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मध्यप्रदेश राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 215]

भोपाल, शनिवार, दिनांक 2 अप्रैल 2011—चैत्र 12, शक 1933

विधि और विधायी कार्य विभाग

भोपाल, दिनांक 2 अप्रैल 2011

क्र. 2166-137-इक्कीस-अ(प्रा.).—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में, मध्यप्रदेश लोक सेवाओं के प्रदान की गारंटी (संशोधन) विधेयक, 2011 (क्रमांक 18 सन् 2011) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्द्वारा प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
राजेश यादव, अपर सचिव.

MADHYA PRADESH BILL
No. 18 OF 2011.

**THE MADHYA PRADESH LOK SEWAON KE PRADAN KI GUARANTEE
(SANSHODHAN) VIDHEYAK, 2011.**

A Bill to amend the Madhya Pradesh Lok Sewaon Ke Pradan Ki Guarantee Adhiniyam, 2010.

Be it enacted by the Madhya Pradesh Legislature in the Sixty-second year of the Republic of India as follows :—

Short title.

1. This Act may be called the Madhya Pradesh Lok Sewaon Ke Pradan Ki Guarantee (Sanshodhan) Adhiniyam, 2011.

Amendment of Section 6.

2. In Section 6 of the Madhya Pradesh Lok Sewaon Ke Pradan Ki Guarantee Adhiniyam, 2010 (No. 24 of 2010) (hereinafter referred to as the principal Act), after sub-section (2), the following sub-section shall be inserted, namely :—

“(2a) During the hearing of the appeal, if the first appeal officer finds that the service was not provided by the designated officer within the stipulated time limit despite the applicant having fulfilled all the requirements or if in his opinion the application has been rejected without assigning sufficient reasons, he may make a reference to the second appellate authority to impose a penalty on the designated officer under sub-section (1) of Section 7.”.

Amendment of Section 7.

3. In Section 7 of the principal Act, after sub-section (4), the following new sub-section shall be added, namely :—

“(5)(a) If the appellant is not satisfied with the penalty imposed, if any, by the Second Appellant Authority under sub-section (1) or (2), he may make an application in this regard to the Officer nominated by the State Government under Section 8.

(b) The nominated officer may, after giving an opportunity of being heard to the First Appeal Officer or the Designated Officer, as the case may be, impose a penalty which may extend to 5000 rupees including the penalty earlier, imposed if any, and recommend disciplinary action against the officer concerned :

Provided that the nominated officer may, for adequate and special reason to be mentioned in the order, inserted of imposing a penalty, recommend disciplinary action only.

(c) Further, if the nominated officer is satisfied that the Second Appellate Authority has imposed an inadequate penalty or has delayed proceedings or acted in a manner not conducive to the implementation of this Act, he may impose on him a penalty which may extend to 5000 rupees, after giving him an opportunity of being heard, and recommend disciplinary action against him :

Provided that the nominated officer may, for adequate and special reason to be mentioned in the order, instead of imposing a penalty, recommend disciplinary action only.

Insertion of Section 8A.

4. After Section 8 of the principal Act, the following section shall be inserted, namely:—

Review of order of nominated officer.

“8A. The Second Appellate Authority aggrieved by any order passed under clause (c) of sub-section (5) of Section 7, may make an application for review to the nominated officer within a period of 60 days from the date of that order. The nominated officer shall dispose of the application according to the prescribed procedure:

Provided that the nominated officer may entertain an application after the expiry of the said period of 60 days, if he is satisfied that the application could not be submitted in time for sufficient cause.”.

STATEMENT OF OBJECTS AND REASONS

The Madhya Pradesh Lok Sewaon Ke Pradan Ki Guarantee Adhiniyam, 2010 (No. 24 of 2010) was enacted to provide for the delivery of services to the people of the State within the stipulated time limit. Now it has been decided that to make the service delivery more effective and to ensure the responsibilities of the designated officer, first appeal officer and second appellate authority, suitable amendments be made in the principal Act.

2. Hence this Bill.

BHOPAL :
DATED, the 29th March, 2011.

BRIJENDRA PRATAP SINGH
Member-in-charge.