

The Kerala Panchayat Raj (Preparation of Citizens Charter) Rules, 2004

1. Short title and commencement.-

(1) These rules may be called the Kerala Panchayat Raj (Preparation of Citizens Charter) Rules, 2004.

(2) This shall come into force at once.

(a) 'Act' means the Kerala Panchayat Raj Act, 1994 (13 of 1994).

(b) 'Citizens Charter' means a statement approved and published by the Panchayat, describing the services Voluntarily offered to be made available time bound by the Panchayat to the Citizens residing in the Panchayat are and as such entitled to them and the conditions and the time limit under which the same shall be made available.

(c) 'Ombudusman' means the Ombudusman for the Local Self Government Institutions constituted under section 271 G of the Act.

(d) 'Panchayat' means a GramaPanchayat or a Block Panchayat or a District Panchayat.

(e) 'Panchayat area' means land area coming under the administrative control of a Panchayat.

(f) 'Service' means an assistance that a Panchayat may render to a citizen either free of cost or by realising a reasonable fee for improving his living conditions and includes the granting of financial assistance and the issue of permit, licence or certificate for any purpose.

2. Definitions.-

(1) In these rules, unless the context otherwise requires,-

(2) Words and expressions used, but not defined in these rules, but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Preparation of Citizens Charter.-

(1) After the constitution of the Panchayat following the General Election, the Panchayat shall, as soon as may be but not later than a period of six months therefrom, meet, discuss and decide as to whatever services the Panchayat may be able to make available time bound, to the Citizens residing in the

Panchayat area and as to what conditions a Citizen shall have to fulfill for getting such a service and also as to what shall be the time limit to make available the said service.

Provided that the Panchayats, where in elected Committees are in existence at the time when these Rules come into force, shall, as soon as may be, but not later than six months from the date of coming into force of these Rules, prepare and publish the Citizens Charter under these Rules.

(2) The Panchayat shall, before taking a decision under sub rule(1), seek the views of the secretary of the Panchayat and other Officers concerned and shall consider the factors like availability of Officials, sufficiency of fund etc.

(3) The Panchayat shall, simultaneously, while taking a decision to render a service, determine subject to the provisions of the Act and the rules, the procedure thereof, the quality and the fee leviable thereto if the service is not free of cost for the service.

(4) The service that the Panchayat decides to render time bound shall be those connected with the duties vested in the Panchayat or entrusted with it by the Government under the Act or under any other law.

(5) The services that the various institutions under the control of the Panchayat may render, shall be included in the services that the Panchayat renders time bound.

(6) The time limit that the Panchayat may fix under sub-rule (1) shall not exceed the time limit, if any, that has been fixed under the Act or any other law or any rules for rendering any services.

(7) The Panchayat shall, in the form appended to these rules prepare under the title "Citizens Charter", the details of services that the Panchayat decided to render time bound and shall publish the same in the manner prescribed under rule 4.

4. Publication of Citizens Charter.-

(1) The Citizens Charter that the Panchayat prepares under rule 3 shall, for the information of the public, be published by affixing it on the notice board at the Office of the Panchayat and on other notice boards fixed at public places in the Panchayat area and the same shall be printed and distributed free of cost among the public. The Panchayat shall give necessary publicity to the Citizens Charter so long as it is in existence. The Panchayat shall take steps to make available copies of the Citizens Charter to those who demand for the same.

(2) The gist of the Citizens Charter published by the Panchayat shall be written in paint on a board and exhibited in the Panchayat office so that the public may see it.

(3) The Citizens Charter published by the Panchayat shall be read out in the immediately next coming meetings of the GramaSabhas.

5. Validity period of the Citizens Charter.- A Citizens Charter prepared and published by a Panchayat under rules 3 and 4 respectively shall, subject to revision under rule 9, be in force till the expiry of the term of the said Panchayat and thereafter till a Citizens Charter is prepared and published by the newly constituted Panchayat.

6. Applications for getting the service.-

(1) A person who wants to get a service mentioned in the Citizens Charter, shall apply in the form prescribed therefore to the Panchayat Secretary or to the Officer concerned.

(2) The Panchayat shall issue the application form free of cost or on realizing the actual cost thereof, to those who are in need of it.

(3) The Panchayat shall, in the respective Office arrange an enquiry counter for distributing the application forms, for receiving application and for giving reply to the enquiries in respect of the same.

(4) A serial number shall be assigned to every application for service, received by the Secretary or the Officer concerned and the details such as the name of the applicant, the date of receipt of the application, the request in the application etc. shall be recorded in a register.

(5) Immediately on receipt of an application, an acknowledgement receipt shall be issued to the applicant recording therein the probable date on which the service may be rendered, the name of the Officer whom the applicant may approach in this regard and other necessary details.

7. Obligation to render service.- (1) The Panchayat, the Secretary and the Officers concerned thereof who are under the control of the Panchayat shall be obligated to render a service referred in the Citizens Charter to an eligible applicant within the respective time limit and the failure thereto will be treated as delinquency.

(2) If a service cannot be rendered within the stipulated time limit on reasonable grounds, the concerned Officer shall intimate the fact to the applicant within the said time limit. Simultaneously, if possible, the revised time limit shall also be intimated to the applicant.

(3) Where an applicant feels that an Officer of the Panchayat fails to render a service or cause delay thereof, he may bring the complaint to the notice of the Panchayat President and if any such complaint is received, the Panchayat President shall personally examine and dispose it.

(4) Where a Citizen considers that the Panchayat or a Member of the Panchayat or an Officer of the Panchayat has deliberately committed default or delay in making available a service to which he is entitled to as per the Citizens Charter, he may file a complaint before the Ombudsman, alleging that the Panchayat or the member of the Panchayat or the Officer thereof is guilty of committing maladministration as defined in clause (e) of section 271 F of the Act.

8. Providing Informations.- Every information in respect of the services made available to the applicants and which are mentioned in the Citizens Charter shall come within the purview of clause (a) of section 271A of the Act and every person shall have right to know the same under section 271B.

9. Revision and Evaluating of Citizens Charter.- (1) The Panchayat shall, once in every year, revise and update the Citizens Charter prepared under rule 3, and published under rule 4 after discussion.

(2) The revision of the Citizens Charter every year shall be with the intention of bringing in suitable changes based in the experience during the previous year and if possible, for including in it, more services and for reducing the time limit in rendering the service.

(3) As in the case of Citizens Charter, its revisions shall also be published in the notice boards of the Panchayat and the copies thereof shall be printed and distributed among the people.

(4) The Panchayat shall often evaluate the progress in rendering services mentioned in the Citizens Charter and shall issue necessary guidelines at the respective times to the Officers concerned.

FORM

[See sub-rule (7) of rule 3]

..... Panchayat

CITIZENS CHARTER

(In force from)

The Panchayat will render to the Citizens residing in this Panchayat area, the following services time bound.

Serial Number

Details of Services to be rendered

The conditions to be fulfilled by the applicant

The time limit within which the service will be made available (Time/day after the receipt of application)

(1)

(2)

(3)

(4)

Note.- Further details of the above said services and application form can be had from the office of the Panchayat.

By order of the Governor,

P.KAMALKUTTY,

Secretary to Government.

Explanatory Note

(This does not form part of the Notification, but is intended to indicate its general purport.)

Section 272 A of the Kerala Panchayat Raj Act, 1994 (13 of 1994) empowers the Government to publish Citizens Charter in the prescribed manner.

This Notification is intended to achieve the above object.