

# **The Delhi (Right Of Citizen To Time Bound Delivery Of Services) Rules, 2011**

DELHI

India

## **The Delhi (Right Of Citizen To Time Bound Delivery Of Services) Rules, 2011**

### **Rule**

### **THE-DELHI-RIGHT-OF-CITIZEN-TO-TIME-BOUND-DELIVERY-OF-SERVICES-2011**

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The Delhi (Right Of Citizen To Time Bound Delivery Of Services) Rules, 2011Published vide Notification No. F. 6(39)/IT/2011/7309-7318, dated 9th September, 2011, published in the Delhi Gazette, Extra., No. 150, dated 9th September, 2011In exercise of the powers conferred by section 15 of the Delhi (Right of Citizen to Time Bound Delivery of Services) Act, 2011, the Government of National Capital Territory of Delhi hereby makes the following rules, namely:

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

(1)These rules may be called the Delhi (Right of Citizen to Time Bound Delivery of Services) Rules, 2011.(2)They shall come into force on the [date] [Came into force on 9th September, 2011.] of their publication in the Official Gazette.

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

(1)In these rules, unless the context otherwise requires,-(a)"Act" means The Delhi (Right of Citizen to Time Bound Delivery of Services) Act, 2011 (Delhi Act 07 of 2011).(b)"Applicant" means the person seeking time bound delivery of services in accordance with the Act by submitting appropriate application along with necessary documents and payment of such charges as prescribed by the respective departments of the Government of National Capital Territory of Delhi.(c)"E-SLA Monitoring System" means the dedicated portal created by the Government of National Capital Territory of Delhi for the purpose of checking status of the application seeking time bound delivery of services, tracking and monitoring of status of such applications.(2)Definition of other words and

expressions used and not defined in these rules but defined in the Act shall have meanings respectively assigned to them in the Act.

### **3. Submission of Application.**

(1) Every applicant shall submit his application seeking defined service as per the Schedule of the Act, in accordance with the format prescribed by the Department concerned along with necessary documents duly annexed as per the requirement of the department concerned and also along with requisite fee thereto, if any. Such application shall be submitted in the office of the department concerned in person. However, the department may facilitate online submission of the application wherever feasible and possible. (2) On receipt of such application along with the documents and fee as required, the official concerned of the department shall immediately scrutinize the application form and if the same is found in order, will upload the entire information of the application in the data base and generate the computerized application I.D. and convey the same to the applicant for tracking the status of his application on e-SLA portal through internet and for other references. (3) By using the application I.D. number obtained in the aforesaid manner, the applicant shall be entitled to access the status tracking on the dedicated portal i.e., E-SLA monitoring and tracking system specially designed and created by the Government of National Capital Territory of Delhi to facilitate online status check, monitoring and tracking of the applications submitted to the departments. (4) All such applications received by the departments in the aforesaid manner and uploaded on the server of the department thereafter shall be further uploaded on "e-SLA Monitoring and Tracking System" on the same day.

### **4. Payment of cost in case of delay in the delivery of services.**

(1) At the time of delivery of services to the citizen, the competent officer shall ensure to pay the compensatory cost to the applicant citizen calculated automatically through the e-SLA Monitoring System in case of delay, if any, in the delivery of service beyond the prescribed time period as per the Schedule. The applicant shall acknowledge the cost received by him as per the format which shall be in conformity with Form 1 annexed with the rules; (2) Provided that the government may confer upon the competent officer the power of drawing and disbursement officer entitling them to draw from the PAO such sum as deemed necessary but not exceeding than Rs. 20,000 (Rupees Twenty Thousand) to facilitate payment of compensatory cost to the applicant at the first instance subject to submission of proper account.

### **5. Procedure for imposing cost upon the defaulting government servant/ servants.**

(1) The competent officer after conducting preliminary oral inquiry, shall issue a show cause notice/notices to the government servant /servants concerned who was/were liable to deliver the service and who failed to deliver as per the Schedule, calling upon him/them as to why the compensatory cost paid to the applicant citizen should not be recovered from him/them. Such notice/ notices shall be in accordance with the format at Form 2 annexed to these rules. (2) The

government servant/servants against whom such notice/notices in Form 2 has/have been served, may represent within a period of 7 days, from the date of receipt of such notice explaining the reasons and showing cause against such notice in the prescribed format at Form 3 annexed to these rules. The competent officer shall, after going through such explanation, pass a brief order directing issue of debit note against such government servant/servants, calling upon the defaulting government servant/servants either to deposit the cost as stipulated in the debit note within a period of 7 days or in the alternative directing the Accounts Officer concerned to debit the salary of such government servant/ servants for the amount as mentioned in the debit note. The debit note shall be in accordance with the format prescribed in Form 4 annexed to these rules: Provided that if the competent officer had earlier issued notice/notices to one or more government servant /servants but after the inquiry is satisfied that one or more government servant/servants is/are not the defaulter, he will withdraw the show cause notice against such government servant/ servants against whom the competent officer is satisfied that no delay is attributable towards the end: Provided further that it shall be lawful for the Head of the Department to devise, in advance, a work flow with timelines of the respective government servants for each defined stage/stages for the time bound delivery of services.

## 6. Procedure Governing Appeal.

-Every government servant, aggrieved by the order passed by the competent officer in accordance with sections 9 and 10 of the Act, shall be entitled to prefer an appeal to the Appellate Authority within a period of 30 days of the receipt of the order and the debit note issued against him. Such appeal shall be in the prescribed Form No. 5 annexed to these rules. The Appellate Authority shall dispose of the appeal after giving an opportunity of hearing to the concerned government servant, and shall pass a speaking order. The Appellate Authority shall be competent to, (1) Set aside the order passed by the competent officer. (2) Remand the case back to the competent officer with a direction to decide the same afresh in the light of the observations contained there- in; and, (3) To pass any other order as he deems fit and proper.

**FORM 1 (See rule 4) ACKNOWLEDGEMENT OF PAYMENT**

No.: Dated ..... Whereas, Sh ..... (name of citizen/applicant) R/o..... filed an application seeking delivery of ..... (name of service) to ..... (name of Department/Organization) vide application I.D. Number ..... dated..... And whereas, Sh ..... (name of citizen/applicant) was entitled to receive the said service in ..... days from the date of application as per The Delhi (Right of Citizen to Time Bound Delivery of Services) Act, 2011, Notified vide Notification No. F. 14(3)/LA-2011/Law/140, dated 28th April, 2011, of Department of Law, Justice and Legislative Affairs, Government of NCT of Delhi. Hence, Sh ..... (name of citizen/applicant) acknowledgement of receiving payment of cost of Rs . ..... from (name of Department/ Organization) on account of delay in the delivery of above mentioned service, as per the schedule of the Act, vide application ID referred above, have executed this receipt.

Signature of citizen/Applicant: ..... Name of citizen/Applicant: ..... Address: ..... **FORM 2 (See rule 5) SHOW CAUSE NOTICE FOR DELAYING THE SERVICE**

No.: Dated: ..... Whereas, Sh ..... (name of citizen/applicant) R/o..... filed an application

seeking delivery of ..... (name of service) to ..... (name of Department/Organization) vide application I.D. Number ..... dated..... %And whereas, Sh ..... (name of citizen/applicant) was entitled to receive the delivery of said services within .....days from the date of application as per The Delhi (Right of Citizen to Time Bound Delivery of Services) Act, 2011, Notified vide Notification No. F. 14(3)/LA-201 1/Law/140 dated 28th April, 2011 of Department of Law, Justice and Legislative Affairs, Govt. of NCT of Delhi.And whereas, Sh .....(Name of the defaulting Officer) was duty bound to deliver the .....(name of service) to the said citizen /applicant in ..... days as per the schedule annexed to the said Act.And whereas, there has been a delay of ..... day/days in the delivery of above mentioned service to the said citizen/applicant.And Whereas, as per section 5 of the said Act, Sh ..... (Name of the defaulting Officer) is liable for a cost of Rs ..... which has been paid to the citizen /applicant by the Competent Officer/DDO on .....as per the acknowledgement of receipt bearing No .....And whereas, the said amount is recoverable from Sh . ..... (Name of defaulting Officer).Now, therefore, I .....(Name of Competent Officer) call upon Sh ..... (Name of defaulting Officer) to Show Cause within seven days from the date of receipt of this Notice, as to why Debit Note for a sum of Rupees ..... may not be issued against Sh..... (Name of the defaulting Officer).Competent OfficerName of Department .....To.....(Name of the defaulting Officer)..... (Designation)..... (Department)FORM 3(See rule 5)REPRESENTATION AGAINST SHOW CAUSE NOTICE/p>No.:Dated .....Whereas, Sh .....(name of citizen/applicant) R/o..... filed an application seeking delivery of ..... (name of service) to ..... Department/Organization) vide application I.D. Number..... dated .....And whereas, Sh .....(name of citizen/applicant) was entitled to receive the said service within ..... days from the date of application as per The Delhi (Right of Citizen to Time Bound Delivery of Services) Act, 2011, Notified vide Notification No. F. 14(3)/LA-201 1/Law/140, dated 28th April, 2011 of Department of Law, Justice and Legislative Affairs, Govt. of NCT of Delhi.And whereas, the ..... the undersigned was duty bound to deliver the ..... service to the said citizen /applicant in..... days as per schedule annexed to the said Act.And whereas, as per above provision of law, there has been a delay of ..... day/days in the delivery of above mentioned service to the said citizen/applicant.And whereas, the undersigned has received Show Cause Notice of Sh .....(Name of Competent Officer) dated.....And whereas, the undersigned is/was posted as ..... (in ..... Department/Organization and is not responsible for the delay in the delivery of .....service to Sh.....Name of Citizen/Applicant) vide application ID Number ..... dated.....on account of reasons captioned below:It is, therefore, requested that the above said Show Cause Notice deserves to be withdrawn.Accordingly, it is prayed that Show Cause Notice may kindly be withdrawn.Name of Government Servant: . .....Department: .....Place of Posting: .....I.D. No.: .....To..... (Competent Officer)..... (Department/Organization)FORM 4[See rule 5(2)]ORDER/DEBIT NOTENo.:

Dated .....Whereas, Sh .....(name of citizen/applicant)  
R/o.....filed an application seeking delivery of ..... (name of service)  
to the ..... (Department/Organization) vide application I.D. Number.....  
dated .....And whereas, Sh .....(name of citizen/applicant) was  
entitled to receive the delivery of said service within .....days from the date of  
application as per schedule annexed to The Delhi (Right of Citizen to Time Bound Delivery of  
Services) Act, 2011, Notified vide Notification No. F. 14 (3)/LA-2011/Law/140, dated 28th April,  
2011 of Department of Law, Justice and Legislative Affairs, Govt. of NCT.And whereas, Sh  
.....(Name of the defaulting Officer) was duty bound to deliver the  
..... (service) to the said citizen /applicant in..... days as per the  
schedule annexed to the said Act.And whereas, as per above provision of law, there has been a delay  
of ..... day/days in the delivery of above-mentioned service to the said  
citizen/applicant.And whereas, Sh ..... (Name of the defaulting Officer) is liable for  
cost of Rs ..... which has been paid to the citizen/applicant by the Competent  
Officer/DDO on .....as per acknowledgement of receipt bearing No.  
.....And whereas, the said amount is recoverable from the said Sh .  
..... (Name of the defaulting Officer).And whereas, Sh .....(Name of  
the defaulting Officer) represented vide Representation No .  
.....dated.....for withdrawal of Show Cause Notice issued by the  
competent officer vide Order No . ..... dated .....And whereas, the  
undersigned has examined the reasons mentioned by Sh ..... (Name of the  
defaulting Officer) vide his above-mentioned representation and have found merit in this  
submissions and set aside the said order on account of reasons/grounds appended below (strike off  
whichever is not applicable).Orand whereas, the undersigned has examined the reasons mentioned  
by Sh ..... (Name of the defaulting Officer) vide his above-mentioned  
representation and have found no merit in this submissions on account of reasons/ grounds  
appended below (strike off whichever is not applicable).Grounds of the order:  
.....Now, therefore, I ..... (Name and  
Designation) levy a cost of Rs ..... on Sh..... (Name of the defaulting  
Officer) and directs the DDO to debit the said amount from the salary of Sh .....  
(Name of the defaulting Officer) as "Miscellaneous Receipt".In the event of the said defaulting  
officer having already paid/deposited the said cost with the competent officer/account officer  
against valid receipt duly shown to said officer to his satisfaction, this order may be deemed to have  
been duly complied with.Competent OfficerName of Department/Organization:  
.....To,.....(Name of Officer)..... (Designation).....  
(Department/Organization)Copy to:Account Officer..... (Name of  
Department/Organization)FORM 5(See rule 6)APPEAL ON BEHALF OF DEFAULTING  
SERVANTWhereas, Sh ..... (Name of citizen/applicant) filed an application  
seeking delivery of ..... (Name of service) to..... (Name of  
Department/Organization) vide application I.D. Number ..... dated.....And  
whereas, Sh ..... (Name of citizen/applicant) was entitled to receive the  
..... service within..... days from the date of application as per  
schedule annexed to The Delhi (Right of Citizen to Time Bound Delivery of Services) Act, 2011,  
Notified vide Notification No. F. 14 (3)/LA-2011/Law/140, dated 28th April, 2011 of Department of

Law, Justice and Legislative Affairs, Govt. of NCT of Delhi. And whereas, Sh .....  
(Name of the Competent Officer) directed me/ ..... (Name of me defaulting Officer)  
to Show Cause vide Show Notice Number ..... dated.....within seven  
days from the date of receipt of the Notice, as to why Debit Note for a sum of Rupees  
.....may not be issued. And whereas, the undersigned is/was posted as  
..... in..... (Department) and is/was not responsible for the delay in  
the delivery of ..... service to Sh . ..... (Name of Citizen/Applicant)  
vide applicant I.D. Number ..... dated..... on account of reasons  
captioned  
below:.....  
the ..... (Name of Competent Officer) examined the reasons mentioned by the  
appellant vide representation dated ..... and found no merit in the appellant's  
argument of on account of the reasons mentioned in his order, copy of which is attached. And  
whereas, the appellant was levied with a cost of Rs ..... by Sh  
..... (Competent Officer) and Competent Officer has directed the DDO to debit the  
said amount from salary of the appellant as "Miscellaneous Receipt" vide Order No  
.....dated.....And whereas, reasonable grounds exist to appeal  
against the Order No .....dated.....as mentioned  
below:.....  
is, therefore, requested to admit the Appeal and to set aside the Order No .....  
dated.....issued by Competent Officer against the undersigned. Thanking you. Name  
of the aggrieved servant: .....Department  
.....Place of Posting: .....I.D.  
No.: .....