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NOTIFICATION

No.C.31015/2/09-RD (NREGS), the 7th October 2013. In the interest of public service and in exercise of the power conferred by sub-section (1) of section 32 of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005, the Governor of Mizoram is pleased to amend the Mizoram Grievance Redressal Rules, 2009, issued under Notification No.B.11018/96/08-RD (NREGS) published in the Mizoram Gazette Vol-XXXVIII Issue No. 292 dt.11.6.2009 (hereinafter referred to as the Principal Rules), namely:-

1. **Short title, extent and commencement**
 - 1) These rules may be called the Mizoram Grievance Redressal (Amendment) Rules, 2013.
 - 2) It shall come into force on the date of its publication in the Official Gazette.

2. **Amendment of Rule 2 :-**

In rule 2 of the Principal Rules, after clause (j) the following new clause (k) shall be added, namely:-
“(k) State Employment Guarantee Commissioner means Secretary, Rural Development”.

3. **Amendment of Rule 3 :-** In rule 3 of the Principal Rules,

(i) For clause (a), the following clause shall be substituted, namely:-

“(a) There shall be a Village Level Grievance Redressal Committee established under the Chairmanship of President, Village Council in each Villages in Mizoram where the traditional Village Council exists in place of Gram Panchayat.”

(ii) After clause (b), a new clause (c) shall be added as followed, namely:-

“(c) **Condition for disposal of complaints –**

- 1) The VCP in his capacity as Chairman of Village Level Grievance Committee shall receive any complaints on the implementation of the Scheme within the Village Council jurisdiction.
- 2) Complaints may be submitted in writing or orally. Complaints shall be filed in the prescribed format (Format-4) as far as possible. If complaint is submitted orally, the receiver shall fill in the form in the presence of the complainant and issue Acknowledgment Receipt (below Format-4).
- 3) The receipt and disposal of complaints/appeals shall be recorded in the Register.
- 4) The Chairman shall convene meeting of the Village Level Grievance Redressal Committee every month to resolve the issues and dispose of the complaints/grievances.

- 5) Negligence to convene meeting of VLGRC while a complaint is received shall be considered contravention of the Act, punishable under Section 25 of the Act.
- 6) The Chairman, Village Level Grievance Redressal Committee is authorized to dispose off the complaints in his own capacity which shall be placed before the next meeting of VLGRC for their approval.
- 7) The complainants must also be informed of the action taken in writing through registered post with acknowledgement card. It shall contain a feedback form for complainant to record his satisfaction or dissatisfaction. If no communication is received within a month of receipt of Action Taken Report the file may be closed.
- 8) The complainant feeling aggrieved over the decision of the Chairman/VLGRC can make an appeal to Block Level Grievance Redressal Cell/Committee."

4. **Amendment of Rule 4 :-**

For clause (a) and (c) of rule 4 of the Principal Rules, the following shall be substituted, namely:-

"(a) Block-Level Grievance Redressal Committee –

Block Level Grievance Redressal Cell shall be established in the Office of the Programme Officer for receiving complaints on the implementation of MGNREGS within the block and also receiving appeals from the aggrieved persons who are not satisfied with the decision of the Village Level Grievance Redressal Committee or the case referred to the BLGR Committee by the VLGR Committee for its disposal and the concerned Programme Officer shall act as Grievance Redressal Officer.

(c) Condition for disposal of Complaints –

- 1) Complaints may be submitted in writing or orally. Complaints shall be filed in the prescribed format (Format-4) as far as possible. If complaint is submitted orally, the receiver shall fill in the form at the presence of the complainant and issue Acknowledgment Receipt (below Format-4).
- 2) Complaint Box shall be placed at the Offices of the Programme Officer wherein any aggrieved person can post his/her complaint in writing. No anonymous complaint shall be entertained. Complaint Box shall be cleared daily at the first and last working hour for processing.
- 3) The receipt and disposal of complaints/appeals shall be recorded in the Register.
- 4) The Programme Officer in his capacity as Grievance Redressal Officer shall examine and dispose of the complaints and appeals within seven days of its receipt.
- 5) If the nature of the complaints necessitate enquiry through spot verification, inspection etc its disposal shall be completed within one month.
- 6) In case a complaint relates to a matter to be resolved by any other authority, the Programme Officer shall conduct preliminary enquiry and refer the matter to such authority within one month under intimation to the complainant.
- 7) The complaints/appeals which cannot be disposed of by the Grievance Redressal Officer will be placed before the BLGR Committee for its disposal/decision.
- 8) The Programme Officer shall convene meeting of BLGR Committee as required.
- 9) The complainants must also be informed of the action taken in writing through registered post with acknowledgement card. It shall contain a feedback form for complainant to record his satisfaction or dissatisfaction. If no communication is received within a month of receipt of Action Taken Report the file may be closed.
- 10) Failure to dispose of a complaint within one month will be treated as contravention of the Act, punishable under Section 25 of the Act. Complaints against such failure will be lodged with the District Programme Coordinator.
- 11) The complainants/appellants feeling aggrieved over the decision of the Grievance Redressal Officer /BLGR Committee can make an appeal to District Programme Coordinator who will function as District Grievance Redressal Officer.

- 12) Where the Programme Officer finds that one or more of the specific contraventions of the Act listed in Annexure II has taken place, he/she shall take immediate action on the offender as per Section 25 of the MGNREG Act or make a reference to the District Programme Coordinator within one month."

5. **Amendment of Rule 5 :-**

For rule 5 of the Principal Rules, the following shall be substituted, namely:-

"5 District Grievance Redressal Cell –

- a) There shall be a District Grievance Redressal Cell in the Office of the District Programme Coordinator to receive complaint on the implementation of MGNREGS within the district.
- b) The District Programme Coordinator will function as District Grievance Redressal Officer within his jurisdiction and will also function as Appellate Officer/Authority to receive appeals against the decision of the Grievance Redressal Officer/ Block Level Grievance Redressal Committee.

c) Condition for disposal of complaints –

- 1) Complaints may be submitted in writing or orally. Complaints shall be filed in the prescribed format (Format-4) as far as possible. If complaint is submitted orally, the receiver shall fill in the form in the presence of the complainant and issue Acknowledgment Receipt (below Format-4).
- 2) Complaint Box shall be placed at the Office of the District Programme Coordinator wherein any aggrieved person can post his/her complaints in writing. No anonymous complaint shall be entertained. Complaint Box shall be cleared daily at the first and last working hour for processing.
- 3) The receipt and disposal of complaints/appeals shall be recorded in the Register.
- 4) Any complaint/appeal received by the Cell shall be examined and disposed off within a month.
- 5) The complainants must also be informed of the action taken in writing through registered post with acknowledgement card. It shall contain a feedback form for complainant to record his satisfaction or dissatisfaction. If no communication is received within a month of receipt of Action Taken Report the file may be closed.
- 6) Failure to dispose of a complaint within one month will be treated as contravention of the Act punishable under Section 25 of the Act. Complaints against such failure will be lodged with the State Level Grievance Redressal Officer
- 7) The complainants/appellants feeling aggrieved over the decision of the District Grievance Redressal Officer may appeal to the State Grievance Redressal Officer, Mizoram."

6. **Amendment of Rule 6 :-**

For rule 6 of the Principal Rules, the following shall be substituted, namely:-

"6 State Level Grievance Redressal Officer/Appellate Authority -

- a) The State Employment Guarantee Commissioner will function as State Level Grievance Redressal Officer who shall receive complaints on the implementation of MGNREGS anywhere in Mizoram.
- b) He shall also act as Appellate Authority at the State level against the decision of the District Grievance Redressal Officer.
- c) Complaints may be submitted in writing or orally. Complaints shall be filed in the prescribed format (Format-4) as far as possible. If complaint is submitted orally, the receiver shall fill in the form in the presence of the complainant and issue Acknowledgment Receipt (below Format-4).
- d) The receipt and disposal of complaints/appeals shall be recorded in the Register.
- e) Any complaint/appeal received by him shall be examined and disposed off within a month.

- f) He shall communicate his decision thereon to the complainants/appellants in writing through registered post with acknowledgement card. It shall contain a feedback form for complainant to record his satisfaction or dissatisfaction. If no communication is received within a month of receipt of Action Taken Report the file may be closed
- g) The decision of the State Level Appellate Authority shall be final in respect of complaints/appeals on the implementation of NREGS within Mizoram."

7. ***Amendment of Rule 7 :-***

For rule 7 of the Principal Rules, the following shall be substituted, namely:-

"7 Lodging and Disposal of Complaints –

- a) Complaint shall be filed at Village Council/Block Office/District Office/State Cell or to any authorized Officer.
- b) In case of a prima facie evidence regarding financial irregularities the Grievance Redressal Officer or District Grievance Redressal Officer or State Level Grievance Redressal Officer to whom the complaint has been submitted shall file a First Information Report.
- c) In case of violation of Indian Penal Code, like violence, intimidation, the complainant shall file First Information Report. The Grievance Redressal Officer or District Grievance Redressal Officer or State Level Grievance Redressal Officer shall facilitate the filing of First Information Report.
- d) State Government/District Programme Coordinator/ Programme Officer or any other official authorized by the State Government may inquire into any complaint and any person found guilty will be penalized under Section 25 of the Act.
- e) The monitoring of disposal of the complaints shall be done every month at the next higher level from State Government to District Programme Coordinator and District Programme Coordinator to Programme Officer and Programme Officer to Village Employment Council.
- f) A monthly report on complaints received and disposal of the complaints shall be sent from Village Employment Council to Programme Officer and from Programme Officer to District Programme Coordinator and from District Programme Coordinator to State Government and from State Government to Government of India."

8. ***Amendment of Rule 9 :-***

In rule 9 of the Principal Rules, the following paragraph shall be added, namely:-

"VCP/Chairman, Village Level Grievance Redressal Committee shall be accountable for compliance and strict enforcement of the MGNREG Act and Rules at the Village level."

R. Lalvena,
Secretary to the Govt. of Mizoram,
Rural Development Department.