

Tamil Nadu Local Bodies Ombudsman (Manner of Filing, Inquiry and Disposal of Complaints) Rules, 2015

TAMILNADU

India

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Rule

TAMIL-NADU-LOCAL-BODIES-OMBUDSMAN-MANNER-OF-FILING-INC of 2015

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Tamil Nadu Local Bodies Ombudsman (Manner of Filing, Inquiry and Disposal of Complaints) Rules, 2015Published vide Notification No. G.O. Ms. No. 143, Municipal Administration and Water Supply (Election), dated 28.09.2015Last Updated 5th February, 2020No. SRO A-15(b)/2015. - In exercise of the powers conferred by sub-section (1) of section 16 of the Tamil Nadu Local Bodies Ombudsman Act, 2014 (Tamil Nadu Act 27 of 2014), the Governor of Tamil Nadu hereby makes the following rules, namely:-

1. Short title.

- These rules may be called the Tamil Nadu Local Bodies Ombudsman (Manner of Filing, Inquiry and Disposal of Complaints) Rules, 2015.

2. Definitions.

(1)In these rules, unless the context otherwise requires,-(a)"Act" means the Tamil Nadu Local Bodies Ombudsman Act, 2014 (Tamil Nadu Act 27 of 2014), as amended from time to time; and(b)"Form" means a form appended to these rules;(2)Words and expressions used but not defined in these rules shall have the meanings respectively assigned to them in the Act.

3. Office.

(1)The Office of the Ombudsman shall be at Chennai.(2)For the speedy and effective performance of the duties, the Ombudsman may conduct sittings and dispose the complaints at any other such places and such times convenient to him/her.

4. Form and Manner of filing a complaint.

- Each complaint shall be in writing in Form I with supporting documents, if any, and shall be filed either in person before the Secretary to the Ombudsman or sent to him/her by registered post.

5. Copies of the complaint.

- Each complaint shall be accompanied with such number, equal to the number of respondents in the Complaint, of copies of the Complaint along with its enclosures.

6. Fees.

- The complainant shall affix Court Fees Stamp to the value of Rupees Ten on each complaint towards fee:Provided that no fees shall be paid if a complaint is filed on behalf of the Government by a person authorised by the Government.

7. Assigning of number and registration of complaints.

- On the receipt of a complaint, it shall be examined whether it is in conformity with the provisions of the Act and the Rules and in that case, it shall be numbered serially and the details of the complaint shall be entered in the Complaint Register in Form-II. On registration, an acknowledgement in Form-III shall be issued to the complainant.

8. Defective complaints.

(1)A complaint, which is not in conformity with the provisions of the Act and these rules shall not be registered in the Complaint Register.(2)The defective complaints shall be returned to the complainant after indicating the defects. If the complaint is filed after rectifying the defects, further action shall be taken considering the same as a fresh complaint under rule 4.

9. Service of notice on the respondent.

- If, after examining the complaint, the Ombudsman is satisfied that there is prima facie case, he/she shall issue a notice in Form-IV to the respondent(s), along with a copy of the complaint and the relevant documents, requiring the respondent(s) to file a written statement of defence with connected documents within fifteen days from the date of receipt of the notice, failing which the complaint shall be decided ex parte.

10. Language to be used in the proceedings and orders.

- The Ombudsman shall use either Tamil or English during his/her enquiry, proceedings and passing of orders, as he/she may deem fit.

11. Rectification of error in the order.

- The Ombudsman may, either suo moto, or on an application, rectify any error or omission in his/her order: Provided that the concerned parties shall be given an opportunity of hearing before such rectification.

12. Implementation of the order of the Ombudsman.

- All the parties to the complaint and other persons to whom a direction was issued by Ombudsman in his/her order, as the case may be, are liable to implement the order of the Ombudsman. In case of non-implementation, severe action shall be taken by the competent authorities against those who fail to implement the orders of the Ombudsman, on a reference made by the Ombudsman.

13. Giving copy of the order.

(1) A copy of final order of the Ombudsman shall be given to each party to the complaint within one month from the date of disposal of the complaint: Provided that if any party to the complaint makes a request in writing to the Ombudsman that a copy of the final order is immediately required, then it shall be given within one week from the date of receipt of such request. (2) The original order issued by the Ombudsman shall bear his/her signature and office seal. In the cases where copies of the order of the Ombudsman are issued, they shall bear the signature and office seal of the Secretary to the Ombudsman. (3) All records and documents such as files and registers in respect of each complaint shall be preserved in the office of the Ombudsman.

14. Certain powers of the Ombudsman.

- In case there is no specific provision in these rules regarding the procedure to be followed in any contingency in the disposal of the complaints, the Ombudsman may follow any appropriate procedure as he/she thinks fit. Appendix Form - I [See rule 4] Compliant filed before the Tamil Nadu Local Bodies Ombudsman constituted under section 3 of Tamil Nadu Local Bodies Ombudsman Act, 2014.

1. Name of the Complainant :
2. Address for communication :
 - (a) Residential Address
 - (b) Mobile Number
 - (c) Landline Number

(d) E-mail ID

3. Name and Address of the Respondent(s) :
4. Nature of complaint and details :
(In separate sheets, if needed) :
5. Name and address of witness, if any :
6. Description of documents produced with the complaint. : 1.....
2.....
3.....
4.....
5.....

Declaration I, hereby declare that the facts given above are true and correct to the best of my knowledge and belief. Place: Date: Signature of the Complainant. Form - II [See Rule 7] Complaint Register.

Sl.No	Date of Receipt of Complaint	Date of Registration of Complaint	Name and Address of Complainant	Name and Address of Respondents	Summary of Complaint	Date and summary of interim order	Date of Final Order	Summary of Order	Signature of Ombudsman
(1)	(1)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1									
2									
3									
4									
5									
6									
7									

Form - III [See rule 7] Acknowledgement Your complaint dated received on (Date) has been registered as

Complaint No. of (Year) Place: Date: Secretary, The Tamil Nadu Local Bodies Ombudsman. To (Name and Address of Complainant) Form-IV (See rule 9) Notice. [Complaint No. of (year) Complainant - Respondents - Whereas a complaint has been filed before the Tamil Nadu Local Bodies Ombudsman, Chennai, by the above mentioned person(s). Notice is hereby given that you are requested to file a written statement regarding your defence on the said complaint and the related documents, within fifteen days from the date of receipt of this notice. If you fail to submit the written statement within the said period of fifteen days, the complaint will be decided ex-parte. If the respondent is a Corporation/Municipality/Town Panchayat/District Panchayat Office, the related files and records thereof in original shall be submitted along with the written statement. If there is any genuine difficulty in producing the original records, then, after specifying the same, true copies of the said records shall be produced. A copy of the complaint and the documents produced by the complainant is attached herewith. Given under the signature and seal of the Ombudsman on Date Month The Tamil Nadu Local Bodies

Ombudsman.Respondents.....