

	<p>CITIZENS RIGHT TO GRIEVANCE REDRESS BILL, 2011</p> <p>A Bill</p> <p><i>to lay down an obligation upon every public authority to publish citizens charter stating therein the time within which specified goods shall be supplied and services be rendered and provide for a grievance redressal mechanism for non compliance of citizens charter and matter connected therewith or incidental thereto.</i></p>	
	BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:-	
	<p>CHAPTER I PRELIMINARY</p>	
Short title, extent and commencement.	1. (1) This Act may be called the CITIZENS RIGHT TO GRIEVANCE REDRESS BILL, 2011	
	(2) It extends to the whole of India except the State of Jammu and Kashmir.	
	(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint:	
	Provided that the Central Government shall appoint such date within six months from the date on which the Citizens Right to Grievance Redress Bill, 2011 receives the assent of the President.	
Definitions.	2. In this Act, unless the context otherwise requires,-	
	(a) "Action Taken Report" means a report furnished to the	

	complainant by the Grievance Redress Officer or the Head of the Department of the Public Authority or the State Public Grievance Redressal Commission or the Central Public Grievance Redressal Commission in response to a complaint or appeal, as the case may be;	
	(b) "Appropriate Government" means a public authority which is established, constituted, owned, controlled or substantially financed by funds provided directly or indirectly by the Central Government or in the case of the States, the State government and in the case of the Union territories, the Central Government;	
	(c) "Central Public Grievance Redressal Commission" means the Central Public Grievance Redressal Commission constituted under section ---;	
	(d) "Chief Commissioner," refers to the Chief Commissioner, Central Public Grievance Redress Commission appointed under section ---;	
	(e) "Citizens Charter" means a document declaring the obligations, duties, commitments of a public authority for providing goods and services effectively and efficiently with acceptable levels of standards, time limits and designation of public servants for delivery and grievance redress as defined in sub-section () of section ---;	
	(f) "Complaint" means a complaint filed by a citizen regarding any grievance relating to or arising out of any failure in the delivery of goods or rendering of service pursuant to the Citizens Charter, or in the functioning of a public authority, or any violation of any law, policy, programme, order or scheme but does not include grievance relating to the service matters of a public servant;	
	(g) "Grievance Redress Officer" means a Grievance Redress	

	Officer appointed under section ---;	
	(h) "Head of the Department" means an officer designated as such by the appropriate Government, as the head of a Government Department or Public Authority;	
	(i) "Information & Facilitation Centre" means an Information and Facilitation Centre, including Customer Care Centre, Call Centre, help desk, people's support centre etc. established under section _____	
	(j) "Prescribed" means prescribed by rules made under this Act;	
	(k) "Public Authority" means any authority or body or institution of self- government established or constituted,-	
	(i) by or under the Constitution;	
	(ii) by any other law made by Parliament;	
	(iii) by any other law made by State Legislature;	
	(iv) by notification issued or order made by the appropriate Government, and includes any,-	
	(A) body owned, controlled or substantially financed;	
	(B) non-Government organisation substantially financed, directly or indirectly by funds provided by the appropriate Government;	
	(C) an organization or body corporate in its capacity as an instrumentality of 'State' as defined under article 12 of the Constitution and rendering services of public utility in India;	
	(D) a Government company as defined under	1 of

	section 617 of the Companies Act, 1956;	1956.
	(E) any other company which supply goods or render services in pursuance of an obligation imposed under any Central or State Act or under any licence or authorisation under any law for the time being in force or by the Central or State Government;	
	(v) by an agreement or memorandum of understanding between the Government and any private entity as Public-Private Partnership or otherwise;	
	(l) " State Public Grievance Redressal Commission " means the State Public Grievance Redressal Commission constituted under section ---;	
	CHAPTER II RIGHT TO SERVICE	
Right to service.	3. Subject to the provisions of this Act, every individual citizen shall have the right to time bound delivery of goods and provision for services and Redressal of grievances.	
	CHAPTER III PUBLICATION OF CITIZENS CHARTER AND GRIEVANCE REDRESSAL OFFICER BY PUBLIC AUTHORITIES	
Obligation of public authority to publish Citizens Charter.	4. (1) Every public authority shall publish, within six months of the commencement of this Act, a Citizens Charter specifying therein the category of goods supplied and services rendered by it, the time within which such goods shall be supplied or services be rendered.	
	(2) Without prejudice to the generality of the provisions contained in sub-section (1), the Citizens Charter shall provide all or any of the following matters, namely:--	
	(a) the details of goods supplied and services rendered by the public authority and the name of person or agency	

	through which such goods are supplied or services rendered and timings during which such services are supplied or services rendered;	
	(b) the conditions under which a person becomes entitled for goods or services, and the class of persons who are entitled to receive such goods and avail services;	
	(c) the quantitative and tangible parameters (including weight, size, frequency) of the goods and services available to the public;	
	(d) complaint redressal mechanism including the time within which the complaint be disposed of and the officer of the public authority to whom such complaint may be made;	
	(e) the name and addresses of individuals responsible for the delivery of goods or rendering of services mentioned in (a) above;	
	(f) any other obligation, responsibility or duty of the public authority is required or reasonably expected to provide;	
	(g) any other information relevant to delivery of goods or provision of services or such other information as may be prescribed.	
Obligation of Head of Department for updating and verifying the Citizens Charter.	5. (1) The Head of Department in each public authority shall be responsible for updating and verifying the Citizens Charter every year and the accuracy of the contents thereof.	
	(2) It shall be the responsibility of the Head of the Department of every public authority to ensure that the	

	Citizens Charter is widely disseminated to the public.	
	(3) Every Head of Department shall ensure that all material be disseminated taking into consideration the local language and the most effective method of communication in that local area free of cost.	
	<i>Explanation.</i> —For the purposes of this section the expression “disseminated” means making known and communicating the information to the public through notice boards, newspapers, public announcements, media broadcasts, the internet or any other means, including inspection of offices of any public authority by any citizen.	
	(4) Every Head of Department shall to the extent possible, ensure that the Citizens Charter is made available at the website of the public authority and in other electronic forms and shall be available free of cost.	
	(5) Every Head of Department shall ensure that a copy of the Citizens Charter of the public authority duly certified by him is submitted to appropriate bodies, including appropriate Central and State Public Grievance Redress Commission, when it is published and subsequently, every time that it is modified, updated or amended.	
	CHAPTER IV	
	ESTABLISHMENT OF INFORMATION AND FACILITATION CENTRE	
Setting up Information and Facilitation Centre	6. (1) Every Public Authority shall establish Information and Facilitation Centre for efficient and effective delivery of services and Redressal of grievances, which may include establishment of customer care centre, call centre, help desk, people’s support centre etc.	
	(2) Every Head of Department of public authority shall be responsible for the development, improvement, modernization and reform in service delivery and Redressal of grievance system. It shall also include adoption of electronic modes,	

	internet etc.	
	CHAPTER V APPOINTMENT AND OBLIGATION OF GRIEVANCE REDRESS OFFICERS BY PUBLIC AUTHORITY	
Appointment and Obligations of Grievance Redress Officers, including for each municipalities and Panchayat.	7. (1) Every public authority shall, within six months from the date of the coming into force of this Act, designate as many officers as may be necessary as Grievance Redress Officers in all administrative units or offices at the Central, State, district and sub-district levels, municipalities, Panchayats whereat supplies of goods or render services to receive, enquire into and redress any complaints from citizens in the manner as may be prescribed.	
	Provided that the Grievance Redress Officer so appointed shall be at least one level above the individual designated to deliver goods or render services as per the Citizens Charter as defined in section 	
	(2) Every public authority shall, immediately on appointment or designation of a Grievance Redress Officer, -	
	(a) give, through a public notice in a newspaper published in Hindi or English language and in a newspaper published in an Indian language in circulation in the area in which such service provider is providing services, indicating therein the name of the Grievance Redress Officer, his address and telephone number, e-mail address, facsimile number and other means of contacting him in respect of each area for which the Grievance Redress Officer have been appointed or designated and thereafter give such public notice at least once in twelve months in the same manner:	
	Provided that in case of change of the name of the Grievance Redress Officer, his address and telephone	

	number, e-mail address, facsimile number and other means of contacting him shall be intimated by public notice, in the same manner specified in this clause;	
	(b) display, at its each office, Information and Facilitation Centre, Call Centre, customer care centre, help desk, People's Support Centre and at the sales outlets, website and at the office of the Grievance Redress Officer and the appellate authority, the name of the Grievance Redress Officer, their addresses and telephone numbers, e-mail addresses, facsimile numbers and other means of contacting them, in respect of each area for which the Grievance Redress Officer have been appointed or designated.	
	(3) Every public authority shall appoint or designate such number of Grievance Redress Officer under sub-section (1) and for such areas, as may be considered by it necessary, for Grievance Redress Officer being easily accessible and available for redressal of grievance of the public.	
	(4) The Grievance Redress Officer shall provide all necessary assistance to citizens in filing complaints.	
	(5) Where a complainant is unable to make a complaint in writing, the Grievance Redress Officer shall render all reasonable assistance to the person making the request orally to reduce the same in writing.	
Acknowledgment of Complaint by receipt thereof.	8. All complaints shall, within one day of the making of the complaint, be acknowledged by a receipt, issued in writing or through electronic means or through text message or through telephone or through any other means as may be prescribed, specifying the date, time, place, unique complaint number and particulars of receiver of complaint along with the stipulated time-frame in accordance with its Citizens Charter within which the complaint will be redressed.	
Action to be taken by the	9. (1) Upon receipt of a complaint as defined in clause (f) of section 2, it shall be the duty of the concerned Grievance	

Grievance Redress Officer.	Redress Officer to ensure that,-	
	(a) the grievance is remedied in a timeframe not exceeding fifteen days from the date of receipt of the complaint;	
	(b) the reason for the occurrence of the grievance is identified and the responsibility of the defaulting office or individual is fixed and the grievance is redressed satisfactorily within one month from the date of receipt of the complaint by the Grievance Redress Officer	
	(c) where the grievance has occurred as a result of a deficiency, negligence or malfeasance on the part of an office or individual that the action is taken in accordance with conduct rules and departmental procedures.	
	(d) where the Grievance Redress Officer is convinced that the individual responsible for the delivery of the goods and services has willfully neglected to deliver the good or service or there exist <i>prima facie</i> grounds for a case under the Prevention of Corruption Act 1988, the Grievance Redress Officer can make an observation to that effect along with a recommendation for the penalty to be imposed to the Head of the Department of the Public Authority;	49. Of 1988
	(2) The Grievance Redress Officer may seek the assistance of any other officer required for the proper discharge of his duties or may direct any other officer to take action to redress a complaint.	
	(3) Any officer, whose assistance has been sought under sub-section (2), shall render all assistance to the Grievance Redress Officer seeking his assistance and for the purposes of any contravention of the provisions of this Act, such other	

	officer shall be deemed to be a <i>Grievance Redress Officer</i> for the purposes of this Act.	
	(4) The <i>Grievance Redress Officer</i> shall ensure that the complainant is informed in writing the manner in which the grievance is redressed and shall give him a report in the form of an <i>Action Taken Report</i> .	
Forwarding of details of non redressal of complaints to Head of the Department of the Public Authority	10. The <i>Grievance Redressal Officer</i> shall, immediately after the expiry of the period of fifteen days, report every complaint which has not been redressed along with the details of the complainant, nature of complaint, and reasons for non redressal of complaints to the Head of the Department of the Public Authority.	
	CHAPTER VI APPEAL TO HEAD OF THE DEPARTMENT OF THE PUBLIC AUTHORITY	
Appeal	11. (1) Every complaint forwarded along with the details under section 7 shall be deemed to have been filed by way of an appeal to the Head of the Department of the Public Authority.	
	(2) Any individual aggrieved by a decision of the concerned <i>Grievance Redress Officer</i> or who has not received an <i>Action Taken Report</i> in respect of a complaint filed by him, may, if he so desires, within thirty days from the expiry of such period or from the receipt of such decision, prefer an appeal to the Head of the Department of the Public Authority. Filing of such appeal shall be duly acknowledged by it.	
	Provided that Head of the Department of the Public Authority may admit the appeal after the expiry of thirty days if it is satisfied that the complaint was prevented by sufficient cause from filing the appeal in time.	

	(3) (I) The Head of the Department of the Public Authority shall, for the purposes of its functions under this Act, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 in respect of the following matters, namely:—	
	(a) summoning and enforcing the attendance of any person and examining him on oath;	
	(b) discovery and production of any document or other material object producible as evidence;	
	(c) receiving evidence on affidavits;	
	(d) requisitioning of any public record;	
	(e) issuing commission for the examination of witnesses;	
	(f) reviewing its decisions, directions and orders;	
	(g) any other matter which may be prescribed	
	(II) The Head of the Department of the Public Authority shall have original jurisdiction to adjudicate upon every application made to it under section .	
	(4) The Head of the Department of the Public Authority shall not be bound by the procedure laid down in the Code of Civil Procedure, 1908 but shall be guided by the principles of natural justice and subject to the other provisions of this Act and of any rules made thereunder, the Authority shall have the power to regulate its own procedure.	
	(5) Every appeal filed under this section or complaint deemed to be by way of an appeal shall be disposed of by the Head of the Department of the Public Authority within thirty days from the date of receipt of such appeal.	

	<p>Provided that an appeal of an urgent or immediate nature shall be disposed of within the same day of the receipt of the appeal or before the date on which the cause of action may cease to exist, which shall not be later than thirty days from the date of receipt of the appeal.</p>	
	<p>(6) The Head of the Department of the Public Authority shall arrange to deliver copies of the decisions to the parties concerned within a period of five working days from the date of such decisions.</p>	
	<p>(7) The Head of the Department of the Public Authority may impose penalty in deciding an appeal against concerned officer (s) for acting in a malafide manner or having failed to discharge their duties without any sufficient and reasonable cause.</p> <p>Provided that the concerned officers of the public authority shall be given a reasonable opportunity of being heard before any penalty is imposed on them.</p>	
<p>Non redressal of grievances to be deemed as corrupt practices in certain cases.</p>	<p>(8) Where it appears to the Head of the Department of the Public Authority that the grievance complained of is <i>prima facie</i> indicative or representative of a corrupt act or practice in terms of the Prevention of Corruption Act 1988, on the part of the individual officer(s) of the the public authority complained against then it shall record in writing such evidence as may be found in support of such conclusion and shall initiate the proceedings or in writing refer the same to the appropriate authorities competent to take cognizance of such corrupt practice.</p>	<p>49 of 1988</p>
	<p>(9) The Head of the Department of the Public Authority shall upon adjudication of a complaint have the powers to issue directions requiring the concerned officers of the public authority to take such steps as may be necessary to secure compliance with the provisions of Citizens Charter.</p>	
	<p>CHAPTER VII ESTABLISHMENT OF STATE PUBLIC GRIEVANCE REDRESSAL</p>	

	COMMISSION	
Appeal to State Commission.	12. Any person who, does not receive a decision within the time specified in Chapter , or is aggrieved by a decision of the Head of the Department of the Public Authority, may within thirty days from the expiry of such period or from the receipt of such a decision prefer an appeal to the State Public Grievance Redressal Commission.	
Appointment of State Public Grievance Redressal Commission.	13. The State Government shall appoint, by notification, a Commission to be known as "the State Public Grievance Redressal Commission" to --	
	(a) hearing appeals against the orders of the Head of the Department of the Public Authority;	
Composition of State Commission	14. The State Public Grievance Redressal Commission shall consist of,-	
	(a) a Chief Commissioner;	
	(b) such number of Commissioners, not exceeding five, as may be prescribed, out of which atleast one each shall be from amongst Scheduled Castes, Scheduled Tribes and Women.	
Selection Committee for appointment of Members.	15. (1) The Chief Commissioner and Commissioners shall be appointed by the Governor on the recommendation of a Selection Committee consisting of,-	
	(a) the Chief Minister, who shall be the Chairperson of the committee;	
	(b) the Leader of Opposition in the Legislative Assembly; and	

	(c) a sitting judge of the High Court to be nominated by the Chief Justice of the State.	
	(2) The selection committee shall select out of a panel of five eligible candidates for each vacancy which shall be finalised by a search committee consisting of such members as may be prescribed;	
Qualifications for appointment of Chief and other Commissioners.	16. A person shall not be qualified for appointment as a Chief Commissioner or a Commissioner of the State Public Grievance Redressal Commission unless,-	
	(a) he is, or has been a State Level Officer; or	
	(b) he is or has been a District Judge for at least ten years; or	
	(c) he is or has been a judge of the High Court of the State; or	
	(d) he is an eminent person recognised for his work towards public service in the area and who has worked for at least fifteen years in the social sector with a post graduate degree in a relevant subject;	
	Provided that the State Government may prescribe criteria in addition to the above for the appointment of the Chief Commissioner.	
Terms of office of Chief Commissioner	17. (1) The Chief Commissioner and the Commissioners shall hold office for a term of five years from the date on which they enter upon office or until they attain the age of sixty-five years whichever is earlier.	
	(2) The Chief Commissioner and the Commissioners shall hold office for a term of five years from the date on which he enters upon his office and shall not be eligible for reappointment:	

Staff, Salary and allowances of State Commission.	18. (1) The State Government shall provide the State Public Grievance Redressal Commission with such officers and employees as may be required for the discharge of its functions under this Act.	
	(2) The officers and employees so appointed under (1) shall discharge their functions under the general superintendence of the Chief Commissioner.	
	(3) The salary and allowances payable to and the other terms and conditions of service of the Chief Commissioner and the Commissioners, shall be such as may be prescribed;	
	Provided that neither the salary and allowances nor the other terms and conditions of service of the Commissioners shall be varied to their disadvantage after appointment.	
Filling up of vacancies.	19. If, for any reason other than temporary absence, any vacancy occurs in the office of the State Public Grievance Redressal Commission then the Chief Commissioner shall appoint another person in accordance with the provisions of this Act to fill the vacancy and the proceedings may be continued before the Commission from the stage at which the vacancy is filled.	
Resignation and removal.	20. (1) Any member of the State Public Grievance Redressal Commission may, by notice in writing under his hand addressed to the Governor of the State with a copy to the Chief Commissioner, resign his office:	
	(2) Notwithstanding anything contained in sub-section (1), the Governor may by order remove from office the Chief Commissioner or any Commissioner if the Chief Commissioner or a Commissioner, as the case may be,-	
	(a) is adjudged an insolvent; or	

	(b) has been convicted of an offence which, in the opinion of the President, involves moral turpitude; or	
	(c) engages during his term of office in any paid employment outside the duties of his office; or	
	(d) is, in the opinion of the Governor, unfit to continue in office by reason of infirmity of mind or body; or	
	(e) has acquired such financial or other interest as is likely to affect prejudicially his functions as the Chief Commissioner or as a Commissioner.	
	(3) The State Government may, by rules, regulate the procedure for the investigation of misbehaviour or incapacity of the aforesaid Chief Commissioner or Commissioners.	
Powers of Commission and procedure before it.	21. (1) The State Public Grievance Redressal Commission shall, for the purposes of its functions under this Act, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 in respect of the following matters, namely:-	5 of 1908.
	(a) summoning and enforcing the attendance of any person and examining him on oath;	
	(b) discovery and production of any document or other material object producible as evidence;	
	(c) receiving evidence on affidavits;	
	(d) requisitioning of any public record;	
	(e) issuing commission for the examination of witnesses;	
	(f) reviewing its decisions, directions and orders;	
	(g) any other matter which may be prescribed	

	(2) The State Public Grievance Redressal Commission shall not be bound by the procedure laid down in the Code of Civil Procedure, 1908 but shall be guided by the principles of natural justice and subject to the other provisions of this Act and of any rules made thereunder, the Commission shall have the power to regulate its own procedure.	5 of 1908.
Procedure for adjudication by State Public Grievance Redressal Commission.	22. (1) The State Public Grievance Redressal Commission shall have original jurisdiction to decide every appeal made to it under section [REDACTED].	
	(2) The State Public Grievance Redressal Commissioner shall arrange to deliver copies of the decision to the parties concerned within a period of fifteen days from the date of such decision.	
Proceedings before Commission to be judicial proceedings.	23. All proceedings before the State Public Grievance Redressal Commission shall be deemed to be judicial proceedings within the meaning of sections 193 and 228 of the Indian Penal Code and the Commission shall be deemed to be a civil court for the purposes of sections 345 and 346 of the Code of Criminal Procedure, 1973.	
Staff and officers to be public servants.	24. The staff and officers of the State Public Grievance Redressal Commission shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.	
Time Frame for Disposal of Appeals.	25. (1) An appeal under sub-section ([REDACTED]) of section [REDACTED] shall be disposed of within the time frame, specified:	
	Provided that an appeal of an urgent or immediate in nature shall be disposed of within the same day of the receipt	

	of the appeal or before the date on which the cause of action may cease to exist, which shall not be later than fifteen days from the date of receipt of the appeal.	
	<p>(2) The State Public Grievance Redressal Commission may impose penalty in deciding an appeal against designated officer (s) and Grievance Redress Officers for acting in a malafide manner or having failed to discharge their duties without any sufficient and reasonable cause.</p> <p>Provided that the concerned officers of the public authority shall be given a reasonable opportunity of being heard before any penalty is imposed on them.</p>	
Power to issue directions and exercise original jurisdiction.	26. (1) The State Public Grievance Redressal Commission shall, upon adjudication of a complaint, have the power to issue directions,-	
	(a) requiring the public authority to take such steps as may be necessary to secure compliance with the provisions of the Citizens Charter.	
	(b) requiring the timely creation, updation and wide dissemination of the Citizens Charter of the public authority;	
	(2) it shall be the duty of the State Public Grievance Redressal Commission to receive and inquire into a complaint from any person,-	
	(a) who has been unable to submit an appeal to the Head of the Department of the Public Authority;	
	(b) who has been refused redress of grievance under this Act;	
	(c) whose complaint has not been disposed within the time limit specified;	

	(d) who has been denied access to the Citizens Charter of the public authority either because the Charter was not created by the Public Authority or is inadequate in any regard or it is not widely disseminated to make people aware of it.	
	(e) in respect of any other matter relating to registering and redressing of a complaint or appeal under this Act.	
	(3) Where the State Public Grievance Redressal Commission, is satisfied that there are reasonable grounds to inquire into the matter, it may initiate an inquiry in respect thereof.	
Burden of proof to be on Grievance Redressal Officer	27. In any appeal proceedings, the burden of proof to establish that a non redressal of complaint by the Grievance Redressal Officer shall be on the Grievance Redress Officer who denied the request	
Where Grievance complained of is a result of Corrupt practices	28. Where it appears to the Commission that the grievance complained of is <i>prima facie</i> indicative of a corrupt act or practice in terms of the Prevention of Corruption Act 1988, on the part of the responsible officer(s) of the public authority complained against then it shall record such evidence as may be found in support of such conclusion and shall refer the same to the appropriate authorities.	49 of 1988.
	CHAPTER VIII ESTABLISHMENT OF THE CENTRAL PUBLIC GRIEVANCE REDRESSAL COMMISSION	
Appeal to Central Commission.	29. Any person who, does not receive a decision within the time specified in Chapter , or is aggrieved by a decision of the State Public Grievance Redressal Commission, may within thirty days from the expiry of such period or from the receipt of such a decision prefer an appeal to the Central Public Grievance	

	Redressal Commission.	
Appointment of Central Public Grievance Redressal Commission.	30. The Central Government shall appoint, by notification, a body to be known as "Central Public Grievance Redressal Commission" to exercise the jurisdiction, powers and authority conferred under this Act, including.-	
	(a) hearing appeals against the orders of the State Public Grievance Redressal Commission	
Composition of Central Commission	31. The Central Public Grievance Redressal Commission shall consist of,-	
	(a) the Chief Public Grievance Redress Commissioner; and	
	(b) such number of Central Public Grievance Redress Commissioners, not exceeding ten, as may be prescribed out of which at least one each shall be from amongst Scheduled Castes, Scheduled Tribes and Women.	
Selection Committee for appointment of Members.	32. (1) The Chief Public Grievance Redress Commissioner and Central Public Grievance Redress Commissioners shall be appointed by the President on the recommendation of a committee consisting of,-	
	(a) the Prime Minister, who shall be the Chairperson of the committee;	
	(b) the Leader of Opposition in the Lok Sabha; and	
	(c) a sitting judge of the Supreme Court to be nominated by the Chief Justice of India.	
	(2) The selection committee shall select out of a panel of five eligible candidates for each vacancy which shall be finalised by a search committee consisting of such members as may be prescribed	

Qualifications for appointment of Central Public Grievance Redress Commissioners.	33. A person shall not be qualified for appointment as a Chief Commissioner or Commissioners of Central Public Grievance Redress Commissioner unless,-	
	(a) he is, or has been a Central Level Officer having served at the rank of Secretary, Government of India; or	
	(b) he is or has been a Chief Justice of a High Court or Judge of the Supreme Court.	
	(c) he is an eminent person recognised for his work towards public service in the area and who has worked for at least twenty years in the social sector with a post graduate degree in a relevant subject;	
	Provided that the appropriate Government may prescribe criteria in addition to the above for the appointment of the Chief Commissioner.	
Terms of office of Grievance Redress Commissioners.	34. (1) The Chief Public Grievance Redress Commissioner and the Central Public Grievance Redress Commissioners shall hold office for a term of five years from the date on which they enters upon office.	
	(2) The Chief Grievance Redress Commissioner shall hold office for a term of five years from the date on which he enter upon his office and shall not be eligible for reappointment:	
Staff, Salary and allowances of National Commission.	35. (1) The Central Government shall provide the Central Public Grievance Redressal Commission with such officers and employees as may be required for the discharge of its functions under this Act.	

	(2) The officers and employees so appointed under (1) shall discharge their functions under the general superintendence of the Chief Public Grievance Redress Commissioner.	
	(3) The salary and allowances payable to and the other terms and conditions of service of the Chief Public Grievance Redress Commissioner and the Central Public Grievance Redress Commissioners, shall be such as may be prescribed;	
	Provided that neither the salary and allowances nor the other terms and conditions of service of the members of the Central Public Grievance Redressal Commission shall be varied to their disadvantage after appointment.	
Filling up of vacancies.	36. If, for any reason other than temporary absence, any vacancy occurs in the office of the Central Public Grievance Redressal Commission then the Chief Public Grievance Redress Commissioner shall appoint another person in accordance with the provisions of this Act to fill the vacancy and the proceedings may be continued before the Commission from the stage at which the vacancy is filled.	
Resignation and removal.	37. (1) Any member of the Central Public Grievance Redressal Commission may, by notice in writing under his hand addressed to the President with a copy to the Chief Public Grievance Redress Commissioner, resign his office:	
	(2) Notwithstanding anything contained in sub-section (1), the President may by order remove from office the Chief Public Grievance Redress Commissioner or any Central Public Grievance Redress Commissioner if the Chief Public Grievance Redress Commissioner or the Central Public Grievance Redress Commissioner, as the case may be,-	
	(a) is adjudged an insolvent; or	
	(b) has been convicted of an offence which, in the opinion of the President, involves moral turpitude; or	

	(c) engages during his term of office in any paid employment outside the duties of his office; or	
	(d) is, in the opinion of the President, unfit to continue in office by reason of infirmity of mind or body; or	
	(e) has acquired such financial or other interest as is likely to affect prejudicially his functions as the Chief Public Grievance Redress Commissioner or a Central Public Grievance Redress Commissioner.	
	(3) The Central Government may, by rules, regulate the procedure for the investigation of misbehaviour or incapacity of the aforesaid Chief Public Grievance Redress Commissioner or Central Public Grievance Redress Commissioners.	
Powers of Central Commission and procedure before it.	38. (1) The Central Public Grievance Redressal Commission shall, for the purposes of its functions under this Act, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 in respect of the following matters, namely:—	5 of 1908.
	(a) summoning and enforcing the attendance of any person and examining him on oath;	
	(b) discovery and production of any document or other material object producible as evidence;	
	(c) receiving evidence on affidavits;	
	(d) requisitioning of any public record;	
	(e) issuing commission for the examination of witnesses;	
	(f) reviewing its decisions, directions and orders;	
	(g) any other matter which may be prescribed	

	(2) The Central Public Grievance Redressal Commission shall have original jurisdiction to adjudicate upon every application made to it under section [REDACTED].	
	(3) The Central Public Grievance Redressal Commission shall not be bound by the procedure laid down in the Code of Civil Procedure, 1908 but shall be guided by the principles of natural justice and subject to the other provisions of this Act and of any rules made thereunder, the Commission shall have the power to regulate its own procedure.	
	(4) The Central Public Grievance Redressal Commission shall arrange to deliver copies of the decision to the parties concerned within a period of fifteen days from the date of such decision.	
Proceedings before Central Commission to be judicial proceedings.	39. All proceedings before the Central Public Grievance Redressal Commission shall be deemed to be judicial proceedings within the meaning of sections 193 and 228 of the Indian Penal Code and the Commission shall be deemed to be a civil court for the purposes of sections 345 and 346 of the Code of Criminal Procedure, 1973.	
Burden of proof to be on Grievance Redressal Officer.	40. In any appeal proceedings, the burden of proof to establish that a non redressal of complaint by the Grievance Redressal Officer shall be on the Grievance Redress Officer who denied the request	
Staff and officers to be public servants.	41. The staff and officers of the Central Public Grievance Redressal Commission shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.	
Time Frame for Disposal of Appeals.	42. (1) An appeal under sub-section ([REDACTED]) of section [REDACTED] shall be disposed of within the time, specified:	
	Provided that an appeal of an urgent or immediate in nature shall be disposed of within the same day of the receipt	

	of the appeal or before the date on which the cause of action may cease to exist, which shall not be later than fifteen days from the date of receipt of the appeal.	
	<p>(2) The Central Public Grievance Redressal Commission may impose penalty in deciding an appeal against designated officer (s) and Grievance Redress Officers for acting in a malafide manner or having failed to discharge their duties without any sufficient and reasonable cause.</p> <p>Provided that the concerned officers of the public authority shall be given a reasonable opportunity of being heard before any penalty is imposed on them.</p>	
Power to issue directions and exercise original jurisdiction.	43. (1) The Central Public Grievance Redressal Commission shall, upon adjudication of a complaint, have the power to issue directions,-	
	(a) requiring the public authority to take such steps as may be necessary to secure compliance with the provisions of the Citizens Charter.	
	(b) requiring the timely creation, updation and wide dissemination of the Citizens Charter of the public authority;	
	(2) It shall be the duty of the Central Public Grievance Redressal Commission to receive and inquire into a complaint from any person,-	
	(a) who has been unable to submit an appeal to the Head of the Department of the Public Authority or State Public Grievance Redressal Commissions;	
	(b) who has been refused redress of grievance under this Act;	

	(c) whose complaint has not been disposed within the time limit specified;	
	(d) who has been denied access to the Citizens Charter of the public authority either because the Charter was not created by the Public Authority or is inadequate in any regard or it is not widely disseminated to make people aware of it.	
	(e) in respect of any other matter relating to registering and redressing of a complaint or appeal under this Act.	
	(3) Where the Central Public Grievance Redressal Commission, is satisfied that there are reasonable grounds to inquire into the matter, it may initiate an inquiry <i>suo motu</i> in respect thereof.	
Where Grievance complained of is a result of Corrupt practices.	44. Where it appears to the Central Public Grievance Redressal Commission that the grievance complained of is <i>prima facie</i> indicative of a corrupt act or practice in terms of the Prevention of Corruption Act 1988, on the part of the responsible officer(s) of the public authority complained against then it shall record such evidence as may be found in support of such conclusion and shall refer the same to the appropriate authorities.	
	CHAPTER IX PENALTIES	
Penalty for malafide action.	45. (1) The Head of the Department of the Public Authority, State Public Grievance Redressal Commission or Central Public Grievance Redressal Commission may impose a lump-sum penalty against designated officials responsible for delivery of service or Grievance Redress Officers for their malafide action at the rate specified from time to time as prescribed in the rules framed under this Act from time to time.	

Disciplinary proceedings	(2) If any public servant is found guilty under sub-section (1), the disciplinary authority shall initiate the disciplinary proceedings against such officer of the public authority, who if proved to be guilty of a <i>mala fide</i> action in respect of any provision of this Act, shall be liable to such punishment including a penalty as the disciplinary authority may decide.	
	CHAPTER X REPORTING OF REDRESSAL OF GRIEVANCES BY PUBLIC AUTHORITY	
Reporting requirements	46. (1) Every public authority shall ensure that every Grievance Redressal Officer keeps a record of complaints made to it or appeal therein and the decisions on such complaints and appeals.	
	(2) Every public authority shall publish on its website, by the 15 th day of every month or at such shorter intervals, as may be prescribed, a report mentioning therein ---	
	(a) the number of complaints received;	
	(b) number of complaints pending;	
	(c) number of complaints disposed of ; and	
	(d) such other particulars, as may be prescribed, for discharge of its functions under this Act.	
	CHAPTER XI MISCELLANEOUS	
Bar of jurisdiction of court.	47. No civil court shall have jurisdiction to settle, decide or deal with any question or to determine any matter which is by or under this Act required to be settled, decided or dealt with or to be determined by the Grievance Redrsslal Officer or the Head of the Department of the Public Authority or the State Public Grievance Redressal Commission or the Central Public Grievance Redressal Commission.	

Enforcement of orders by State Public Grievance Redressal Commission or the Central Public Grievance Redressal Commission	<p>48. Every order made by the State Public Grievance Redressal Commission or the Central Public Grievance Redressal Commission may be enforced by the State Public Grievance Redressal Commission or the Central Public Grievance Redressal Commission, as the case may be, in the same manner as if it were a decree or order made by a court in a suit pending therein and it shall be lawful for the State Public Grievance Redressal Commission or the Central Public Grievance Redressal Commission to send, in the event of its inability to execute it, such order to the court within the local limits of whose jurisdiction,--</p>	
	(a) in the case of a public authority not falling under clauses (b) and (c), the place at which the main office of such public authority is situate; or	
	(b) in the case of an order against a public authority being a company, the registered office of the company is situated, or	
	(c) in the case of an order against any other person, the place where the person concerned voluntarily resides or carries on business or personally works for gain is situated, and	
	thereupon, the court to which the order is so sent, shall execute the orders as if it were a decree or order sent to it for execution.	
Protection for acts done in good faith.	49. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act or any rule made thereunder.	
Provisions to	50. The provisions of this Act are in addition to and not in	

be in addition to existing laws.	derogation of, any other law for the time being in force.	
Power to make rules.	51. (1) The appropriate Government may, by notification, make rules for carrying out the provisions of this Act.	
	(2) 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)-----; (b)----- (c)----- (d)----- (e)-----.	
Laying of rules.	52. (1) Every such rule made by the Central Government shall be laid as soon as may be after it is made, before each House of parliament while it is in session for a total period of thirty days which may be comprised in one session or two or more successive sessions, and if before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.	
	(2) Every rule made by the State Government shall be laid, as soon as may be after it is made, before the State Legislature.	
Power to remove difficulties.	53. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty:	

	Provided that no order shall be made under this section after the expiry of two years from the commencement of this Act.	
	(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.	