**Complaint under Section 10 of Transfers, Charters and Delays Act 21 of 2006**

From,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

To,

**The Secretary,**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Department, Government of Maharashtra,

Mantralaya, Madam Cama Road, Hutatma Rajguru Square,

Nariman Point, Mumbai – 400032.

**Subject:** Complaint for not sending any reply to my letter dated \_\_\_\_\_\_\_\_\_\_\_ u/s 10 of Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties, 2006.

Respected Sir,

I had given my application/complaint letter for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_on \_\_\_\_\_\_\_\_\_\_\_\_ (copy enclosed). Since then, I have received no communication from the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ office. I would like to draw your attention to Section 10 of the Transfers, Charters and Delays Act 21 of 2006 which mandates that no decision can be kept pending for over 90 days. In the instant case, no decision has been communicated to me despite the lapse of \_\_\_\_\_ days.

I request you to conduct a preliminary enquiry within 15 days of receipt of this letter to fix responsibility on the officers responsible for this delay and take appropriate disciplinary action against them. I request that the report of the enquiry may please be sent to me.

I look forward to your early action in the above matter.

Thanking you.

Yours faithfully,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Enclosure:**

1. Copy of the application/complaint letter dated \_\_\_\_\_\_\_\_\_\_

**Ready Reckoner**

Quoted below are some of the sections of “The Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties, 2006” which is commonly known as “Transfers, Charters and Delays Act 21 of 2006” for your ready reference.

**8. Citizens Charter –**

(1) Every office or Department shall prepare and publish Citizens Charter within a period of six months from the date of commencement of this Act.

(2) If no final decision is taken within the period specified in the Citizens Charter by the concerned authorities, the responsibility for inaction shall be fixed on them and an action mentioned in the relevant Act, rules or regulations shall be taken against them.

**10. Disciplinary action –**

(1) Every Government servant shall be bound to discharge his official duties and the official work assigned or pertaining to him most diligently and as expeditiously as feasible:

Provided that, normally no file shall remain pending with any Government servant in the Department or office for more than seven working days:

Provided further that, immediate and urgent files shall be disposed of as per the urgency of the matter, as expeditiously as possible, and preferably the immediate file in one day or next day morning and the urgent file in four days:

Provided also that, in respect of the files not required to be referred to any other Department, the concerned Department shall take the decision and necessary action in the matter within forty-five days and in respect of files required to be referred to any other Department, decision and necessary action shall be taken within three months.

(2) Any wilful or intentional delay or negligence in the discharge of official duties or in carrying out the official work assigned or pertaining to such Government servant shall amount to dereliction of official duties and shall make such Government servant liable for appropriate 1[disciplinary action under the All India Services (Discipline and Appeal) Rules, 1969, the] Maharashtra Civil Services (Discipline and Appeal) Rules, 1979 or any other relevant disciplinary rules applicable to such employee.

(3) The concerned competent authority on noticing or being brought to its notice any such dereliction of duties on the part of any Government servant, after satisfying itself about such dereliction on the part of such Government servant shall, take appropriate disciplinary action against such defaulting Government servant under the relevant disciplinary rules including taking entry relating to such dereliction of duty in the Annual Confidential Report of such Government servant.