

# **Bihar Food Security Grievance Redressal Rule, 2017**

BIHAR

India

## **Bihar Food Security Grievance Redressal Rule, 2017**

### **Rule**

### **BIHAR-FOOD-SECURITY-GRIEVANCE-REDRESSAL-RULE-2017 of 2017**

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Bihar Food Security Grievance Redressal Rule, 2017Published vide Notification No.

Pra.6/vividh/03/2017 4109, dated 18.8.2017No. Pra.6/vividh/03/2017 4109. - In exercise of the power conferred under sub-section 1 of section 40 of the National Food Security Act, 2013 (20 of 2013) read with section 14 and section 15, the State Government hereby make following rules namely :-Chapter - I Preliminary

#### **1. Short title extent and commencement.**

- (i) These rules may be called Bihar Food Security Grievance Redressal Rule, 2017.(ii)It extend to the whole state of Bihar.(iii)It shall come into force with immediate effect.

#### **2. Definitions.**

- In these rules, unless otherwise requires in the content ;(i)"Act" means the National Food Security Act, 2013, (20 of 2013) ;(ii)"Appellant" means a party which makes an appeal against the order of the District Grievance Redressal Officer.(iii)"Food and Consumer Protection Department" means the administrative department for implementing the Targeted Public Distribution System in the State.(iv)"Commission" means, Bihar State Food Commission Constituted under section 16 of the Act and as per Bihar State Food Commission Rule, 2014 for the purpose of monitoring and review of implementation of the Act.(v)"Complaint" means and includes a representation in writing through electronic means containing a grievance alleging deficiency/short comings in the implementation of the Act.(vi)The words and expressions used in these rules and not defined shall have the same meaning as are assigned to them in the Act.Chapter - II Internal Grievance Redressal Mechanism

### 3.

For the purposes of redressing grievance, as part of internal Grievance Redressal Mechanism under section 14 of the Act, the following Nodal Officer at Block, District and State levels to receive/execute complaints from beneficiaries.

Level    Nodal Officer

Block    Block Supply Officer/ Supply Inspector

District ADM (Supply) Patna/ Special Officer Rationing, Patna/ District supply Officer

State    Officer of the level of Joint Secretary/ Deputy Secretary

### 4.

Any person or institution can lodge complaint in the office of the concerned Nodal Officer in writing or through toll free helpline numbers 1800-3456-194 or PDS portal [sfc.bihar.gov.in](http://sfc.bihar.gov.in) every complaint so received. Unique complaint number with date shall be mention on and informed to the complainant.

### 5.

After verification of facts by the concerned nodal officer of the State Government about the complaint received and taking necessary action he shall dispose it within 30 days from receipt of the complaint, wherever required. Chapter - III District Grievance Redressal Officer

### 6.

Additional Collector (Revenue) shall be designated as District Grievance Redressal Officer (DGRO) for the respective district under section 15 of the Act for effective redressal of grievances of the aggrieved persons in matters relating to distribution of food-grains/meals and to enforce entitlements under the Act.

### 7.

(i) The appointment and posting of staff for the office of District Grievance Redressal Officer of each district shall be made by the Food and Consumer Protection Department after post creation in accordance with rule and their salary and allowances shall be as per pay and allowances sanctioned by the Finance Department. (ii) The building for the office and chamber of District Grievance Redressal Officer shall be located in district headquarter and the said building shall be made available by the concerned District Magistrate. (iii) Additional pay and allowances shall not be admissible to any officer designated as District Grievance Redressal Officer.

## 8.

The State Government shall, immediately on (Sic) appoint or designate the District Grievance Redressal Officers. He will take immediate action for the following :-(a)give wide publicity through newspaper and other means about District Grievance Redressal Officers including name, address, telephone number, e-mail address, facsimile number and other means of contacting him, in respect of each district for which the District Grievance Redressal Officer has been appointed or designated, and thereafter repeat it at regular intervals :Provided that in case of any change in the District Grievance Redressal Officer, his address and telephone number, e-mail address, facsimile number and other means of contacting him, shall be suitably intimated to the public.(b)display, at each office of Food and Consumer Protection Department, fair price shops, schools, anganwadis, other public places, website and at the office of the Grievance Redressal officer and the State Food Commission, the name of the District Grievance Redressal Officers, their addresses and telephone number, e-mail addresses, facsimile numbers and other means of contacting them, in respect of each district for which the District Grievance Redressal Officer has been appointed or designated.

## 9. Procedure for registering Complaints.

(1)Any aggrieved person may file and register his complaint with the District Grievance Redressal Officer in writing or through e-mail or by dropping their written grievance in grievance boxes of the offices of District Grievance Redressal Officer, selected fair price shops centres and other public places and such other Public Grievance Redressal centres as schools, anganwadis, etc.(2)The complaint boxes shall be opened at 4.00 PM everyday to receive the complaints and immediate action shall be taken for their redressal.(3)Any complaint shall be filed with specific details and contact information of the complainant. No anonymous complaint shall be entertained.(4)Where a complaint is unable to make a complaint in writing, the District Grievance Redressal Officer shall render all reasonable assistance to the person making the request orally.(5)After mentioning unique complaint number with date on each complaint received it will +(Sic) informed to the complainant.

## 10. Procedure for disposal of complaints.

(1)The District Grievance Redressal Officer shall verify for every complaint received whether there is a prima-facie substance in the complaint to proceed in the matter.(2)If the District Grievance Redressal Officer is satisfied, that there is prima-facie substance in the complaint, he shall seek explanation in the matter from concerned officer or person or agency against whom complaint has been made, along with relevant documents. The requisite explanation and documents shall be furnished by the concerned officer or person or agency against whom complaint has been made, to the District Grievance Redressal Officer, within fifteen days.(3)On the basis of the explanation of concerned officer or person or agency against whom complaint has been made and the available documents, if the District Grievance Redressal Officer is satisfied about the veracity of the grievance, he shall issue necessary order on merit for its redressal within thirty days from the date of receipt of the complaint.(4)If the District Grievance Redressal Officer thinks that the matter needs to be further examined, he may :(i)get the matter enquired by a suitable officer of the State Government at District level and take decision on the basis of report so received within 45 days from the date of

receipt of the complaint, or(ii)if considered necessary, give an opportunity to the complainant and officer/person/agency concerned with the complaint, to present on a fixed date of their case and after having heard them and considering the evidences submitted, may take decision on the matter within 45 days from the date of receipt of the complaint.(5)On the date fixed for hearing, if the complainant is absent, the District Grievance Redressal Officer may dismiss the complaint or proceed to enquire the matter ex-parte and decide. If complainant is absent and complain placed by him is found to be prima-facie true then DGRO may pass order after matter get enquired into. If however, the officer/person/agency concerned with the complaint, called by the District Grievance Redressal Officer is absent on the date fixed by him, he may proceed to enquire the matter ex-parte and decide.(6)The complainant shall be informed of the decision taken on his complaint in writing or through electronic mode, with a system for confirmation of its receipt by complainant.(7)If the District Grievance Redressal Officer is of the opinion that the disposal of the complaints requires more time than prescribed under sub-rule (3) and (5) above. the complainant shall be sent an interim reply citing the reasons for delay in this context.

## **11. Powers of District Grievance Redressal Officer.**

- The District Grievance Redressal Officer, while enquiring into complaints, shall have powers to take services of any concerned officials/persons at District/field level as per need -(a)to produce before, and allow to be examined such books, accounts, documents or any other material in custody or under control of the persons so required as may be specified in the requisition.(b)to furnish such information as may be required.

## **12. Monitoring the disposal of complaints.**

- Disposal of complaints shall be monitored by the Secretary/Principal Secretary in charge of Food and Consumer Protection Department, at least once in every quarter.

## **13. Appeal.**

- Any complainant or the officer or person or agency against whom any order has been passed by the District Grievance Redressal Officer and who is not satisfied with the redressal of grievance, may file an appeal against such order before the State Food Commission, within thirty days from the date of the issuance of the order by the District Grievance Redressal Officer.

## **14. periodical Reports.**

- District Grievance Redressal Officer shall send a monthly report in respect of the complaints received and disposed of by him to the State Government by 15th day of the succeeding month. The State Government shall send a quarterly consolidated report for the State as a whole to the Department of Food and Public Distribution, Government of India, within thirty days after the quarter is over.

## **15. Review and Monitoring.**

- For review and monitoring of implementation of the Act, the Commission shall hold regular meetings with the officers of the Food and Consumer Protection Department, other concerned agencies of the State Government reputed NGOs and members of the civil society, and give its advice to the State Government for effective implementation of the Act.

## **16. Procedure for registering complaints and appeals.**

(1) Complaint regarding violation of entitlements under the Act and appeal against the order of the District Grievance Redressal Officer shall be presented by the complainant or appellant to the Commission in person or by registered post or any electronic mode, addressed to the member-Secretary of the Commission. (2) Any appeal against the order of the District Grievance Redressal Officer shall be filed before the Commission within time-limit prescribed under Rule 13. (3) Every appeal shall be accompanied by the certified copy of the order of the District Grievance Redressal Officer and such of the documents as may be required to support grounds of appeal. (4) Complaint or appeal shall be filed with specific details and contact information of the complainant. No anonymous complaint shall be entertained.

## **17. Disposal of complaints and appeals by the Commission.**

(1) The Commission shall, on receipt any complaint seek a report on it from the District Grievance Redressal Office, along with supporting documents, who shall be required to furnish it within fifteen days. (2) Taking into consideration the report of the District Grievance Redressal Officer, and the available documents, the Commission shall issue appropriate orders for redressal of the complaint, within fifteen days from the date of receipt of the report of the District Grievance Redressal Officer. (3) In the case of appeal against the orders of the District Grievance Redressal Officer, the Commission shall give an opportunity to the District Grievance Redressal Officer and the appellant to present their cases in person on a fixed date, time and place and after having heard them and taking into consideration the evidences submitted by them shall decide the appeal within thirty days from the date of receipt of appeal. (4) On the date fixed for hearing, it shall be obligatory for the District Grievance Redressal Officer and the appellant to appear before the Commission, and in case of failure to do so, the Commission may in its discretion either dismiss the case or proceed to enquire the matter ex-parte and decide the appeal within a period of thirty days from the date of receipt of appeal. (5) The order of the Commission shall be authenticated by the Member Secretary or any other officers of the Commission duly authorized by the Commission on its behalf. (6) The Commission shall arrange to deliver copies of the decision to the officer/person/agency concerned within a period of fifteen days from the date of such decision.

## **18.**

If the Commission is of the opinion that the disposal of the appeal requires more than thirty days, the appellant shall be sent an interim reply citing the reasons for delay.

## **19. Repeal and savings.**

- (i) All previous Rules, Regulations and Circulars related to this subject are hereby repealed.(ii)Not with standing such repeal, any thing done or any action taken under the said rules, regulations and circulars shall be deemed to be taken under these rules as if these rules were enforced on such date on which such thing was done or such action was taken.