The 29th January, 2021.

No.PER(ARC)3/2012/350. – In exercise of the powers conferred by Section 19 of the Meghalaya Right to Public Services Act, 2020 (Act No.18 of 2020), the Governor of Meghalaya is hereby pleased to make the following rules, namely;

1.Short title and Commencement.— (1) These rules may be called the Meghalaya Right To Public Services Rules, 2021.

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

(a)"Act" means "The Meghalaya Right To Public Services Act, 2020"; (b)
"Form" means the forms appended to these rules;
(c) "Rule" means The Meghalaya Right To Public Services Rules, 2021;
(d) "Scheduled" means the Scheduled appended with these Rules; (e)
"Section" means Section of the Act; and
(f) "State Government" means the State Government of Meghalaya.

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

3.Display of information on notice boardand website.— (1) Every designated officer shall display or cause to display the list of public services to be rendered by the department or office concerned including the stipulated time limit, name of Designated Officer, Appellate Authority, form and fee, if any, on the notice-board of the office and also on the website of the Government or Department or office.

(2) List of documents that are required to be enclosed with the application form or forms for receiving the service and the forms appended to these rules shall also be displayed on the notice board of its office and also on website or portal of the Government or Department or office.

4.Extending stipulated time limit during period of election as well as natural calamities.— The concerned administrative department, with the concurrence of the Personnel and A.R. (B) Department may, by an order, extend the stipulated time limit for citizen related services notified under sub-section (2) of Section 3 of the Act for specific period of time mentioned in the order, if necessary, during elections of local authorities, State Legislature, Parliament or in the event of natural calamities like earthquake, flood, fire or any other such natural calamity.

5.Authorisation by Designated Officer for receiving application.— The Designated Officer may authorise, by order, any subordinate officer or any employee (by whatever designation be called) of the Department or Office concerned to receive the applications made by the citizens to obtain any citizen related services as notified under sub-section (2) of Section 3 of the Act and issue the acknowledgment thereof to the applicant. The name of such subordinate officer or employee who is duly authorised to receive the applications shall also be displayed on the notice board or website of the Department or office.

6. Format of application, necessary documents to be attached thereto.—(1) Every Department or office providing citizen related services shall prepare a form of application for obtaining citizen related service in case the same is not provided under the provisions of the concerned Act, Rules, Notifications, Orders, Government Resolutions or any other Instrument.

(2) The application form shall be in English language. The list of documents to be furnished along with the Application Form should be mentioned in the

form itself.

(3) The application forms shall be easily available at Departments or Offices or any other location as the Department concerned may by order notify. Copy of the said application forms shall also be made available on the website of the Department or Office which can be downloaded by the applicant.

(4) Department and offices providing citizen related services shall, as far as possible, ensure that the services can be submitted by the applicant online and delivered to the applicant online through a website or portal. Application submitted online shall also be accepted by the Designated Officer.

7.Issue of acknowledgement to applicant.— (1) The Designated Officer or any subordinate officer or employee of the Department or office concerned, duly authorized by the Designated Officer to receive the application, shall issue acknowledgment to the applicant.

(2) In case the application is received complete in all respects, the time limit as notified for receiving the citizen related service shall also be mentioned and the acknowledgement shall be issued as per

(3) In case, any document or documents required for providing the service has not been enclosed with the application, the same shall beclearly mentioned in the acknowledgement and the stipulated time limit for providing such service shall start only from the date of production of all the required documents as per sub-section (5) of Section 5 of the Act. For incomplete applications the acknowledgement shall be issued as in

Form II appended to this Rule.

(4) If the application is received manually the acknowledgement of the same shall be given manually. If the application is received through a website or online portal or any other electronic means like mobile app, the acknowledgement shall be given or through email or any other electronic means. Online acknowledgement will also be treated as acknowledgement given to the applicant.

8. Appeal Fee.— Any appeal to the Appellate Authority or appeal to the State Public Service Delivery Commission under the Act, shall be accompanied by a fee of rupees ten by way of cash or through online payment.

9. Intimation of rejection of application.—(1) In case, where the concerned Designated Officer, for valid reasons comes to the conclusion that the citizen related services cannot be provided to the applicant, the same shall be intimated to the applicant in writing with the reasons, within the stipulated time limit notified for providing the particular citizen related service.

(2) Along with the above order, the Designated Officer shall also provide to the applicant the details of the Appellate Authority, including the name, designation and the office address, along with the time period for filing the appeal.

10. Mechanism to monitor status of application.—(1) The Public Authority shall, as far as possible, create a mechanism for monitoring the status of applications using the unique identification number provided to the applicant.

(2) The Public Authority shall, as far as possible, create a mechanism through which timely updates on the status of application can be sent to the applicant through SMS or email or through any other means so that the person who has applied for the services will be able to monitor the status of his application.

11. <u>Procedure for appeal</u>.— (1) An appeal to the Appellate Authority under sub-section (1) of Section 6 of the Act shall be filed in

(2) An appeal to the State Public Service Delivery Commission under sub-section (1) of Section 7 or under sub-section (5) of Section 7 of the Act shall be filed in

Form IV appended to this Rule, either manually or online.

12. <u>Documents to be attached with appeal</u>.— While filing an appeal to the Appellate Authority, or the State Public Service Delivery Commission, as the case may be, the appellant shall enclose the following documents, namely:

(1)Self attested copy of the order passed by the Designated Officer against which the appeal is being made.

(2)Self attested copy of the order passed by the Appellate Authority in case of appeal before the State Public Service Delivery Commission

(3)Copies of the documents relied upon and referred to by the appellant and copies of any other documents as per

Form III or Form IV appended to this Rule of the Rules as the case may be.

13. Service of notice of hearing.— The notice of hearing of the appeal before the Appellate Authority or the State Public Service Delivery Commission, shall be served in any of the following manners:—

(i) by hand delivery through special messenger or process server; or

(ii) by registered post or speed post with due acknowledgement; or

(iii) online through email or electronic mode like SMS or Mobile App.

14. Procedure for deciding appeal to Appellate Authority or the State Public Service Delivery Commission.— (1) While deciding an appeal filed under sub-section (1) of Section 6 of the Act to the Appellate Authority or an appeal filed under sub-section (1) of Section 7 of the Act to the State Public Service Delivery Commission, the Appellate Authority or the State Public Service Delivery Commission may: (i) summon the Designated Officer and appellant at the time of hearing of Appeal;

(ii) scrutinise the relevant documents or copies thereof;

(iii) hear the appellant and the Designated Officer at the time of hearing of the appeal;

(iv) call for records from the Designated Officer or the Public Authority as the case may be and if original copies are sought then the records shall be returned to the Designated Officer or Public Authority after the disposal of the appeal.

(2) In appeal filed to the Appellate Authority or to the State Public Service Delivery Commission as the case may be, the date of hearing shall be communicated to the appellant and the Designated Officer at least seven clear days in advance.

(3) If any party remains absent after due service of notice of the fixed date of hearing, then the appeal may be disposed of ex-parte or dismissed for non-appearance of party.

(4) Where circumstances exist due to which the appellant or the Designated Officer is unable to be present during the hearing, the Appellate Authority or the State Public Service Delivery Commission may provide another chance to the appellant or the Designated Officer to be heard before passing any order.

(5) While computing the stipulated time period for deciding the appeal as prescribed in sub-section (3) of Section 6 of the Act or in sub-section (4) of Section 7 of the Act, public holidays shall not be counted.

(6) The Appellate Authority or the State Public Service Delivery Commission may decide to also hear the appeals through the use of virtual video conferencing facilities.

15. Order in appeal to Appellate Authority or State Public Service Delivery Commission.—(1) The order passed by the Appellate Authority or the State Public Service Delivery Commission on an appeal from an appellant, shall be in writing.

(2) Copy of the order in appeal shall be given to the appellant who has filed the appeal, the Designated Officer and the Public Authority, as the case may be free of charge:

Provided that in all cases decided by the State Public Service Delivery Commission, a copy of the order shall also be given to the Appellate Authority.

16. <u>Maintenance of register of cases under Act</u>.— The register of cases shall be maintained by the Designated Officer, the Appellate Authority and the State Public Service Delivery Commission, either manually or in electronic form, the format given in

Form V appended to this Rule, which may be modified, from time to time, by the State Government, through a notification published in the Official Gazette.

17. <u>Strength and composition of the Officers and Staff of the State Public Service Delivery Commission</u>.— (1) As per sub-section (1) of Section 11 of the Act, the officers and employees of the State Public Service Delivery Commission shall consist of such number of posts as may be determined by the State Government from time to time.

(2) The officers and employees shall be placed with the State Public Service Delivery Commission on either partial or full deputation from the State Government, as may be determined by the State Government.

(2)At the commencement of these rules, the number of posts and the pay levels, shall be as specified in Schedule-I appended to these rules.

18. <u>Directions by State Government</u>.— Subject to the provisions of the Act and these Rules, the State Government may issue directions for effective implementation of the Act.

Form I

[See sub-rule (2) of Rule 7]

Acknowledgement for Complete

Application From:

.....

.....

..... (*The Designated Officer / Authorised Officer with full office address, email and other contact details*)

To:

.....

.....

..... (*Name and address of the applicant*)

Email:

Mobile:

Ref: Your application dated ..... for

Name of the Service ……

I hereby acknowledge your application referred above.

The Unique Identification Number for the Application is _____.

The application along with all the documents have been submitted complete in all aspects and the time limit notified for providing such service is _____ days from the date of issue of this acknowledgement form.

Place :

Date :

Yours sincerely,

(Designated Officer / Authorised Officer)

(Office Seal)

Form II

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

Acknowledgement for Incomplete Application From:

.....

.....

..... (*The Designated Officer / Authorised Officer with full office address, email and other contact details*)

To:

.....

.....

..... (*Name and address of the applicant*)

Email:

Mobile:

Ref: Your application dated ..... for

Name of the Service …… The following defects in the application may be rectified, urgently:

(Specify defects, if any)

(1).....

(2).....

(3).....

The following required documents may please be submitted immediately:

- (1).....

(2).....

(3).....

Place :

Date :

Please note that the stipulated time limit for the above service as notified under sub-section (2) of Section 3 of the Meghalaya Right to Public Service shall start from the date on which the application is received complete in all respects by the Designated Officer.

Yours sincerely,

(Designated Officer / Authorised Officer)

(Office Seal)

FORM III

[See Rule 12]

Form of appeal to the Appellate Authority.

Before the .....

.....

.....(Designation and office address of the Appellate Authority) Date of Filing the Appeal .....

1. Details of the Appellant: (i) Name of the person filing the Appeal: (ii) Address of the person filling the Appeal: (iii) Mobile Number: (iv) Email:	
2. Details of the Designated Officer against whom the Appeal is Filed (i) Name of the Designated Officer and Designation: (ii) Office Address of the Designated Officer:	
3. Details of public service required:	
4. Stipulated time limit for providing the service:	
5. List of supporting documents to avail the service, if any (To enclose copy as required)	
6. Date of Decision of the Designated Officer and Copy of the Order (To be enclosed):	
7. Grounds of Appeal : (i) Public services not provided within stipulated time; or (ii) Rejection of Application	
8. Relief sought	
9. Any other information necessary for filling appeal	

PART-IIA] THE GAZETTE OF MEGHALAYA, FEBRUARY 4, 2021 50 **List of Documents enclosed.**

(1).....

(2).....

(3).....

Declaration

I, ... (Name of the Appellant) declare that the particulars given above are true and correct to the best of my knowledge, information and belief.

Date:

Place:

Signature of the Appellant

FORM IV

[See Rule 12]

Form of appeal to the State Public Service Delivery Commission.

Date of Filing the Appeal ……

1. Details of the Appellant: (i) Name of the person filing the Appeal: (ii) Address of the person filling the Appeal: (iii) Mobile Number: (iv) Email:	
2. Date of order of the Appellate Authority and copy of order (to be enclosed)	
3. Date of application produced before Designated Officer for providing service:	
4. Date of acknowledgment and copy of acknowledgement (To be enclosed):	
5. List of supporting documents to avail the service, if any (To enclose copy as required)	
6. Details of public service required:	
7. Stipulated time limit for providing the service:	
8. Date of Decision of the Designated Officer and Copy of the Order (To be enclosed):	
9. Grounds of Appeal : (i) Aggrieved by decision of the Appellate Authority, or (ii) Designated Officer did not provide the service after direction of Appellate Authority under sub-section 2 of section 6 of the Act	
10. Relief sought	
11. Any other information necessary for filling appeal	

PART-IIA] THE GAZETTE OF MEGHALAYA, FEBRUARY 4, 2021 52 **List of Documents enclosed.**

(1).....

(2).....

(3)……

Declaration

I, …… (Name of the Appellant) declare that the particulars given above are true and correct to the best of my knowledge, information and belief.

Date:

Place:

Signature of the Appellant

Form V

[See Rule 16]

Register of cases

A.To be maintained by the Designated Officer.

Sr. No. (1)	Date of receipt of application (2)	Date of acknowledgement of the application (3)	Name and address of the applicant (4)	Public service requested (5)	Date of which application /is disposed of / If rejected the reasons thereof.

*B.**To be maintained by the Appellate Authority**.*

Sr. No. (1)	Date of receipt of the appeal (2)	Date of acknowledgement of appeal (3)	Name and address of the appellant (4)	Public service requested (5)	Date of decision of the Designated Officer	Date on which appeal is disposed of / If rejected the reasons thereof (6)

C.To be maintained by the State Public Service Delivery Commission.

Sr. No. (1)	Date of receipt of appeal (2)	Date of acknowledgement of appeal (3)	Name and address of the applicant/ Designated Officer/Appellate Authority (4)	Public service requested (5)	Date on which appeal is disposed of/ If rejected the reasons thereof	Details of fine, if any imposed (7)

Schedule I

[See rule 17]

Sl. No.	Name of Post	No. of Post	Level of Pay
1	Deputy Secretary	1	(Level-19)
2	Registrar	1	(Level-16)
3	Accountant	1	(Level-11)
4	Upper Division Assistant	1	(Level-11)
5	Lower Division Assistant	2	(Level-8)
6	Stenographer Grade - I	1	(Level-16)
7	Stenographer Grade - II	1	(Level-8)
8	Data Entry Operator	2	(Level-7)
9	Driver	2	(Level-3)
10	Duftry	1	(Level-2)
11	Peon	4	(Level-1)
12	Chowkidar	1	(Level-1)
13	Cleaner	1	(Level-1)

R. V. SUCHIANG,

Additional Chief Secretary to the Government of Meghalaya,
Personnel & Administrative Reforms (B) Department,
& Administrative Reforms Cell.