paying in time and at the appropriate rate of the work done.
 - (VI) misappropriation of funds through fake Muster Roll.
 - (VII) use of Contractors or Machine in the implementation of the scheme.
 - (VIII) not providings funds to the Gram Panchayats in the right manner and within time.
 - (IX) not providing shelter, water or medical facilities at the work site.
 - (X) making discremination on the basis of sex, caste, community or politics in giving work to the Job Card holders.
 - (XI) not disposing the complaints appropriately made in the past.
- any other complaint regarding violation of any provision of the Act.

Where to lodge the complaint

- 5- (a) The first stage of lodging complaints shall be Assistant Development Officer/Gram Panchayat/Pradhan/Secretary.
(b) The complainant shall be given a numbered receipt of the written complaint so that he can monitor it.

Appelate Officer

- 6- If the complainant is not satisfied with the process of disposal or with the decision, he shall prefer on appeal against it. The appeal against the order of Gram Panchayat shall be made to the Programme Officer and that of programme officer shall be made to the District Programme Coordinator shall be made to the Commissioner, Natio
- Rural Employment Guarantee Act.

Process of lodging complaint

- 7- Every complaint, after it is received, shall be entered in the following proforma:-

Sl no.	Date of complaint	Name of complainant	Summary of complaint	Name of the enquiry officer	Date of hearing to the complainant	Date of site inspection	Date of submitting enquiry report	Conclusion of the enquiry	Details of the proceedings	Remark
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.

Procedure of making complaint

- 8- A complaint under these rules shall be submitted before the Grievance Redressal Officer in writing by the complainant himself or by his authorised representative. A complaint may also be sent by port or by FAX. If any person wants to make complaint through internet or by E-mail, he may do so. A FAX machine shall be established in the office of the Block Development Officer to for the efficient working of this procedure and the FAX number shall be circulated widely. This number shall be written on a public place in every Gram Panchayat so that it may get a wide publicity.

In the same manner an E-mail I.D. number shall be prescribed to every officers entitled to accept the complaint and shall be circulated widely through the web site of the Rural Development Department.

The Rural Development Department shall also make arrangements for lodging complaints on its website through discussion board which can be seen publicly.

The decisions of the enquiry report shall also be displayed on

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these discussion boards so that the procedure may be transparent.

A Complaint Box shall be maintained in every office of the Programme Officer, District Programme Coordinator and Commissioner, National Rural Employment Guarantee Act(NREGA) where any complainant can drop his complaint.

**Time limit for
the disposal of
the complaint**

- 9- Every complaint shall be disposed off within fifteen days compulsatorily. If a complaint is not disposed within fifteen days. the enquiry officer shall have to seek extension of time from an officer above to him one stage and the time so extended shall be intimated to the complainant. This time schedule shall also apply to the Appellate Officer.

**Procedure of
disposal of
complaints**

- 10- The complainant shall be called by giving notice within five days after receiving the complaint by the Grievance Redressal Officer and he shall be heard. If the complaint is against any particular person, he shall be present during the hearing and he shall also be heard. If inspection of the site is also necessary for the disposal of the complaint, it shall be inspected within seven days after hearing both the parties and the complaint shall be disposed finally with a written order within fifteen days. A copy of the decision shall be given to the complainant.

If the complainant demands for any records for verification/proof to his complaint, he shall be shown it within three days free of cost. If he demands for a certified copy, he shall be provided the records at the rate of Rupee on per page. The rates may be revised from time to time. The officer receiving the complaint can get enquiry made by any other officer/employee provided that the enquiry can not be get done by the same officer/employee against whom the complaint has been made. The enquiry shall be made by an officer above the rank of the officer against whom the complaint was made.

**Procedure of
punishment**

- 11- If the above time schedule is not complied with, the appellate officer shall recommend punishment against the enquiry officer to the District Magistrate who shall initiate administrative proceedings against the officer concerned with his discretion and may impose a penalty of Rs. 1000/- maximum if necessary.

If any officer/employee is found guilty in the enquiry, a disciplinary action shall be taken against him and the complainant shall also be informed of the punishment.

Helpline

- 12- A help line shall be arranged at District Programme Coordinator in every district and Commissioner, NREGA, Lucknow. This help line shall work with a free telephone and the number and time shall be published widely.


(Shri Krishan)
Principal Secretary