



# सूचना के जन अधिकार का राष्ट्रीय अभियान

## NATIONAL CAMPAIGN FOR PEOPLE'S RIGHT TO INFORMATION

### **Note on the amendments required in the Grievance Redress Bill (The Right of Citizens to Time-bound Delivery of Goods and Services and Redressal of their Grievances Bill, 2011)**

The introduction of the 'Right of Citizens for Time Bound Delivery of Goods and Services and Redressal of their Grievances Bill, 2011' in the Parliament in December 2011 was a positive step. However, the bill has some lacunae which need to be addressed in order to ensure effective and timely redress of grievances.

#### **1. Independence of the designated authority**

The bill currently does not specify the level at which the designated authority will function. **It is crucial that the designated authority be set up at the district level to ensure a decentralised appellate mechanism.** The designated authority must also be independent of public authorities to ensure that appeals are heard and disposed in a neutral and independent manner. The independent designated authority at the district level should have territorial jurisdiction over all public servants/public authorities within the district, irrespective of whether they are offices/employees of the state government, central government, or any other public authority.

The following amendment needs to be introduced in the definition of designated authority-  
***"Designated authority means a district level authority set up by the appropriate government which will have jurisdiction to hear complaints, give directions, award compensation and impose penalty in relation to all public authorities located within the district. The appointment, transfer and/or removal of the designated authority must be with the concurrence of the State Grievance Redressal Commissions for state administered territories and Central Grievance Redressal Commission for centrally administered territories who would also be the accepting authority for their annual confidential reports<sup>1</sup>"***

**This will be in keeping with the clarification issued by the DoPT on 23/12/2011 (see below) that the independent designated authority is to be located at the District level.**

#### **2. Compensation should be delinked from penalty**

The Bill should provide for mandatory compensation for certain classes of grievances and this compensation should be paid for by the public authority and then recovered from the salary of the erring officials. Providing compensation to complainants should not be made conditional on imposition and recovery of penalty.

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<sup>1</sup>This is to ensure that the designated authority is appropriately independent of the government

### 3. Provision of hearing

The bill must provide for a right to time-bound hearing for individual and collective complaints at the level of the GRO and the appellate authority. The hearing should be open to all, and held at a public place on a regularly designated day to ensure transparent and effective grievance redress and to facilitate peoples' participation in the hearing.

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**Press Information Bureau  
Government of India  
Ministry of Personnel, Public Grievances & Pensions**

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#### **Under the New Bill Citizens' Grievances to be redressed at Block Level: V. Naraynasamy**

The Government recently introduced the Right of Citizens for Time Bound Delivery of Services and Redressal of their Grievances Bill, 2011 in Parliament. Under the Bill, the designed authority at the grass-root level will have powers to redress the grievances of the block level. Shri V. Naraynasamy, Minister of State for Personnel, Public Grievances and Pensions, in a statement today allayed apprehensions in certain quarters that the 'Independent Designated Authority' under the Act will function and operate at the state level.

Following is the text of Minister's statement:

"The Right of Citizens for Time Bound Delivery of Goods and Services and Redressal of their Grievances Bill, 2011 has been introduced in Parliament. This landmark legislation has been introduced with the objective of redressing grievances in a decentralized and timely manner at the grass roots level. Our Government has received lot of appreciation from the people of this country in general and from national and regional media in particular. However there seems to have been some confusion created deliberately by some activists that the 'Independent Designated Authority' under the Act will function and operate at the State level.

We have also received representations from a wide spectrum of stakeholders with recommendations and suggestions for amendments. All of these will be considered, but we would like to clarify it has always been our intention that the 'Independent Designated Authority' will be established at the district level. This will be specifically incorporated in the law. Further, the designated authority at the grassroots level will be given powers to redress the grievances of the block level.

Therefore the bulk of citizens' grievances will be redressed at the District or Sub-District levels."

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