

PUNJAB VIDHAN SABHA

Bill No. 8-PLA-2014

THE PUNJAB RIGHT TO SERVICE (AMENDMENT) BILL, 2014

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-fifth Year of the Republic of India, as follows :—

1. (1) This Act may be called the Punjab Right to Service (Amendment) Act, 2014. 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, in section 17, in sub-section (1),— Amendment in section 17 of Punjab Act 24 of 2011.

(i) in clause (f), the word “and” shall be omitted ; and

(ii) in clause (g), for the sign “.” appearing at the end, the sign and word “; and” shall be substituted and thereafter the following clause shall be added, namely :—

“(h) while deciding the revision petitions or otherwise impose a penalty up to rupees ten thousand per case on the Designated Officer or any other officer or official involved in the process of providing service under the Act, if the Commission is of the opinion that the person concerned has failed without sufficient cause in due discharge of the duty cast on him :

Provided that the person concerned shall be given a reasonable opportunity of being heard before any penalty is imposed upon him :

Provided further that the Commission, by an order, give such amount as compensation to the appellant out of the amount of penalty imposed, as may be specified by it, which shall not exceed the total amount of penalty so imposed.”.

STATEMENT OF OBJECTS AND REASONS

The department of Governance Reforms 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 redress in case the service is not provided in time, or is denied without good and sufficient reasons. With the passage of time government faced some practical problems which comes due to insufficient powers of penalty to the Commission as per the Act. Presently power of imposing penalty to defaulters is only available to the second Appellate Authority under the Act, which makes the Commission's position weak. Hence the effectiveness of the Commission in ensuring the implementation of the Act in its true spirit was hampered. The Government feels that due to insufficient powers of imposing penalty vested with the Commission, grieved persons may not get justice and the department will also not achieve the objectives as desired.

In order to remove these difficulties, it is proposed to amend the Punjab Right to Service Act-2011 and proposed to insert new clause 17(h) below section 17(1)(g) of Act *ibid* and power of imposing penalty now be available to the Commission also. Hence, the Punjab Right to Service Act (Amendment) Bill, 2014.

SUKHBIR SINGH BADAL,

Deputy Chief Minister,
Punjab.

CHANDIGARH :
The 6th March, 2014.

VED PARKASH,
Secretary.

N.B.—The above Bill was published in the *Punjab Government Gazette (Extraordinary)*, dated the 6th March, 2014 under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly).