

PUNJAB VIDHAN SABHA

Bill No. 46-PLA-2016

THE PUNJAB RIGHT TO SERVICE (AMENDMENT) BILL, 2016

A

BILL

further to amend the Punjab Right to Service Act, 2011.

BE it enacted by the Legislature of the State of Punjab in the Sixty-seventh year of the Republic of India, as follows :—

1. (1) This Act may be called the Punjab Right to Service (Amendment) Act, 2016. Short title and commencement.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

2. In the Punjab Right to Service Act, 2011 (hereinafter referred to as the principal Act), for the words “First Appellate Authority” and “Second Appellate Authority” wherever occurring, the words “Grievance Redressal Authority” and “Appellate Authority” shall, respectively, be substituted. Amendment in Punjab Act, 24 of 2011.

3. In the principal Act, after section 7, the following new section shall be inserted, namely :— Insertion of new section 7 A in Punjab Act, 24 of 2011.

“7-A. Notwithstanding anything contained in this Act, the Power to take *suo-moto* notice. Grievance Redressal Authority and the Appellate Authority, as the case may be, shall have the power to take *suo-moto* notice of failure to deliver service in accordance with the provisions of this Act in public interest, and to pass such order as the facts and circumstances of the case, may warrant:

Provided that before passing an adverse order against a person, a reasonable opportunity of being heard, shall be given to such person.”

4. In the principal Act, in section 13, in sub-section (1), for the word “four”, the word “ten” shall be substituted. Amendment in section 13 of Punjab Act 24 of 2011.

5. (1) The Punjab Right to Service (Amendment) Ordinance, 2016 (Punjab Ordinance No. 4 of 2016, is hereby repealed. Repeal and Saving

(2) Notwithstanding such repeal, anything done or any section taken under the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under this Act.

STATEMENT OF OBJECTS AND REASONS

The Government has implemented Punjab Right to Service Act, 2011,—*vide* Punjab Act No. 24 of 2011 on 20th October 2011. This Act enables the Government to lay down legally enforceable time limits for delivery of various citizen services and provide mechanism for redressal in case the service is not provided in time, or is denied without good and sufficient reasons. To begin with only 67 services were brought under the ambit of this act. The number of services covered under this act has been increased from time to time. Recently, the number of services was increased to 351 *vide* notification dated 15th January, 2016. With the increase in number of services covered within the ambit of this act the workload of the commission has increased manifold.

In order to ensure effectiveness of the commission an ordinance was promulgated to increase the number of posts for the commissioner from 4 to 10 on 26th May, 2016.

Also, another need was felt to give more powers to the appellate authorities for ensuring speedier disposal of pending requests.

Now the bill proposes to convert this Ordinance into an Act of the State Legislature with some other amendments.

SUKHBIR SINGH BADAL,

Deputy Chief Minister,

Punjab.

FINANCIAL MEMORANDUM

By enactment of this amendment of Right to Service Act, 2011 number of Commissioners will increase from 4 to 10. The additional burden on the State exchequer would be approximately Rs. 4.57 crore per annum, out of which Rs. 3.25 crore is recurring expenditure and Rs. 1.32 crore is non-recurring expenditure.

The Governor has, in pursuance of clause (1) and (3) of Article 207 of the Constitution of India, recommended to the Punjab Legislative Assembly, the introduction and consideration of the Bill.

CHANDIGARH :
The 14th September, 2016

SHASHI LAKHANPAL MISHRA
Secretary.

N.B.— The above Bill was published in the *Punjab Government Gazette (Extraordinary)*, dated the 14th September, 2016 under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly).