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GOVERNMENT OF MANIPUR
SECRETARIAT : RURAL DEVELOPMENT & PANCHAYATI RAJ DEPARTMENT

NOTIFICATION

Imphal, the 18th January, 2014

No. 14/2/2010-RD(MGNREGA) : The following draft of certain rules to be called the Manipur Rural Employment (Redressal of Grievances) Guarantee Rules, 2014, which the State Government propose to make in exercise of powers conferred under section (19) read with sections 32(1) and 32(2)(d) of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 as amended from time to time, is hereby published as required under the said section 32(1) for the information of all persons likely to be affected hereby, and notice is hereby given that the said draft rules shall be taken into consideration on or after the expiry of a period of thirty (30) days from the date of publication of this notification in the Official Gazette.

Objections or suggestions, if any, may be addressed to the Principal Secretary, Rural Development & Panchayati Raj Department, Government of Manipur.

The objections or suggestions which may be received from any person so specified shall be taken into consideration by the State Government.

1. Short title, extent and commencement

- (a) These rules may be called the “Draft Manipur Rural Employment (Redressal of Grievances) Guarantee Rules, 2014”.
- (b) They shall extend to the whole of Manipur.
- (c) They shall come into force from the date of notification in the Manipur Gazette.

2. Definitions

In these rules, unless the context otherwise required:

- (a) ‘Act’ means the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (42 of 2005) as amended from time to time.
- (b) ‘State Grievance Redressal Authority’ means an officer of the State Government designated as such at the State level to function as the authority for redressal of grievances at the State level in connection with implementation of the Act. The State Employment Guarantee Commissioner shall not be designated as the State Grievance Redressal Authority.

- (c) 'Public Grievance Redressal Authority' means an authority who is responsible for redressal of grievances and for disposal for complaints placed before him in such capacity in accordance with these rules.
- (d) 'Gram Panchayat' includes a village authority established as such under the Manipur Village Authority (in Hill Areas) Act, 1956 as amended from time to time.
- (e) 'Gram Panchayat Secretary' includes an official under the State Government who is assigned similar functions in connection with implementation of the Act by a village authority established under the Manipur Village Authority (in Hill Areas) Act, 1956 as amended from time to time.
- (f) 'Website' means www.nrega.nic.in.
- (g) The words and expressions used, which are not defined in these rules, but are defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Enquiry-cum-Facilitation Desk

Every District Programme Coordinator, Programme Officer, gram panchayat, village authority, zilla parishad, autonomous district council and every other implementing agency shall establish an Enquiry-cum-Facilitation Desk in its office to reply on all enquiries of general public relating to implementation of the Act.

4. Public Grievance Redressal Authorities

- (a) The Gram Panchayat Secretary shall be the Public Grievance Redressal Authority at the gram panchayat level.
- (b) The Programme Officer shall be the Public Grievance Redressal Authority at the block level.
- (c) The District Programme Co-ordinator and the Ombudsman shall be the Public Grievance Redressal Authorities at the district level.
- (d) The State Grievance Redressal Authority shall be the Public Grievance Redressal Authority at the State level.

5. Jurisdiction of Public Grievance Redressal Authorities

- (a) In accordance with Sub Section (5) of Section (23) of the Act, if any dispute or complaint arises concerning the implementation of a Scheme by the Gram Panchayat, the Public Grievance Redressal Authority before whom the dispute or complaint has been placed shall refer the matter to the concerned Programme Officer.
- (b) Any complaint on any matter, concerning the implementation of a Scheme by any implementing agency other than the Gram Panchayat, shall be referred to the concerned Ombudsman by the Public Grievance Redressal Authority before whom the complaint had been placed.
- (c) Any complaint against a Programme Officer or an Additional Programme Officer, on any matter concerning the Scheme, shall be referred to the concerned District Programme Coordinator by the Public Grievance Redressal Authority before whom the complaint had been placed.
- (d) Any complaint against an Ombudsman, on any matter concerning the Scheme, shall be referred to the concerned District Programme Coordinator by the Public Grievance Redressal Authority before whom the complaint had been placed.

- (e) Any complaint against the District Programme Coordinator, on any matter concerning the Scheme, shall be referred to the State Grievance Redressal Authority by the Public Grievance Redressal Authority before whom the complaint had been placed.

6. Complaints

Any matter referred to directly or indirectly, written, signed in original and enclosed with complete proof of identity of the complainant to a Public Grievance Redressal Authority suggesting a shortcoming in the implementation of the Act, including any grievance communicated to him/her in his/her capacity as Public Grievance Redressal Authority through a letter, memorandum, representation, e-mail or helpline shall be deemed to be a “complaint” under sub-section (6) of Section 23 of the Act. Any reported contravention of the Act and these rules shall also tantamount to a complaint.

7. Complaint Boxes

Complaint boxes marked “MGNREGA COMPLAINT BOX” at conspicuous places in the offices of the Programme Officers and District Programme Coordinators shall be installed to facilitate submission of complaints. The complaint boxes shall be opened on a fixed date every week in front of an official (not related directly with programme implementation) designated by District Programme Coordinator, who will record and publish a list of all complaints received. This date will be considered the date of receipt of complaints for purpose of the Act and the list can serve as a receipt, a copy of which shall be given at minimal charge for this purpose.

8. Helpline

Helplines shall be set up for grievance redressal in the offices of all Public Grievance Redressal Authorities at the State and district levels. State wide publicity shall be accorded to the Helplines.

9. Complaint Register

Complaint Registers shall be maintained in the offices of all Public Grievance Redressal Authorities. Complaints shall be entered in the complaint register which shall include the name and address of the complainant, the date of receipt of complaint, the nature of complaint, and the authority against whom the complaint has been made, amongst others.

10. Mode of submission of complaints

- (a) Any concerned person, in public interest, can lodge a complaint relating to violation or non compliance of any provision of the Act and the Rules framed thereunder.
- (b) A complaint may be submitted orally in person or through helpline, or in writing, in person or by post or through MGNREGA Complaint Boxes installed in the offices of the concerned Public Grievance Redressal Authority.
- (c) If a complaint is made orally in person, the Public Grievance Redressal Authority or an offer duly authorised by him/her for the purpose shall record the details of the complaint and obtain the signature/thumb impression of the complainant thereon. If a complaint is made orally through helpline, the Public Grievance Redressal Authority or an officer duly authorised by him/her for the purpose shall record the details of the complaint, including the identity of the complainant.
- (d) For any complaint received in any mode, the name and address of the petitioner, and nature and date of the petition, are to be entered in a complaint register, which shall be uploaded on to the website on a weekly basis.

- (e) All complaints shall be duly acknowledged with a dated receipt.
- (f) All Public Grievance Redressal Authorities shall promote the submission of a written complaint by a complainant in the format provided as Annexure-I to these rules.

11. Disposal of Complaints

- (a) In case a complaint is to be resolved by a Public Grievance Redressal Authority other than the one before whom the complaint has been placed, then the latter shall refer the complaint to the appropriate authority as per rule 5 within seven (7) working days under intimation to the complainant.
- (b) Complaints that fall within the jurisdiction of the Programme Officer under sub section (5) of section 23 of the Act, shall be disposed of by him/her within seven (7) days as specified at sub section (6) of section 23 of the Act, including the redressal of the grievance and the delivery of the entitlement unless encumbered by duly justifiable reasons beyond his/her control. If a complaint concerns corruption, defalcation or forgery, the Programme Officer shall be responsible for having a preliminary enquiry completed within 7 working days, and if there is prima facie evidence of such irregularities such as misappropriation or embezzlement of public moneys, he/she shall initiate proceedings for recoveries of the amounts involved and for lodging a First Information Report (FIR) with the police. If a complaint concerns other violations of the Indian Penal Code, the Programme Officer shall be responsible for having a preliminary enquiry completed forthwith and for lodging a First Information Report (FIR) with the police.
- (c) Any other Public Grievance Redressal Authority shall dispose off a complaint falling under his jurisdiction as per rule 5 of these rules within 30 days of receipt of the complaint, unless otherwise specified in relevant instructions issued by the Central Government. If a complaint concerns corruption, defalcation or forgery, the said Public Grievance Redressal Authority shall be responsible for having a preliminary enquiry completed within 15 working days, and if there is prima facie evidence of such irregularities such as misappropriation or embezzlement of public moneys, he/she shall initiate proceedings for recoveries of the amounts involved and for lodging a First Information Report (FIR) with the police. If a complaint concerns other violations of the Indian Penal Code, the said Public Grievance Redressal Authority shall be responsible for having a preliminary enquiry completed forthwith and for lodging a First Information Report (FIR) with the police.
- (d) Once a complaint or a grievance has been disposed of, the date and nature of disposal should be communicated to the petitioner. These details shall be made available over the website.
- (e) The complainant(s) shall be informed of the action taken in writing through registered post with acknowledgement card. The acknowledgement card shall contain a feedback form for complainant to record his satisfaction or dissatisfaction. Information regarding appeal facility available and the procedure for same shall also be enclosed. If no communication is received from the complainant by the Public Grievance Redressal Authority within a month of despatch of Action Taken Report to the complainant, the file shall be closed.
- (f) Notwithstanding anything to the contrary in these rules, an Ombudsman shall dispose of a complaint strictly within the ambit of the Instructions on Ombudsman as revised and issued by the Central Government from time to time.

12. Failure to dispose of complaints

Failure to dispose of a complaint within the prescribed time, without justifiable reasons, by a Public Grievance Redressal Authority shall be considered a contravention of the Act by the said Public Grievance Redressal Authority and shall be a punishable offence under Section 25 of the Act.

13. Appellate Authorities for Grievances Redressal

- (a) Appeal against a decision of the Panchayat Secretary shall be made to the concerned Programme Officer.
- (b) Appeal against a decision of the Programme Officer shall be made to the concerned District Programme Coordinator.
- (c) Appeal against a decision of the District Ombudsman shall be made to an authority as provided in the Instructions on Ombudsman issued by the Central Government, as revised from time to time.
- (d) Appeal against a decision of the District Programme Coordinator shall be made to the State Grievance Redressal Authority.
- (e) Appeal against a decision of the State Grievance Redressal Authority shall be made to the State Employment Guarantee Commissioner.

14. System of Appeal

All appeals against an order or a decision of a Public Grievance Redressal Authority to the concerned appellate authority shall be made in writing within a period of 15 days of receipt of communication of the order or the decision to the appellate authority by the aggrieved party.

15. Liability to produce records

Request made by a competent Public Grievance Redressal Authority, or an appellate authority under these Rules, in writing, for production of records, documents and registers in connection with disposal of any complaint shall be complied forthwith by the authority to which such request is made, provided the latter is the custodian of the said records, documents and registers, within fifteen days of receipt of the written request, or within such time as sought for by the requisitioning authority, whichever is shorter.

16. Power to summon

An Appellate Authority under these Rules shall have the power to summon any official in connection with disposal of an appeal for production of records or for adducing evidence and in such cases, the official so summoned shall be bound to appear before the Appellate Authority on the appointed day at the appointed place and time.

17. Monitoring of disposal of complaints

- (a) Monitoring of disposal of the complaints by a Public Grievance Redressal Authority shall be done by the next higher Public Grievance Redressal Authority every month.
- (b) The State Employment Guarantee Commissioner, or an official duly empowered in this regard, shall monitor the disposal of complaints by all Public Grievance Redressal Authorities on a quarterly basis, or as frequently as may be required.

- (c) Action taken on the complaints received by the Programme Officer and the District Programme Coordinator shall be placed before the meetings of the intermediate panchayats, if constituted, and the district panchayats respectively.

18. Monthly reports

Monthly Reports on complaints received and disposed shall be sent from Gram Panchayat to Programme Officer. The Programme Officer shall compile the block report and send it to District Programme Coordinator. The District Programme Coordinator shall prepare the district report and shall send it to State Government, who shall in turn compile the monthly report for the State and send it to the Government of India. This shall be placed on the website.

19. Power to Amend Rules

The State Government may add to, delete from or alter or amend the rules. Such alteration or amendment of the rules shall be notified in the official Gazette.

NINGTHOUJAM GEOFFREY,
Joint Secretary to the Government of Manipur,
Rural Development & Panchayati Raj Department.

Annexure I to the Manipur Rural Employment (Redressal of Grievances) Guarantee Rules, 2014
**FORMAT FOR SUBMISSION OF COMPLAINT TO A PUBLIC GRIEVANCE REDRESSAL
 AUTHORITY.**



COMPLAINT FORM

1	Name of complainant	
2	Date of filing complaint	
3	Address of complainant	
4	Contact No.	
5	Job Card No., if any	
6	Complaint registered with	State Government/ DPC/ PO/ Ombudsman/ ZP/ ADC/ Line Department/ GP/ Village Authority/ any other implementing agency
7	Complaint registered against	i) ii) iii)
8	Nature of complaint (please tick yes or no against items at (i) to (iii) below):	
i	Non compliance with MGNREGA Act (Yes/No)	
ii	Non-compliance with the Guidelines (Yes/No)	
iii	Denial of right under MGNREGA (Yes/No) If yes, please tick against the items at Sl. No. (a) – (s) below:	
a	Registration of household	
b	Distribution of job card	
c	Custody of job card	
d	Oral demand for work	
e	Receipt of work application	
f	Charging fee for photograph etc	
g	Wages within 15 days of completion of work	
h	Payment of unemployment allowances	
i	Giving work to woman	
j	Work site facilities	
k	Work measurement system	
l	Account in bank/post Office	
m	Registration of complaint	

n	Participation in Social Audit	
o	Access to master roll	
p	Inspection of documents	
q	Misappropriation of funds	
r	Irregularities committed by Implementing Agency	
s	Any other, specify	
9	Details of complaint (<i>can attach a separate sheet; please be specific on issues to be enquired into so as to facilitate quick disposal of complaint</i>)	
10	Documents enclosed in support of the complaint (like bill, photograph, video recording):	
	Sl. No.	Name / description of document
	I	
	II	
	III	
	IV	
	<i>(Enclose separate list if space is insufficient)</i>	
11	Whether the complaint was lodged earliest also? (Yes/No)	
12	If yes, what is the action taken? Give details (date, complaint registration number issued when the complaint was registered):	
13	I hereby declare that all the information's stand in the complaint is true to the best of my knowledge.	
	Date	Signature of the Complainant
14	FOR OFFICIAL USE ONLY:	
	<.....Cut here.....>	
	<u>ACKNOWLEDGEMENT OF RECEIPT OF COMPLAINT</u>	
	Number:	Date:/...../20.....
	Received complaint from: Mr/Mrs/Ms.....	
	resident of	
PS:.....PO.....
	Complaint received by:	
	Name of the officer/official:.....	
	Designation:.....	
	Office Seal	Signature of the officer / official receiving the complaint