

Rural Development & Panchayat Raj Secretariat

NOTIFICATION

No.RDP.116 NRE 07 Bangalore Dated 13TH March 2009

Karnataka National Rural Employment Guarantee (Grievance Redressal) Rules 2009

Whereas the draft of the Karnataka National Rural Employment Guarantee (Grievance Redressal) Rules 2008 which the Government of Karnataka proposes to make in exercise of the powers conferred by section 19 of the National Rural Employment Guarantee Act, 2005 (Central act 42 of 2005) was published as required by the sub-section (1) of section 32 of the said act in notification No. RDP 116 NRE 2007, Dated 26.9.2008 in part IV-A of the Karnataka gazette on 06-11-2008 inviting objections and suggestions from all persons likely to be affected thereby within fifteen days of its publication in the official gazette.

And whereas the said gazette was made available to the public on 06th November 2008.

And, whereas no objections or suggestions has been received by the State Government in respect of the said draft.

Now, therefore in exercise of the powers conferred under sub-section (1) and Sub-section 2 (d) of section 32 and read with section 19 of the National rural employment Guarantee Act-2005 (central Act 42 of 2005), The Karnataka Government hereby make the following rules namely: -

RULES

1) Title and Commencement: 1) These rules may be called the Karnataka National Rural Employment Guarantee (Grievance Redressal) Rules, 2009.

2) They shall come into force from the date of their publication in the official Gazette.

2) Definitions:- In these rules, unless the context otherwise requires:-

1)'Act' means the National Rural Employment Guarantee Act, 2005 (Central Act 42 of 2005):

2)'Ministry' means the Ministry of Rural Development, Government of India.

3)'Grievance' includes all complaints whether written or oral received in person, over telephone in the offices, over telephone help line, over e-mail and through the NREGA website.

4)The words and expressions used in these rules and not defined shall have the same meaning assigned to them in the Act.

3. Grievance Redressal Officer (GRO):- The grievance redressal officer shall be The secretary of the Gram panchayat at the village level, Programme Officer at the Block level, District Programme Co-ordinator at the district level and Commissioner of National Rural Employment Guarantee Act at the State level.

4) The mode of submission of complaints: - 1) Any person may submit his grievance to the grievance redressal officer at various levels specified for this purpose under Rule-3.

2) The complaints may be submitted in writing or orally either in person or through post or through the complaint boxes or through E-mail or through National Rural Employment Guarantee Act web site or over telephone help line installed. If the complaint is made orally the programme officer or the District Programme co-ordinator may record the details in the Register of complaints and obtain the signature or thumb impression of the complainant.

3) Complaints shall be filed with specific details and contact information of the complainants.

5) Complaint boxes to be installed to facilitate the complaints:- 1) Complaint boxes shall be installed at conspicuous places in the offices of the Grievance Redressal Officers to facilitate submission of complaints.

2) The Complaint boxes shall be opened at least once in three days and action shall be taken immediately.

6) Enquiring in to complaints:- 1) The grievance redressal officer shall enter the details of complaints in a register separately kept for this purpose. On receipt of the complaint, enquiry through spot verification or inspection shall be completed within seven days. The complaints from higher levels to the lower levels may be transferred through National Rural Employment Guarantee Act website or through e-mail. The delay in transmission of complaints from level to another shall not be cited as a reason for delay in disposing off the complaints.

2) If the grievance redressal officer is of the opinion that the disposal of the complaints requires more time, an interim reply should be issued to the complainants citing the reasons for delay. The grievance redressal officer shall not take more than two weeks for disposing off such complaints.

7) Action on findings of the enquiry:- 1) In case of a prima facie evidence regarding financial irregularities the Grievance Redressal Officer shall file a First Information Report.

2) In case of other violations of Indian Penal Code, like violence or intimidation, the complainant shall file First Information Report. The Grievance Redressal Officer shall facilitate the filing of First Information Report.

3) In case the authority concerned finds violation of entitlements, it will be responsible for informing the person or party aggrieved. The concerned authority will be responsible for such grievance redressal within a week and not later than fifteen days.

8) The Complainant to be informed of the action taken:- The Complainant shall be informed in writing, the action taken on the complaints at the earliest or within a period of thirty days, whichever is earlier.

9) Monitoring the Disposal of Complaints : - 1) There will be a committee at the district level for monitoring the disposal of complaints. This committee would review the progress of the disposal at least once in a month. The member Secretary shall place any reports on the failure at any level in disposing of the complaints before the committee. This committee after following the procedure, would have powers to impose fines under section 25 of NREGA Act.

2) The constitution of the committee shall be as follows: -

- i. The Deputy Commissioner of the District – Chairperson
- ii. The Chief Executive Officer, Zilla Panchayat – Member
- iii. The member Secretary District legal services Authority – member
- iv. One Assistant commissioner and one tahasildar of the district (nominated by the chair person)- member
- v. One Executive Officer of the district (nominated by Chief Executive Officer) – Member
- vi. One member of any voluntary organisation involved with NREGA. -Member (To be nominated by the chairperson)
- vii. Deputy secretary of Zilla Panchayat handling NREGA – Member Secretary.

10). Monthly reports: - The monthly reports in the formats pre-designed by the Central Government may be sent from Grama Panchayat to the Programme Officer and Programme Officer to District Programme Co-ordinator and from District Programme Co-ordinator to State Government and from State Government to the Ministry.

11) Disclosure of complaint in local newspapers:- The District level complaint monitoring authority shall disclose the status of each complaint in one of the local newspaper.

12) Appeals:-1) Appeals against the orders of the Gram Grievance Redressal Officer Panchayat level shall be made to the Programme Officer, those against the orders of the Programme Officer shall be made to District Programme Coordinator and those against the District Programme Coordinator shall be made to the State Commissioner under National Rural Employment Guarantee Act,

2) All Appeals shall be made within 45 days of the order issued.

3) All Appeals shall be disposed off within one month.

4) The guilty shall be penalized as per the provisions of the Act.

13) Accountability:- Programme Officer will be accountable for the compliance and strict enforcement of the National Rural Employment Guarantee Act and Rules in the Gram Panchayat and Block level. The District Programme Coordinator will be accountable for compliance and strict enforcement at District level. The State Grievance Redressal Officer will be accountable for overall compliance and strict enforcement within the State.

By order and in the name of
the Governor of Karnataka

(P.C. Jaffer)

Director, NREGA,

& Ex-officio Deputy Secretary to Govt.

Rural Development & Panchayat Raj Dept.,