THE KARNATAKA SAKALA SERVICES RULES, 2012

THE KARNATAKA SAKALA SERVICES RULES, 2012

1. Title and commencement:-(1) These rules may be called the Karnataka Sakala Services Rules, 2012.

2. Definitions:- (1) In these rules, unless the context otherwise requires,-

(a)'Act' means the Karnataka Sakala Services Act, 2011 (Karnataka Act 1 of 2012);

(b)'Form' means form appended to these rules;

(c)'Section' means section of the Act.

(2) The words and expressions used in these rules but not defined shall have the same meaning assigned to them in the Act.

3. Display of information on Notice Board.- (1) Designated Officer and his subordinate public servant of the Public Authority shall, for the convenience of common public, cause to display all relevant information regarding the services available in his office as specified in the Schedule to the Act and Form of application on the notice board. All the necessary documents that are required to be enclosed with the application for receiving the notified services, Check list for documents to be enclosed, prescribed fees, acknowledgement letter to be given compulsorily, reasons for rejection of services, the manner of receiving compensatory cost from the Competent Officer, details as how to contact the Appellate Authority, the procedure for monitoring the status of applications shall be displayed on the Notice Board as per sub-section (2) of section 3 of the Act (Form-A). Such Notice boards shall be exhibited in front of the Office. Sufficient number of copies of the prescribed applications forms be made available in the counters for receiving the applications.

(2) In the event of non-display of such information in the public domain, the competent officer shall take remedial measures though the Designated Officer.

4. The manner of receiving application and issuing acknowledgement to Applicants:- (1)The citizen shall apply to the designated Officer for one or more services appended in the Schedule as per prescribed application format along with the documents prescribed in the check-listin the counters for receiving the applications/registered post acknowledgement due/ post/e-mail

(2) The designated officer or authorized person shall upon receipt of the written application or in such Form wherever prescribed, give due acknowledgement to applicant in Form-B. Computerised acknowledgement number shall be given for each application.

(3) In case necessary documents have not been enclosed with the application, then the same shall be clearly mentioned in the acknowledgement and date of delivery shall not be mentioned in such acknowledgements.

(4) Where all the necessary documents have been enclosed with the application and the application is complete in all respects, then the date of delivery shall be mentioned.

5. Public holidays shall not be included:- The public holidays shall not be included while calculating the stipulated time limit for delivery of service.

6. Manner of seeking payment of Compensatory Cost:- (1)Citizen having applied for citizen related services shall be entitled to seek compensatory cost by submitting a copy of Form-B to the Competent Officer or filing a complaint with the acknowledgement Number through Call Centre.

(2) The Competent Officer shall acknowledge or cause to acknowledge the application for compensatory cost with date and seal.

(3) After receipt of application for compensatory cost, the Competent Officer shall assess the Compensatory Cost entitled to the applicant on the basis of online information and take necessary action to make immediate payment out of the imprest amount of the Office and get the acknowledgement with signature. Thereafter, he shall initiate action to recover the same from the defaulting Public Servant **within 30 days as prescribed under Section 11 of the Act and within the time limit prescribed in the Schedule.**

7. Manner of giving notice.- The Competent Officer shall issue notice to the designated officer or the sub-ordinate official responsible for delay or default in furnishing him the copy of the application on which compensation was paid and call for reasons as to why cost of compensatory cost paid shall not be recovered from him as per

Form C. He shall also indicate the time limit within which defaulting or delaying officer or official shall furnish reasons.

8. Relaxation of Fee:- No fee shall be levied for appeal to Competent Officer or Appellate Authority.

9. Procedure of application to Competent Officer:- Apply to the Competent Officer along with a copy of Form-B /or through Call centre.

10. Documents to be enclosed with Appeal to the Appellate Authority:- Shall apply along with form-B.

The Designated Officer or any public servant aggrieved by the orders of the Competent Officer shall provide proof of deposit of compensatory cost in case of their application for appeal under Section 12. No application shall be accepted without such proof.

11. Procedure for decision on First or Second Appeal:- The decision on orders of Designated Officer or Competent Officer shall involve the following steps, namely:-

(1)Review of concerned documents, public records or their copies;

(2)In exceptional circumstances, any other officer may be authorized for required investigation;

(3)The Designated Officer or Competent Officer may be summoned at the time of hearing.

12. Process of communicating the information on hearing:- Information on hearing of the application by Competent Officer or Appellate Authority shall be communicated by the Competent officer or Appellate Authority in one of the following manners, namely:-

(1)By hand delivery;

(2)By registered post with acknowledgement receipt; or

(3)By Telephone/Fax/e-mail/SMS (whatever speedy communication opted by the applicant)

(4)Information shall be displayed through KGSC software

13. Individual presence of applicant or Designated officer or Competent officer:- (1)In all situations, the hearing date shall be communicated to applicant or Designated Officer or Competent Officer as the case may be, at least 7 days in advance.

(2) The applicant or Designated Officer or Competent Officer as the case may be shall make himself or person authorized by him to be present during the hearing.

(3) If any party remains absent on the date of hearing even after the information of hearing being duly informed to him, then, the application may be decided exparte.

14. Order in Appeal:- (1)The Competent Officer or Appellate Authority, as the case may be, shall pronounce order in open hearing and it shall be in writing(

Form-D).

(2) Copy of appeal order by the Competent Officer shall be given to applicant and Designated Officer within Seven days from date of order.

(3) Copy of appeal order by the Appellate Authority shall be given to applicant, designated officer and competent officer.

(4) In case of imposition of compensatory cost, Competent Officer or Appellate Authority as the case may be, shall mark copy of such order to the concerned Public Authority with instructions to deduct the amount from the salary or honorarium or remuneration, of the Designated Officer or his subordinate public servant or Competent Authority, as the case may be.

(5) In the event of recommendation for departmental enquiry against Designated Officer or his subordinate public servant or the Competent Officer, as the case may be, the Appellate Authority shall send orders issued against him to the concerned Public Authority or Appointing Authority.

15. Recovery of Compensatory Cost:- The Competent Officer shall cause to recover the compensatory cost from the salary or honorarium or remuneration as the case may be, of the Designated Officer or Officers and staff as decided by the Competent Officer or Appellate Authority, upon receipt of copy of order of imposing compensatory cost and shall deposit it under the respective departmental Head of Account and send a copy of challan to the concerned Designated Officer.

16. Maintenance of records of all disposed cases under the Act:- The Designated Officer, Competent Officer and Appellate Authority shall maintain records of all the cases in Form E-1, Form E-2 and Form E-3 respectively and specially Form E-I with regard to the action taken in respect of delay/default cases and shall send a periodical report to the Head of the Public Authority. Show cause notice through e-mail in Form E-4 shall be issued to the public servants who have defaulted/delayed in more than 7 cases. Disciplinary action shall be initiated in cases where reasons are not justifiable.

Show Cause notice through e-mail in Form E-5 shall be issued to the Competent Officer/Appellate Authority who have exceeded the time limit. Report of such cases shall be intimated to DPAR in Form E-6 at the end of the month. The Head of the Public Authority shall include the same in its Annual Report. At the end of the year list of officers who have not defaulted shall published and issued with letter of appreciation. (Form E-7)

17. Dissemination and Training:- The State Government and the Public Authorities:

(1)Shall develop and organize campaigns and programmes to advance the understanding of the public, in particular of the disadvantaged communities, as to how to exercise the rights contemplated under this Act;

(2)Shall provide staff and infrastructure for the effective implementation of the Act;

(3)To give timely and effective dissemination of accurate information by public authorities about the notified services and timeliness to the citizens and the processes for applications, and

(4)To train Designated officer, Competent Officer and Appellate Authority, as the case may be, of their duties under the Act;

(5)Concerned Departments of the State Government shall frame guidelines containing such information, in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right specified under this Act;

(6)Concerned Departments of the State Government shall, if necessary, update and publish guidelines referred to in sub-rule (5) above at regular intervals which shall, in particular and without prejudice to the generality of sub-rule (5) above, include,-

(i) The objects of this Act;

form in which request for services shall be made to the designated officer or competent officer;

(iii) All remedies in law available regarding a delay or denial of service, including the manner of filing appeals;

(iv) Any additional regulations or circulars made or issued in relation to obtaining services in accordance with this Act;

18. Monitoring of Implementation:- The State Government shall introduce a system for centralized monitoring of the timely delivery of notified services, through use of Information and Communication Technologies/E-Governance, and for monitoring various provisions of the Act.

FORM - A

(State Emblem)

SAMPLE DISPLAY BOARD

Karnataka Sakala Services Act – 2011

Name of the Office:

Nme of the Village/ Taluk / District

Scheduled Services

Sl. No.	**List of service**	**Com[pensation fee**	List of document s **Check list)**	**Name of the Designated Officer**	**Stipulate d time for designate d officer**	**Competent Officer**	**Stipulated time for Competent Officer**	**Appellate Authority**	**Stipulated time for Appellate Authority**
1	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**

Name of the authorised person to give and receive the application.

Instructions to Citizens

- To get the acknowledgement compulsorily
  If services are delayed / not delivered contact Competent Officer/Appellate Authority
- along with the acknowledgement receipt.
- **To know the status and monitoring of the application**
  contact 080 44554455, e-mail: kgsc@nic.in
  (See: www.kgsc.kar.nic.in)

The Government Servant who fails
to give the services are liable to pay Rs.20/-
per day per service from his Salary.

FORM - B
(See rule 4(1)
Acknowledgement by the Designated Officer/ Authorised Officer

1.	Name of the Applicant with address	
2.	Date of application	
3.	Acknowledgement Number	
4	Name of the Designated Officer with designation and address	
5	Details of services sought	
6	Details of relevant documents enclosed with application	
7	Accept (Yes/No)	
8	Proposed date of Delivery	
9	Reject (with reasons)	

Place:

Date:

Signature of the Designated Officer/ Authorised Officer.

Form - C

Notice for recovery of compensatory cost

(Competent Officer)

You have failed to deliver / delayed the services within the stipulated time under the Karnataka Sakala Services Act, 2011 to the applicant Sri ..... having acknowledgement Receipt No..... Therefore, Rs.20/- per day is paid to the applicant for ..... number of days delayed /..... No. of services defaulted as compensatory cost as specified under Section 11(1) of the Act. The compensatory cost of Rs..... , will be recovered from your Salary. You are instructed to give your explanation with justification with in 7 days.

It is further instructed to provide the services within the stipulated time.

Date:
Place:

Competent Officer

Form - D

Format for Order of the Appellate Authority

(Competent Officer/Appellate Authority)

As per application dated:.....the services sought under acknowledgement No....., the delay/default in delivering .....No. of services has been proved. Accordingly an amount of Rs.....has been paid as compensatory cost to the applicant with acknowledgement Receipt No..... In this connection within seven days an explanation was called from the Designated Officer. The appeals of the Applicant/Designated Officer/Competent Officer have been enquired into. Based on the appeals, the documents and other information furnished during the course of enquiry, it has been proved that Sri. ..... has delayed/defaulted in providing .....No. of services under Section 9 of the Karnataka Saakala Services Act, 2011. Therefore, the Drawing Officer is instructed to deduct an amount of Rs..... from his salary and credit the same to the concerned Head of Account of the Department.

Date:
Place:

Sd/-

(Competent Officer/ Appellate Authority)

FORM E-1
Register to be maintained by the Designated Officer
(Name, designation and address)

Sl. No	Name of the applicant with address and acknowledgem ent No.	Details of services sought	Details of relevant documents enclosed to the application	No. of Services		
				Delivered	Rejected (with reasons for rejection)	Delayed (No. of days delayed)
1	2	3	4	5	6	7

Form E-2
Register to be maintained by Competent Officer
(Name, Designation and Address)

Sl. No	Name & Address of the appellan t	Date of applicatio n with Ack. No	Details of service s sought	Name and designatio n of the designated Officer appealed against	Details of relevant document s enclosed with appeal	Basis for appea l	Relief asked	Date of dispos al of appeal	No. of Services	
									Date of payment of C.C.	Date of recovery of C.C.
1	2	3	4	5	6	7	8	9	10	11

Form E-3

3. Register to be maintained by Appellate Authority

Sl. No	Name & Address of the Appellant	Date of first applicatio n with Ack. No	Details of service s sought	Details of documents accompanyin g the application for second appeal	Grounds on which appeal is filed	Name and designatio n of the Designate d Officer	Name and designation of the Competent Officer to whom first appeal lies	Date of disposa l
1	2	3	4	5	6	7	8	9

Form E - 4

It has been observed that, out of applications received under the Karnataka Sakala Services Act, 2011, you have failed to deliver the services in .....cases in the scheduled time as detailed in form E-1. You are hereby directed to give your explanation about the reasons for this delay/default and the precautionary measure taken to solve the same within seven days, failing which disciplinary action will be initiated against you**.**

Competent Officer/Appellate Authority

Form E - 5

It has been observed that, out of applications for appeals received under the Karnataka Sakala Services Act, 2011, you have failed to dispose of ..... No. of appeals within the scheduled time. You are hereby directed to give your explanation within seven days, failing which disciplinary action will be initiated against you**.**

Disciplinary Authority

Form E - 6

Name of the Department	Total No. of applications received	No. of Officers who have defaulted in more than 7 cases.	No. of cases where disciplinary action initiated	Common reasons assessed for default	Measures taken for reforms
1	2	3	4	5	6

Form E - 7
(Draft Appreciation letter)

It is matter of pride that you have delivered the services under the Karnataka Sakala Services Act, 2011 in time to the citizens throughout the year. Because of the best services rendered by you, the Department and the Government have earned good name and has resulted in promoting good faith in the citizens towards the Act and the administrative reforms measures taken by the Government. It is assumed that the employees will get encouragement and enthusiasm from your model service. I would like to place on record the Government appreciation for the outstanding (default free) service rendered by you in the year.....

Wishing you many more success in future.

Secretary of the Department

Printed by : Director, Printing, Stationery & Publications