



Government of West Bengal
Food & Supplies Department
Khadyashree Bhawan
11 A, Mirza Ghalib Street, Kolkata-700087
<https://food.wb.gov.in>



File No. FS/Sectt./Food/4P-05/2013

No. 2738(2)

Dated: 14.07.2025

From: The Deputy Secretary,
F&S Deptt., Govt. of West Bengal.

To: 1) The Director, Dte. of DDP&S.
2) The Director, Directorate of rationing.

Sub.: Submission of monthly report regarding implementation of the WBRTPS Act, 2013 to F&S Department.

Sir,

I am directed to state that you are aware of the Memo No. 3660-FS/Sectt/Food/4P-05/2013 dated 06/09/2022 (copy enclosed) in terms of which four (4) services were notified & Designated Officer, Appellate Officer, & Reviewing Officer concerning this Department has been mentioned as per provisions of the West Bengal Right to Public Services Act 2013 (copy enclosed).

The Designated Officer, Appellate Officer, & Reviewing Officer shall maintain a register of all cases under the said Act in form-IV as per Rule 16 of the West Bengal Right to Public Services Rules, 2013 communicated vide notification no. 2565-CA/Estt/O/4R-2/13(Pt-I) dated 07/10/2013 (copy enclosed) of Consumer Affairs Department.

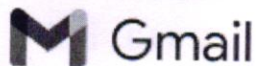
A monthly report regarding implementation of the WBRTPS Act, 2013 in this Department, by Designated Officer, Appellate Officer, & Reviewing Officer from your office, is to be sent in Form-A, Form-B, & Form-C (copy enclosed) respectively to Consumer Affairs Department. But till date no such report has been received in this Department. Consumer Affairs Department has been pressing hard for submission of such reports. On 7th July 2025 a V.C was held regarding monthly submission of reports on the WBRTPS, wherein Consumer Affairs Department expressed their dissatisfaction for non-submission reports in Form-A, Form-B & Form-C from Food & Supplies Department.

Under these circumstances I am to request you to send the said report for the month of June, 2025 to this Department as early as possible, but not later than 25.07.2025. You are also requested to send report for a particular month to this Department in Form-A, Form-B & Form-C within 10th of the next month (both in hard copy & through email) (nodalrtpsfood@gmail.com) henceforth.

Encl: As stated

Yours faithfully,

Deputy Secretary
to the Government of West Bengal



Food Supplies <food.cellwb@gmail.com>

Fwd: Submission of Monthly Reports under WBRTPS Act, 2013

1 message

Somyer sathi <somyersathi@gmail.com>
To: food.cellwb@gmail.com

Thu, May 22, 2025 at 3:23 AM

----- Forwarded message -----

From: **Somyer sathi** <somyersathi@gmail.com>
Date: Wed, May 21, 2025 at 12:26 PM
Subject: Fwd: Submission of Monthly Reports under WBRTPS Act, 2013
To: Priyadarshini S <js6.cad-wb@bangla.gov.in>

----- Forwarded message -----

From: **Consumer Affairs Department** <wb-sca@nic.in>
Date: Tue, May 20, 2025 at 11:48 PM
Subject: Fwd: Submission of Monthly Reports under WBRTPS Act, 2013
To: somyersathi <somyersathi@gmail.com>

From: somyersathi@gmail.com

To: addlsecybcw@gmail.com, suprioadhikary@bangla.gov.in, rmousumi533@gmail.com, splsectetsd@gmail.com, environmentwb@gmail.com, "AVANINDRA SINGH" <labour-wb@gov.in>, "PRABHAT KUMAR MISHRA" <fs-wb@nic.in>, seclr@wb.gov.in, secci@wb.gov.in, "prin secy wbhealth" <prin.secy.wbhealth@gmail.com>, firedepartment@gmail.com, powersecy@wb.gov.in, "swaroopjs msmt" <swaroopjs.msmt@gmail.com>, "secy judicial" <secy.judicial@gmail.com>, secica@wb.gov.in, "Dr. P. Ulaganathan" <secy.prd-wb@bangla.gov.in>, "Onkar Singh Meena" <ps.agri-wb@nic.in>, "Alagirisamy Subbiah" <prsecy.amd-wb@bangla.gov.in>, "secy cooperation" <secy.cooperation@gmail.com>, acsforestwb@gmail.com, highereducationwb@gmail.com, "wb secyhome" <wb.secyhome@gmail.com>, "RAJESH KUMAR SINHA" <prsecy.housing-wb@nic.in>, secit@wb.gov, "iwd prsecy" <iwd.prsecy@gmail.com>, "mame wb" <mame.wb@gmail.com>, wbsed@gmail.com, "Nandini Chakravorty" <sec.tourism-wb@nic.in>, "sec transportwb" <sec.transportwb@gmail.com>, "secy wcdsw" <secy.wcdsw@gmail.com>

Cc: "prsecy cad" <prsecy.cad@gmail.com>, "Priyadarshini S" <js6.cad-wb@bangla.gov.in>, "halder tirtha" <halder.tirtha@gmail.com>, "nilanjan bh13" <nilanjan.bh13@gmail.com>, "Consumer Affairs Department" <wb-sca@nic.in>

Sent: Wednesday, May 21, 2025 5:34:22 AM

Subject: Submission of Monthly Reports under WBRTPS Act, 2013

Subject : Submission of Monthly Reports under WBRTPS Act, 2013

Madam/Sir,

I am hereby directed to inform you that the monthly reporting in the prescribed formats — Form A, B, and C — pertaining to the Designated

Officer, Appellate Officer and Reviewing Officer of the concerned departments who have notified services under the WBRTPS Act, 2013, are not being submitted to the RTPS commission regularly.

The above prescribed formats are hereby attached with this email. You are requested to kindly instruct your nodal officer to submit the filled-in reports as stated above in the editable excel format as well as scanned PDF format, within June 5, 2025. There is no need to submit hard copy of these reports.

Sd/

Joint Secretary

2 attachments

 forms reporting_(PDF).pdf
139K

 FORM-A-B & C.xlsx
21K

FORM-A

MONTHLY REPORT ON IMPLEMENTATION OF WBRTPS ACT, 2013

.....Department/Directorate/Parastatal

REPORT OF DESIGNATED OFFICER (D.O.)

Office of the.....

Name of D.O(Designation).....

Sl. No.	Name of Service	No of Applications Received	No of Form-I issued	No of Applications Disposed off within the stipulated time period	No of Applications Disposed off after the stipulated time period	No of Applications Pending
TOTAL :-						

.....
(Signature of Designated Officer)

FORM-B

MONTHLY REPORT ON IMPLEMENTATION OF WBRTPS ACT, 2013

.....Department/Directorate/Parastatal

REPORT OF APPELLATE OFFICER (A.O.)

Office of the.....

Name of A.O(Designation).....

Sl. No.	Name of Service	No of Appeals Received in Form-II	No of Appeals in Form-II Disposed off within time frame	No of Appeals in Form-II Disposed off after the time frame	Remarks, no of cases penalty imposed
TOTAL :-					

.....
(Signature of Appellate Officer)

FORM-C

MONTHLY REPORT ON IMPLEMENTATION OF WBRTPS ACT, 2013

.....Department/Directorate/Parastatal

REPORT OF REVIEWING OFFICER (R.O.)

Office of the.....

Name of R.O.(Designation).....

Sl. No.	Name of Service	No of Appeals in Form-III Received	No of Appeals in Form-III Disposed off within the time frame	No of Appeals in Form-III Disposed off after the time frame	Remarks, no of cases penalty imposed
TOTAL :-					

.....
(Signature of Reviewing Officer)

The Kolkata Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

BHADRA 15]

TUESDAY, SEPTEMBER 6, 2022

[SAKA 1944

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

Food and Supplies Department
11-A, Mirza Ghalib Street, Kolkata-87

Memo No.: 3660-FS/Sectt/Food/4P-05/2013

Date: 06.09.2022

NOTIFICATION

In exercise of the powers conferred by section 3 of the West Bengal Right to Public Services Act, 2013 and cancellation of the earlier Notification number 2806-FS, dated 13th November, 2020 the Governor is pleased to notify the services along with the stipulated time limit for rendering the services, the Designated officers responsible for providing the services, the Appellate Officer and the Reviewing Officer as follows :-

Sl. No.	Service to be delivered	Designated Officer	Stipulated Time Limit for providing the Service (including rejection of the application with reasons)	Providing services within the stipulated time limit subject to	Appellate Officer	Time limit for appeal	Reviewing Officer	Time limit for review
1	New Digital Ration Card (e-Ration Card)	BDO/SCFS/RO in their area of jurisdiction	60 days	a) Submission of correct information & all required documents	DCFS/DDR in their area of jurisdiction	30 days	DDPS/DR in their respective area of jurisdiction	30 days
2	Changes in existing Digital Ration Card (e-Ration Card)	BDO/SCFS/RO in their area of jurisdiction	60 days	b) Force majeure conditions				

Sl. No.	Service to be delivered	Designated Officer	Stipulated Time Limit for providing the Service (including rejection of the application with reasons)	Providing services within the stipulated time limit subject to	Appellate Officer	Time limit for appeal	Reviewing Officer	Time limit for review
3	Shifting of F.P. Shop (e-Ration Card)	BDO/SCFS/RO in their area of jurisdiction	60 days	a) Submission of correct information & all required documents	DCFS/DDR in their area of jurisdiction	30 days	DDPS/DR in the respective area of jurisdiction	30 days
4	Surrender of Ration Card	BDO/SCFS/RO in their area of jurisdiction	30 days	b) Force majeure conditions				

This notification shall come into effect on the date of publication in the official Gazette.

By Order of the Governor,

PARWEZ AHMAD SIDDIQUI, IAS
Secretary to the Government of West Bengal
Food & Supplies Department

The

Kolkata Gazette
सत्यमेव जयते

Extraordinary
Published by Authority

ASVINA 15]

MONDAY, OCTOBER 7, 2013

[SAKA 1935

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
Consumer Affairs Department

NOTIFICATION

No. 2565-CA/Estt./O/4R-2/13 (Pt.-I) dated the 7th day of October, 2013. - In exercise of the power conferred by sub-section (1) of section 15 of the West Bengal Right to Public Services Act, 2013, the Governor is pleased hereby to make the following rules, namely:—

Rules

1. Short title and commencement.— (1) These rules may be called the West Bengal Right to Public Services Rules, 2013.

(2) They shall come into force on the date of their publication in the *Official Gazette*.

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

- (a) "Act" means the West Bengal Right to Public Services Act, 2013;
- (b) "Authorised Officer" means an officer or staff authorised as such by the Designated Officer under rule 3;
- (c) "Form" means the Forms appended to these rules;
- (d) "Section" means a section of the Act.

(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. Power of Designated Officer to authorise other officer or staff to receive applications.— The Designated Officer shall have the power to authorise, by order, any of his subordinate officer or staff for receiving the applications and giving proper acknowledgement.

4. Issue of acknowledgement to the applicant.— (1) On receipt of an application for service by an eligible person, the designated officer or the authorised officer, as the case may be, shall scrutinize and give acknowledgement to the applicant in Form I. In case any document required for providing the service has not been enclosed with the application, the same shall be clearly mentioned in the acknowledgement and the stipulated time limit for such service shall start from the date of production of the document.

Provided that if necessary documents are annexed with application then the last date of the stipulated time limit shall be mentioned in the acknowledgement.

(2) Complete applications received on each working day, shall be produced before Designated Officer on the same working day for providing the notified services.

5. Public holidays shall be excluded from the stipulated time limit.— Public holidays shall be excluded from the stipulated time limit for providing the services.

6. Display of information on the Website and Notice Board.— The Designated Officer shall, for the convenience of the general public, cause to display all relevant information related to services, stipulated time limit, Designated Officer, Appellate Officer and the Reviewing Officer on the Notice Board of the office. All documents that are required to be enclosed with the application for receiving the service and the Forms appended to these Rules shall also be displayed similarly. The Secretary of the Department concerned shall also cause this information to be available on the website of the Department.

7. Monitoring the status of Applications.— The Department concerned or the authority or body or institution of self government or any other Public Authority, as the case may be, shall maintain the current status of the applications on its website and shall update it on a daily basis.

8. Recovery and remittance of penalty.— In case of dismissal or rejection of appeal or otherwise, the Designated Officer shall deposit the penal amount through treasury challan within seven days of the date of the order. In case of failure to do so, the penalty imposed under section 7 shall be recovered from the salary, honorarium or other remuneration of the Designated Officer and remitted to the appropriate head of Account.

9. Exemption from payment of appeal fee.— No fee shall be required for filing the first appeal or second appeal under section 6.

10. Appeal.— (1) An appeal to the Appellate Officer under sub-section (1) of section 6 shall be filed in Form II or in any other format containing the particulars mentioned in the said Form.

(2) An appeal to the Reviewing Officer under sub-section (3) of section 6 shall be filed in Form III or in any other format containing the particulars mentioned in the said Form.

11. Documents to be enclosed with the appeal.— Along with the first or second appeal, the appellant shall enclose the following information / documents, namely:—

- (i) name and complete address of the appellant;
- (ii) brief description of required service;
- (iii) date of the application produced before Designated Officer for providing service;
- (iv) self attested copy of the order against which the first appeal or second appeal is being made;
- (v) copies of the documents relied upon by the appellant and referred to in the first appeal or second appeal.
- (vi) the grounds for appeal;
- (vii) relief sought;
- (viii) any other information necessary for filing appeal. If appeal is against the refusal of acknowledgement of application by the Designated Officer then the date of the application and the name and address of the Designated Officer to whom the application was presented.

12. Service of notice of hearing.— The notice of hearing of application for appeal may be served in any of the following manner—

- (i) by hand delivery (dasti) through special messenger or process server;
- (ii) by the registered post with due acknowledgment;
- (iii) in case of a Government servant, through his controlling officer.

13. Personal appearance of the appellant.— (1) In every case the appellant or applicant at revision, as the case may be shall be intimated of the due date of hearing, at least seven clear days prior to such date of hearing.

(2) The appellant or applicant at revision, as the case may be, may present himself in person in the hearing of appeal or revision, or may opt not to be present in the hearing. If any party remains absent after due service of notice of the fixed date of hearing, then the application for appeal may be disposed off in his absence.

(3) If the Appellate Officer or the Reviewing Officer is satisfied that circumstances exist due to which the appellant or applicant at revision has been prevented to be present at the hearing, then before taking the final decision one opportunity of hearing shall be given to the appellant or applicant at revision or any other appropriate action may be taken as deemed fit.

14. Procedure for deciding appeal.— During hearing of appeal signature / thumb impression of both the parties shall be obtained in the order sheet. While deciding the application for appeal the Appellate Officer or the Reviewing Officer shall —

- (i) inspect relevant documents, public documents or copies thereof;
- (ii) hear Designated Officer and the applicant or his authorised representative, as the case may be, at the time of hearing of appeal.

15. Order in first appeal or second appeal.— (1) The order passed in the first appeal or second appeal shall be in writing.

(2) Copy of the order in appeal shall be given to the appellant, Designated Officer or the Appellate Officer, as the case may be.

(3) In the case of imposition of penalty, the reviewing officer shall forward a copy of such order to the authority concerned, with instructions to deduct the amount of fine from the salary/honorarium/remuneration of the Designated Officer or of the Appellate Officer, as the case may be.

(4) In the event of recommendation for disciplinary action against the Designated Officer or the Appellate Officer, as the case may be, the Reviewing Officer shall forward a copy of the order to the appointing authority concerned.

(5) Where the Reviewing Officer makes any amendment in the order of the Appellate Officer, then he shall forward a copy of such order to the Appellate Officer and the Designated Officer and to the appellant.

(6) Where in a revision, the order of the Reviewing Officer is revised or modified, the revising officer shall send the copy of order to the Reviewing Officer and the officers specified in sub-rule (4) and (5).

16. Maintenance of register of cases under the Act.— The Designated Officer, the Appellate Officer and the Reviewing Officer shall maintain a Register of all the cases in Form IV.

17. Liability for furnishing false information to obtain a Public Service.— No person shall submit any application which contain any fact or information, which he knows or has reasons to believe to be false, to obtain any public service, and who furnishes such fact or information may be liable for criminal action under the law for the time being in force.

18. Monitoring and inspection.— The State Government may issue directions from time to time to effective implementation of the provision of the Act, superintendence of the cases filed under the Act and for the inspection of the offices of the Designated Officer, Competent Officer, Appellate Officer, Reviewing Officer and Drawing and Disbursing Officer.

19. Dissemination and training.— The State Government may, to the extent of availability of financial or other resources—

- (i) develop and organize campaigns and programmes to advance the understanding of the public, as to how to exercise the rights contemplated under the Act;
- (ii) encourage public authorities to participate in the development and organization of programmes referred to in clause (i) above and to undertake such programmes themselves;
- (iii) issue guidelines in simple language for employees and members of the public specifying the steps and/or documents required for providing public services, including standard operating procedures.

20. Incentives to employees.— The Competent Authority shall recommend the names of such employees against whom no default is reported in one year to the State Government at the end of a year for awarding cash incentive. The State Government may, by order, determine the criteria for awarding cash incentive.

21. Composition of the Commission.— (1) The West Bengal Right to Public Service Commission constituted by the State Government shall consist of a Chief Commissioner and such other Commissioners as the State Government may decide from time to time.

(2) The Chief Commissioner shall be a retired officer in the rank and status of the Chief or Additional Chief Secretary of the State or Secretary to the Government of India.

(3) The Commissioners shall be retired officers in the rank and status of Secretary of a State or equivalent and or experts in the field of Public Administration or eminent Public figures.

22. Powers of the Chief Commissioner.— (1) The Chief Commissioner shall have powers of general superintendence and direction in the conduct of the affairs of the Commission. The Chief Commissioner shall preside over the meetings of the Commission as well as exercise and discharge the powers and functions of the Commission, as entrusted.

(2) In case of absence of the Chief Commissioner or a vacancy in the office of the Chief Commissioner, the State Government may nominate one of the Commissioners to perform the functions and exercise the powers vested in the Chief Commissioner as long as the vacancy or absence continues.

(3) A Commissioner nominated to discharge the functions and powers of the Chief Commissioner under sub-rule (2) shall not be entitled to any compensation, allowance or facility in addition to what he would be entitled to as a Commissioner.

23. Term of office and conditions of service of Chief Commissioner and Commissioners.— (1) The Chief Commissioner and the Commissioners shall hold office for a term of five years from the date on which they enter upon the respective offices, or until they attain the age of sixty five years, whichever is earlier and they will not be entitled for re-appointment.

(2) If a person already holding an office is appointed as the Chief Commissioner or Commissioner, he shall have to resign or seek retirement from that office before joining the Commission.

(3) The Chief Commissioner or a Commissioner shall, before he enters upon his office, make and subscribe before the Governor an oath of affirmation in Form V.

(4) The Chief Commissioner or a Commissioner may, at any time, by writing under his hand addressed to the Governor, resign from his office. He would also be liable for removal from the office in the manner provided under rule 24 of this rule.

(5) The salaries and allowances payable to and other terms and conditions of service of the Chief Commissioner and the Commissioners shall be the same as those of the State Chief Information Commissioner and the State Information Commissioner respectively as laid down in sub-section (5) of section 16 of the Right to Information Act, 2005. All provision of the aforesaid sub-section shall apply *mutatis mutandis* to the Chief Commissioner and the Commissioners appointed under the Act.

(6) The State Government shall provide the Commission with such officers and employees as may be necessary for the efficient performance of the Commission under this Act, on deputation on usual terms and conditions.

24. Removal and Suspension of the Chief Commissioner or a Commissioner from office in certain circumstances.— (1) The State Government may remove the Chief Commissioner or any Commissioner from office after complying with the provisions of sub-rule (2), if he has —

- (i) been adjudged insolvent; or
- (ii) been convicted of an offence which, in the opinion of the State Government, involves moral turpitude; or
- (iii) become physically or mentally incapable; or
- (iv) acquired such financial or other interest as is likely to affect prejudicially his functions in any of the said capacities; or
- (v) so abused his position as to render his continuance in office prejudicial to public interest.

(2) Notwithstanding anything contained in sub-rule (1), the Chief Commissioner or and Commissioner, shall not be removed from his office, unless,—

- (i) a reference is made by the State Government to the Chief Justice of the High Court of Calcutta seeking an enquiry and recommendation on the proposed removal of the Chief Commissioner or the Commissioner along with the grounds for the removal and material supporting such proposal;
- (ii) the reference is duly enquired into by an inquiry committee headed by a retired High Court Judge or any other person appointed by the Chief Justice of the High Court of Calcutta; and
- (iii) the inquiry committee makes recommendation that the Chief Commissioner or the Commissioner ought to be removed on such ground or grounds.

(3) The State Government may suspend the Chief Commissioner or the Commissioner in respect of whom a reference has been made to the Chief Justice of the High Court of Calcutta under sub-rule (2).

25. Powers and functions of the West Bengal Right to Public Service Commission.— (1) It shall be the duty of the Commission to ensure proper implementation of the Act and to make suggestions to the State Government for ensuring better delivery of services. For this purpose, the Commission may, —

- (a) entertain and dispose of revisions under section 8;
- (b) take *suo moto* notice of failure to deliver service in accordance with this Act and refer such cases for disposal as may be appropriate;
- (c) carry out inspections of offices entrusted with the delivery of services and the offices of the Appellate Officer and the Reviewing Officer;
- (d) recommend Departmental action against any officer or employee of the State Government who has failed in due discharge of functions cast on him under this Act.
- (e) recommend charges in proceedings for delivery of services which will make the delivery more transparent and easier:

Provided that before making such a recommendation the Commission shall consult the Secretary of the Department concerned which is to deliver the service;

- (f) recommend for additional notifications to be notified under section 3 and may also suggest modifications in the notifications already issued for better implementation of the Act.

(2) Where the Commission is satisfied that there are reasonable grounds to inquire into a matter arising out of the provisions of this Act, it may, *suo moto*, initiate an inquiry in respect thereof.

(3) The Commission shall, while inquiring into any matter under this section, have the same powers as are vested in a Civil Court while trying a suit under the Code of Civil Procedures, 1908, in respect of the following matters; namely:—

- (a) summoning and enforcing the attendance of persons, compelling them to give oral or written evidence on oath and producing documents or things;

- (b) requiring the discovery and inspection of documents;
- (c) receiving evidence on affidavits;
- (d) requisitioning any public records or copies thereof from any court or office;
- (e) issuing summons for examination of witnesses or documents; and
- (f) any other matter which the Commission deems necessary.

(4) The Commission may formulate its procedure for the conduct of its business and for any such matter, as the Commission may deem fit.

26. Action by the Government on recommendations of the Commission.— (1) The State Government shall consider the recommendations made by the Commission under clause (d), (e) and (f) of sub-rule (1) of rule 25 and send information to the Commission of action taken within thirty days or such longer time as may be decided in consultation with the Commission. In case the Government decided not to implement any of the recommendations of the Commission, it will communicate the reasons for not acting on the recommendations to the Commission.

(2) The Commission shall prepare an annual report of the recommendations made by it under rule 24 along with the action taken and reasons for not taking action, if any. The State Government shall cause a copy of this report to be laid on the table of the West Bengal Legislative Assembly.

Form I

[see rule 4]

ACKNOWLEDGEMENT

From

.....

..... (The Designated Officer/ Authorised Officer)

To

.....

..... (Name and address of the Applicant)

Sub. — The West Bengal Right to Public Services Act, 2013 — Acknowledgement of application

Ref.— Your application dated

I hereby acknowledge your application cited. Due date of service to be provided is

OR

The following defects in the application may be rectified, urgently:

(Specify defects, if any)

(1)

(2)

Yours faithfully,

Place:

Date:

Designated Officer/Authorised Officer
(Office Seal)

Form II

[see rule 10(1)]

FORM OF APPEAL TO THE APPELLATE OFFICER

Before the (Designation and office address of the Appellate Officer)

.....

..... (Name and address of the Applicant/Appellant)

.....

..... (Name and office address of Designated Officer/Respondent)

1. Date of application :
2. Date of acknowledgement :
3. Date of resubmission of the application :
after rectifying the defects, if any
4. Details of service required :
5. Decision of the designated officer :
6. Eligibility for the service :
7. Stipulated time limit :
8. Grievance (s) :

List of documents enclosed

(1)

(2)

(Please also provide self-attested copy of order of Designated Officer)

Declaration

The particulars given above are true and correct to the best of my knowledge, information and belief.

Dated, this the Day of 20..... (year)

Signature of the Applicant/Appellant.

Form III

[see rule 10(2)]

FORM OF APPEAL TO THE REVIEWING OFFICER

Before the (Designation and office address
of the Reviewing Officer)

.....
 (Name and address of the Applicant/Appellant)

 (Name and office address of the Designated Officer)

 (Name and office address of the Appellate Officer)

1. Date of application :
2. Date of acknowledgement :
3. Details of service required :
4. Decision of the Designated Officer :
5. Decision of the Appellate Officer :
6. Eligibility for the service :
7. Stipulated time limit :
8. Grievance (s) :

List of documents enclosed

1.
2.

(Please also provide self-attested copy of order of Designated Officer and Appellate Officer)

Declaration

The particulars given above are true and correct to the best of my knowledge, information and belief.

Dated, this the Day of 20..... (year)

Signature of the Applicant/Appellant

Form IV

[see rule 16]

REGISTER OF CASES**A. To be maintained by the Designated Officer**

Sl. No.	Date of receipt of application	Name and address of the applicant	Nature of service requested	Date on which application is disposed of. If rejected the reasons there of	Whether service provided in time Yes/No
(1)	(2)	(3)	(4)	(5)	(6)

Sl. No.	Date of receipt of first appeal	Date of acknowledgement of first appeal	Name and address of the applicant	Nature of service requested	Date on which appeal is disposed of. Rejection of the appeal and its reasons	Details of fine, if any, imposed / collected
(1)	(2)	(3)	(4)	(5)	(6)	(7)

C. To be maintained by Reviewing Officer

Sl. No.	Date of receipt of Second appeal	Date of acknowledgement of Second appeal	Name and address of the applicant	Nature of service requested	Date on which application is disposed of. Rejection of the appeal and its reasons	Details of fine, if any, imposed / collected
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Form-V

[see rule 23(3)]

Form of oath or affirmation to be made by the Chief Commissioner/Commissioner of the West Bengal Right to Public Service Commission.

"I, having been appointed Chief Commissioner / Commissioner of the West Bengal Right to Public Service Commission swear in the name of God solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India, that I will duly and faithfully and to the best of my ability, knowledge and judgment perform the duties of my office without fear or favour, affection or ill-will and that I will uphold the Constitution and the laws."

By order of the Governor,

VIVEK BHARADWAJ

Secretary to the Government of West Bengal.

The

Kolkata Gazette
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Published by Authority

ASVINA 5]

FRIDAY, SEPTEMBER 27, 2013

[SAKA 1935

PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1492-L. 27th September, 2013.—The following Act of the West Bengal Legislature, having been assented by the Governor, is hereby published for general information:—

West Bengal Act XVII of 2013

**THE WEST BENGAL RIGHT TO PUBLIC SERVICES
ACT, 2013.**

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Kolkata Gazette, Extraordinary*, of the 27th September, 2013.]

An Act to provide for the delivery of public services to the people of the State within the stipulated time limit and for matters connected therewith and incidental thereto.

WHEREAS it is considered necessary and expedient to enact a legislation to provide for the delivery of public services to the people of the State within the stipulated time limit and for matters connected therewith and incidental thereto;

It is hereby enacted in the Sixty-fourth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title, extent
and
commencement.

1. (1) This Act may be called the West Bengal Right to Public Services Act, 2013.

(2) It extends to whole of the State of West Bengal.

The West Bengal Right to Public Services Act, 2013.

(Sections 2-4.)

(3) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint and different dates may be appointed for different sections.

Definitions.

2. In this Act, unless the context otherwise requires,—

- (a) "Appellate Officer" means an officer appointed or designated by notification by the State Government as Appellate Officer under section 3 of this Act;
- (b) "Commission" means a Commission constituted by the State Government for the purposes of this Act;
- (c) "Competent Officer" means an officer appointed or designated by notification by the State Government;
- (d) "Designated Officer" means an officer appointed or designated by notification by the State Government as Designated Officer under section 3 of this Act;
- (e) "eligible person" means a person who is eligible for services notified by the State Government;
- (f) "notification" means a notification published in the *Official Gazette*;
- (g) "prescribed" means prescribed by the rules made under this Act;
- (h) "Public Authority" means any authority or body or institution of self-government established or constituted—
 - (i) by or under the Constitution;
 - (ii) by any other law made by the State Legislature;
 - (iii) by notification issued or order made by the State Government, and includes any—
 - (A) body owned, controlled or substantially financed by the State Government;
 - (B) non-government organisation substantially financed, directly or in-directly by funds provided by the State Government.
- (i) "Reviewing Officer" means an officer appointed or designated by notification by the State Government as Reviewing Officer under section 3 of this Act;
- (j) "right to service" means right to obtain the service within the stipulated time limit as specified in section 4 of this Act;
- (k) "service" means any service notified by the State Government under section 3 of this Act;
- (l) "State Government" means the Government of West Bengal;
- (m) "stipulated time limit" means maximum time to provide the service by the Designated Officer or to decide the appeal by the Appellate Officer as notified under section 3.

Right to obtain Public Services.

3. (1) Every eligible person shall have the right to obtain Public Services in accordance with the provisions of this Act.

(2) The State Government may from time to time, specify the Public Authority, services to be rendered, Designated Officer, Appellate Officer, Reviewing Officer and stipulated time limit for service by notification in the *Official Gazette* for the purposes of this Act.

Right to obtain service within stipulated time limit.

4. The Designated Officer shall provide the service notified under section 3 of this Act to the eligible person to obtain the service, within the stipulated time limit.

The West Bengal Right to Public Services Act, 2013.

(Sections 5-7.)

Providing service
in stipulated time
limit.

5. (1) Stipulated time limit shall commence from the date when required application for notified service is submitted to the Designated Officer or to a person subordinate to him authorized to receive the application. Such application shall be duly acknowledged through digital/electronic means or otherwise.

(2) The Designated Officer on receipt of an application under sub-section (1) shall within the stipulated time limit either provide service or reject the application and in case of rejection of application, shall record the reasons for not providing service in writing and intimate to the applicant.

Appeal and
Second Appeal.

6. (1) Any person, whose application is rejected under sub-section (2) of section 5 or who is not provided the service within the stipulated time limit, may file an appeal to the Appellate Officer within thirty days from the date of rejection of application or the expiry of the stipulated time limit:

Provided that the Appellate Officer may admit the appeal even after the expiry of the period of thirty days if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) The Appellate Officer may order the Designated Officer to provide the service within the specified period or may reject the appeal.

(3) A second appeal against decision of the Appellate Officer shall lie to the Reviewing Officer within sixty days from the date on which the decision was made:

Provided that the Reviewing Officer may admit the second appeal after the expiry of the period of sixty days if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(4) (a) The Reviewing Officer may order the Designated Officer to provide the service within such period as he may specify or may reject the second appeal.

(b) Along with the order to provide service, the Reviewing Officer may impose penalty according to the provisions of section 7 of this Act.

(5) (a) If the Designated Officer does not comply sub-section (1) of section 5, then the applicant aggrieved from such non-compliance may submit an application directly to the Appellate Officer and the application shall be disposed of in the manner of first appeal.

(b) If the Designated Officer does not comply with the order of providing the service under sub-section (2) of section 6, then the applicant aggrieved from such non-compliance may submit an application directly to the Reviewing Officer and the application shall be disposed of in the manner of second appeal.

(6) The Appellate Officer and the Reviewing Officer shall while deciding an appeal under this section, have the same powers as are vested in civil court while trying a suit under the Code of Civil Procedure, 1908 in respect of the following matters, namely:—

- (a) requiring the production and inspection of documents;
- (b) issuing summons for hearing to the Designated Officer and appellant; and
- (c) any other matter which may be prescribed.

Penalty.

7. (1) (a) Where the Reviewing Officer is of the opinion that the Designated Officer has failed to provide service without sufficient and reasonable cause, then he may impose a penalty which shall not be less than rupees 250 and not more than rupees 1000 .

The West Bengal Right to Public Services Act, 2013.

(Sections 8-11.)

(b) Where the Reviewing Officer is of the opinion that the Designated Officer has caused delay in providing the service, then he may impose a penalty at the rate of rupees 250 per day for such delay on the Designated Officer, which shall not be more than rupees 1000:

Provided that the Designated Officer shall be given a reasonable opportunity of being heard before any penalty is imposed on him.

(2) Where the Reviewing Officer is of the opinion that the Appellate Officer has failed to decide the appeal within the stipulated time limit without any sufficient and reasonable cause, then he may impose a penalty on the Appellate Officer which shall not be less than rupees 250 and not more than rupees 1000:

Provided that the Appellate Officer shall be given a reasonable opportunity of being heard before any penalty is imposed on him.

(3) The Reviewing Officer, if satisfied that the Designated Officer or the Appellate Officer has failed to discharge the duties assigned to him under this Act, without sufficient and reasonable cause, may recommend disciplinary action against him under the service rules applicable to him.

Revision.

8. The Designated Officer or the Appellate Officer aggrieved by any order of the Reviewing Officer in respect of imposing penalty under this Act, may make an application for revision of the order to the officer nominated by the State Government who shall be not below the rank of Joint Secretary to the Government or its equivalent rank, within the period of sixty days from the date of that order, who shall dispose of the application according to the prescribed procedure:

Provided that the officer nominated by the State Government may entertain the application after the expiry of the said period of sixty days if it is satisfied that the application could not be submitted in time for sufficient cause.

Monitoring the status of the application.

9. (1) Every citizen having applied for any citizen related services shall be provided an application number by the department concerned, or local body or Public Authority as the case may be, and shall be entitled to obtain and monitor status of his application through online means or otherwise in accordance with such procedure as may be prescribed.

(2) The department or the local body or the Public Authority, as the case may be, shall maintain status of all applications governing citizen related services online and shall be duty bound to update the status of the same as per the procedure as prescribed by rules in this regard.

(3) To encourage and enhance the efficiency of the Government employees, it shall be lawful for the competent officer to recommend cash incentive not exceeding rupees 1000 in aggregate in favour of a Government employee against whom no default is reported in one financial year. On such recommendation, the Government or the local body or the Public Authority concerned, as the case may be, shall be competent to grant such incentive as it deem fit and proper, not exceeding the amount as recommended by Competent Officer along with certificate of appreciation which shall be duly recorded in his service book.

Deemed service condition.

10. Notwithstanding anything contained in the service condition of Government employees including such employees of local bodies of the Government, Subordinate Offices, Authorities, Companies and Corporations or Public Authorities, they shall be bound by the provisions of this Act.

Display of service and given time limit.

11. The Services and the given time limit shall be displayed locally and on website by the Secretary of the Department concerned or Public Authority for information of the public.

The West Bengal Right to Public Services Act, 2013.

(Sections 12-16.)

Constitution of
Right to Public
Service
Commission.

12. (1) The State Government, if considers necessary or expedient to do so, may, by notification, constitute for the purposes of this Act, a commission to be called the West Bengal Right to Public Service Commission:

Provided that till such time the Commission is not constituted by the State Government, it may, by notification nominate an officer of the State Government, not below the rank of a Secretary to perform the functions and exercise the powers of the Commission under this Act.

(2) The Head Office of the Commission will be at Kolkata or at such place, as the state Government may by notification determine from time to time.

(3) The Commission shall be a body corporate, known by the aforesaid name having perpetual succession and a common seal with power, subject to the provisions of this Act. The Commission may acquire, hold and dispose of property both movable and immovable and to enter in contract and shall, by the said name, sue or be sued.

(4) The powers and functions of the Commission shall be such as may be specified by the State Government by notification in the *Official Gazette*.

(5) The Commission may appoint such officers and employees as it considers necessary for the efficient performance of its function.

(6) The method of recruitment, salary, allowances and the other terms and conditions of service of the officers and employees shall be such as may be prescribed.

Officers to be
public servants.

13. All officers and other persons acting or purporting to act in pursuance of any of the provisions of this act and the rules made thereunder shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

45 of 1860.

Protection of
action taken in
good faith.

14. No suit, prosecution or other legal proceeding shall lie against any person or officer for anything which is in good faith done or intended to be done under this Act or any rule made thereunder.

Power to make
rules.

15. (1) The State Government may, by notification in the *Official Gazette*, make rules to carry out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rule may provide for all or any of the following matters; namely:—

- (a) the format to maintain the record of services;
- (b) the procedure of disposing of an application;
- (c) method of recruitment and the terms and conditions of service of the officers and employees of the Commission;
- (d) salaries, allowances etc. of the officers and other employees of the Commission;
- (e) the procedure for implementing the provisions relating to penalties, compensation and cash incentives; and
- (f) any other matter which is required to be or may be prescribed for the purposes of this Act.

16. (1) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before the State Legislature, while it is in session, for a total period of fifteen days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the State Legislature agrees

Rules and
Notifications to be
laid before State
Legislature.

*The West Bengal Right to Public Services Act, 2013.**(Sections 17-19.)*

in making any modifications in the rule or the State Legislature agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however that any such modification or amendment shall be without prejudice to the validity of anything previously done under that rule.

(2) Every notification made under this Act shall be laid, as soon as may be, after it is made, before the State Legislature.

Power to give
direction.

17. Notwithstanding anything contained in any other law for the time being in force but subject to the provisions of this Act, the State Government may, in the exercise of its powers and performance of its function under this Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions.

Power to delegate.

18. The State Government may, by notification in the *Official Gazette*, delegate, subject to such conditions and limitations as may be specified in the notification, such of its powers and functions under this Act as it may deem necessary or expedient, to any officer or other authority.

Power to remove
difficulties.

19. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, for the purpose of removing such difficulty, by order published in the *Official Gazette*, make such provisions, not inconsistent with the provisions of this Act, as it may deem necessary or expedient:

Provided that no such order shall be made after the expiry of a period of two years from the commencement of this Act.

(2) Every order made under sub-section (1) of this section shall, as soon as may be after it is made, be laid before the State Legislature.

By order of the Governor,

MALAY MARUT BANERJEE,
Secy. to the Govt. of West Bengal,
Law Department.