

**Government of West Bengal**  
**Panchayats & Rural Development Department**  
**Jessop Building (1<sup>st</sup> Floor)**  
**63 Netaji Subhas Road, Kolkata 700001**

**N O T I F I C A T I O N**

**No. 8370 – RD/NREGA/18M-07/08- dated the 21<sup>st</sup> December, 2009** – WHEREAS draft of the rules called the West Bengal Grievance Redressal Rules, 2009 was published, in exercise of the powers conferred by clause (d) of sub-section (2) of Section 32 *read* with section 19 of the National Rural Employment Guarantee Act, 2005 (42 of 2005)(hereinafter referred to as the said Act), *vide* notification of the Government of West Bengal in the *Panchayats & Rural Development Department*, bearing number 3592-RD/NREGA/18M-07/08 dated 05th June, 2009 in the *Kolkata Gazette, Extraordinary*, Part I dated the 5th June, 2009, inviting objections and suggestions from persons likely to be affected thereby before expiry of a period of fifteen days from the date of publication of the said notification in the *Official Gazette*;

AND WHEREAS the copies of the Gazette containing the said notification were made available to the public on the 5th June, 2009;

AND WHEREAS the objections and suggestions received on the said draft rules had been duly considered by the State Government;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (2) of Section 32 *read* with section 19 of the said Act, the Governor is pleased hereby to make the following rules, namely:—

- 1. Short title.** — (1) These rules may be called the National Rural Employment Guarantee Scheme, West Bengal, Grievance Redressal Rules, 2009.

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

- 2. Definitions.** — (1) In these rules, unless the context otherwise requires, —
- (a) “Act” means the National Rural Employment Guarantee Act, 2005 (42 of 2005);
  - (b) “Complaint” means and includes any matter of grievance, written or oral, which shall be reduced into writing or written duly signed with complete identity of the complainant alleging deficiency in the implementation of the Act and the Scheme;
  - (c) “Grievance Redressal Authority” means *Pradhan* at the *Gram Panchayat* level, Programme Officer at the block level, Sub-Divisional Programme Coordinator (Sub-Divisional Officer) at the Sub-divisional level and District Programme Coordinator at the district level to redress the grievances of the complainant;
  - (d) “*Pradhan*” has the same meaning as in clause (17) of section (2) of the West Bengal *Panchayat* Act, 1973 (West Ben. Act XLI of 1973);
  - (e) “Scheme” means National Rural Employment Guarantee Scheme, West Bengal, 2006;
  - (f) “State Government” means the Government of West Bengal in the *Panchayats* and Rural Development Department;
  - (g) “Sub-Divisional Officer” has the same meaning as in clause (27A) of section (2) of West Bengal *Panchayat* Act, 1973 (West Ben. Act XLI of 1973);
  - (h) “Sub-Divisional Programme Coordinator” means the Sub-Divisional Officer having jurisdiction.
- (2) All other words and expressions used but not defined in these rules shall have the meanings respectively assigned to them in the Act.
- 3. Complaint Register.** — (1) Complaint may be filed at the *Gram Panchayat* office, office of the Programme Officer and at the office of the District Programme Coordinator as per format as prescribed in *Annexure “A”*.
- (2) There shall be a Complaint Register in the format prescribed in the Scheme to be maintained in every *Gram Panchayat* office, office of the Programme Officer, office of the Sub-Divisional Programme Coordinator and in the office of the District Programme Coordinator.

- (3) Each complaint shall be entered in the Complaint Register and it shall be serially numbered.
- (4) Dated receipt of complaint shall be issued to the complainant as per format as prescribed in Annexure "B".

**4. Disposal of complaints.** — (1) The complaint received at the *Gram Panchayat* Office shall be disposed of by the *Pradhan* ordinarily within 10 (ten) working days from its receipt, after due enquiry and in that case, it shall submit a monthly report of the same as per format as prescribed in annexure 'C' to the Programme Officer within the 7<sup>th</sup> day of the following month:

Provided that if the *Pradhan* of the concerned *Gram Panchayat* finds violation of entitlements, he will be responsible for informing and redressing the person/party aggrieved and in that case it will be disposed of from his end within a week and not in more than 15 (fifteen) days:

Provided further that in case the complaint relates to a matter to be resolved by any other authority, it shall be referred to the Programme Coordinator for disposal within 7 (seven) days from its receipt under intimation to the complainant.

(2) The complaint within the jurisdiction of the Programme Officer including any complaint referred by a Gram Panchayat, Sub-divisional Programme Coordinator and the District Programme Coordinator shall be disposed of by him within 7 (seven) working days from its receipt after due enquiry:

Provided that the Programme Officer may inquire into any complaint on his own will or through reference and will impose the penalty against the concerned guilty under section 25 of the Act on establishment of guilt:

Provided further that in case the complaint relates to a matter to be resolved by any other authority, it shall be forwarded to such authority within 7 (seven) days of its receipt under intimation to the complainant.

(3) In case the complaint relates to any matter involving corruption, financial irregularities or forgery and after necessary enquiry and inspection, if it appears to the Programme Officer that there is prima-facie evidence, he shall file a First Information Report, if required in the local Police Station.

(4) In case of other complaints, the complainant shall file an First Information Report, if required and in that event the Programme Officer shall facilitate the filing of such First Information Report.

(5) The Sub-divisional Programme Coordinator may inquire into any complaint on its own will or through reference and in that event it shall be disposed of by him ordinarily within 15(fifteen) working days and will impose the penalty against the concerned guilty under section 25 of the Act on establishment of guilt:

Provided that if the Sub-divisional Programme Coordinator finds violation of entitlements, he will be responsible for informing and redressing the person/party aggrieved and in that case it will be disposed of from his end within a week and not after than 15 (fifteen) days:

Provided further that in case the complaint relates to a matter to be resolved by any other authority, it shall be forwarded to such authority within 7 (seven) days of its receipt under intimation to the complainant.

(6) The Sub-divisional Programme Coordinator shall submit a monthly report of the complaint disposed of from his end to the District Programme Coordinator as per format as prescribed in annexure 'C' within the tenth day of the following month.

(7) The complaints received by the District Programme Coordinator, shall be disposed of directly from his end after due enquiry ordinarily within 30 (thirty) working days from its receipt. In disposing the complaints, the District Programme Coordinator may obtain an enquiry report from any officer at the district level, Sub-divisional Officer or from any expert as he may deem fit and proper:

Provided that the District Programme Coordinator may inquire into any complaint on its own will or through reference and in that event it shall be disposed of by him ordinarily within 15(fifteen) working days and will impose the penalty against the concerned guilty under section 25 of the Act on establishment of guilt:

Provided further that if the District Programme Coordinator finds violation of entitlements, he will be responsible for informing and redressing the person/party aggrieved and in that case it will be disposed of from his end within a week and not after than 15 (fifteen) days:

Provided also that in case the complaint relates to a matter to be resolved by any other authority, it shall be forwarded to such authority within 7 (seven) days of its receipt under intimation to the complainant.

(8) The complaint referred from one Grievance Redressal Authority to other shall be entered in the Complaint Register maintained by the Grievance Redressal Authority to whom such reference is made.

(9) The action taken by the *Gram Panchayat*, Programme Officer and the the Sub-divisional Programme Coordinator on each complaint shall be informed to the complainant and it shall be put up in the notice boards of the *Gram Panchayat* office, office of the Programme Officer and office of the Sub-divisional Programme Coordinator respectively every month. The action taken by the Programme Officer and the Sub-divisional Programme Coordinator on each complaint shall also be put up in the district website.

(10) The monthly status of disposal of complaints received by the Programme Officer shall be made as per format as prescribed in annexure "C" and it shall be sent to the District Programme Coordinator within the tenth day of the following month.

(11) The action taken on each complaint by the District Programme Coordinator shall be informed to the complainant and it shall be displayed at the notice board of his office every month and it shall also be put up in the district website as well as in the website of the State Government.

(12) The action taken on the complaints received by the Programme Officer and the District Programme Coordinator shall be placed before the meetings of the concerned *Panchayat Samity* and *Zilla Parishad* respectively.

(13) The District Programme Coordinator shall place the monthly status of disposal of complaints received by him as per the format as prescribed in annexure "C" to the State Government within the fifteenth day of the following month.

(14) The monthly status report of the Programme Officer, the Sub-Divisional Programme Coordinator and the District Programme Coordinator shall be placed before the meetings of the District Level Vigilance & Monitoring Committee formed under the guidelines of the Ministry of Rural Development, Government of India.

(15) The monthly status report received by the State Government from the District Programme Coordinator shall also be placed before the meeting of the West Bengal State Employment Guarantee Council.

(16) The Programme Officer shall monitor the disposal of complaints by the *Pradhan* of the concerned *Gram Panchayat*, the District Programme Coordinator shall monitor the disposal of the complaints by the Programme Officer and the Sub-Divisional Programme Coordinator every month and the action taken by the District Programme Coordinator for disposal of the complaints shall be monitored by the Commissioner under the National Rural Employment Guarantee Act at the State level, every month.

(17) The action taken by the Grievance Redressal Authority on each complaint shall be informed to the complainant and disclosed into vernacular news paper as per format as prescribed in annexure 'C' once a quarter.

5. **Appeals.** — (1) The complainant may prefer an appeal, in writing, against the orders of the (a) *Pradhan* of a *Gram Panchayat* before the Programme Officer at the block level; (b) Programme Officer before the District Programme Coordinator at the District Level; (c) Sub-Divisional Programme Coordinator before the District Programme Coordinator at the District Level; and (d) District Programme Coordinator before the Commissioner, National Rural Employment Guarantee Act at the State level.

(2) All appeals shall be made in writing within 45 (forty five) days from the date of passing the order against which the appeal is to be preferred.

**6. Disposal of Appeals.**— All appeals will be disposed of by the Appellate authority within 30 (thirty) days from the date of receipt of the appeal petition. In disposing of the appeal, the appellate authority shall follow due process of law including giving a reasonable opportunity of hearing to both the parties to the complaint.

**7. Special Power of the State Government.** — The State Government shall have the power to issue clarification and instructions not inconsistent with the provisions of the Act or the Scheme or these rules for the purpose of giving effect to the provisions of these rules.

If any question arises relating to the interpretation of any provisions of these rules, the matter shall be referred to the State Government and the decision of the State Government in this regard, shall be final.

**Annexure – A**

[see rule 3(1)]

**COMPLAINT FORM**

1. Name: \_\_\_\_\_

2. Date: \_\_\_\_\_

3. Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. Contact Number: \_\_\_\_\_

5. Job Card Number (in case NREGS worker): \_\_\_\_\_

6. Citizen Proof (Voter card/ Passport number/ Ration Card number, if not an NREGS worker): \_\_\_\_\_

7. Nature of Complaint (✓ in the box):

(i) Non-compliance with the NREG Act

(ii) Non-compliance with the Guidelines

(iii) Denial of rights under NREG Act (✓)

Registration of household

Distribution of Job Card

Custody of Job card

Oral demand for work

Receipt of work application

Charging fee for photograph etc

Wages within 15 days of completion of work

Payment of unemployment allowance

Giving work to women



- Work site facilities
- Work measurement system
- Account in Bank/Post Office
- Registration of complaint
- Participation in Social Audit
- Access to Muster Roll
- Inspection of documents
- Allotment of works

(iv) Misappropriations of funds

(v) Irregularities committed by Implementing Agency

(vi) Any other,specify: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

8. Details of Complaint (can attach a separate sheet)

9. Documents enclosed in support of the Complaint (like bills)

(i) \_\_\_\_\_

(ii) \_\_\_\_\_

(iii) \_\_\_\_\_

(iv) \_\_\_\_\_

10. Whether the complaint was lodged earlier also? Yes  No

11. If yes, what was the action taken? Give details (date, complaint registration number, to whom the complaint was registered, against whom the complaint was registered)

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I hereby declare that all the information stated in the complaint is true to the best of my knowledge.

Date Signature of the Complainant

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**Annexure – B**

[see rule 3(4)]

**R E C E I P T**

Number: \_\_\_\_\_ Date: \_\_\_\_\_

Received complaint from: \_\_\_\_\_

Complaint received by:

(i) Name of the officer: \_\_\_\_\_

(ii) Designation: \_\_\_\_\_

## Annexure – C

[see rule 4(1), 4(6), 4(10), 4(13), 4(17)]

District \_\_\_\_\_

SI No	Name and address of the Complainant	Date of receipt of the Complaint	Name of Gram Panchayat / Block / District	Gist of the Complaint	Action Taken with date thereof

By order of the Governor

Principal Secy. to the Government of West Bengal