



**GOVERNMENT OF ASSAM**  
**ADMINISTRATIVE REFORMS, TRAINING, PENSION & PUBLIC GRIEVANCES**  
**DEPARTMENT**  
**GUWAHATI :: DISPUR :: 06**  
**ORDERS BY THE GOVERNOR**  
**NOTIFICATION**

**Dated Dispur, the 12<sup>th</sup> November, 2021**

No.: **AR.21/2021/31** In exercise of the powers conferred by sub-section (2) of Section 8D of Assam Right to Public Service Act, 2012 (Assam Act No. IX of 2012), the Governor of Assam is hereby pleased to make the following regulations for regulating the procedure and disposal of business, of the Assam State Commission for Right to Public Services, namely: -

**CHAPTER-1**

**Short title,  
commencement  
and application**

1. (1) These regulations may be called "**The Assam State Commission for Right to Public Services Regulations, 2021**".
- (2) They shall come into force on the date of their publication in the Official Gazette.
- (3) Appeals which have already been filed before the date of commencement of these regulations and are found in order and registered before the date of commencement of this regulation shall be proceeded with as before and shall not abate for any infirmity therein. These regulations shall be applicable for all applications which are under process before the Commission.

**CHAPTER-2**

**Definitions**

2. In these regulations unless the context otherwise requires, -
  - (a) "Act" means the Assam Right to Public Services Act, 2012 (Assam Act No. IX of 2012);
  - (b) "Chairman" means the Chairman of Assam State Commission for Right to Public Services;
  - (c) "decision" includes an order, direction or determination of an issue;
  - (d) "Division Bench" means a Bench constituted by the Chairman Commissioner comprising two members sitting together to hear an appeal;
  - (e) "Full Bench" means a Bench constituted by the Chairman comprising more than two Commissioners sitting together to hear an appeal;
  - (f) "member" means the Member of Assam State Commission for Right to Public Services;
  - (g) "record" means the aggregate of papers relating to Revisions;
  - (h) "Registrar" means the Registrar of Assam State Commission for Right to Public Services;
  - (i) "Registry" means a Branch of the Commission dealing with appeal;
  - (j) "regulations" means regulations framed under this Regulations;
  - (k) "representative" means a person duly authorized by or on behalf of any of the parties to the proceedings;
  - (l) "Respondent" includes an intervener or a third party or a party impleaded by the Commission;

- (m) "Single Bench" means a Bench constituted by the Chairman comprising one Member to hear an Appeal;
- (n) Words and expressions used herein and not defined but defined in the Act, shall have the same meanings respectively assigned to them in the Act;

### CHAPTER-3

#### **Meetings of the Commission**

3. (a) The Commission shall meet to consider and decide the matters relating to the transactions of business of the Commission ordinarily once in three months or such earlier case or whenever required at such date, time and place as may be fixed by the Chairman from time to time.
- (b) The meetings of the Commission shall be ordinarily held at the headquarter of the Assam State Commission for Right to Public Services and shall be presided over by the Chairman.
- (c) Chairman and one member shall form quorum at a meeting of the Commission. If there is no quorum at any meeting, the meeting shall be adjourned and in the adjourned meeting, the business of the first meeting shall be conducted irrespective of whether there is quorum or not.
- (d) The meeting as above shall be conducted for improving the functioning of the Commission for speedy and judicious disposal of business.

#### **Matters to be decided by the Commission**

4. The following matters shall be decided by the Commission in its meetings held under these regulations: -
  - (a) Recommendations to the Government under section 8D of the Act;
  - (b) Amendments to these regulations;
  - (c) Any other matter with the approval of the Chairman not inconsistent with the provisions of the Act;
  - (d) Matter related to employees of the Commission not covered under the Service Rules;

#### **Record of Minutes**

5. The minutes of the meeting of the Commission shall be recorded in writing and signed by the Presiding Officer and shall be kept in the Proceedings Book. Copy of such proceedings shall also be circulated for information of the members as soon as possible after the meeting.

### CHAPTER – 4

#### **Officers of the Commission and their functions**

#### **Appointment of Registrar**

6. The Registrar of Assam State Commission for Right to Public Services shall be appointed by Government for the purpose of discharge of various functions of the Commission.

#### **Powers and functions of the Registrar**

7. (a) The Registrar shall be the Officer representing the Commission to consider Appeals.
- (b) The Registrar shall discharge her/his functions under the administrative control and superintendence of the Chairman.
- (c) All records of the Commission pertaining to Appeals and legal issues shall be in the custody of the Registrar or the person assigned this duty by her/him.
- (d) The office of the Registrar may receive all appeals, applications, complaints, counter statements, replies and other documents.

- (e) The Registrar shall decide all questions arising out of the scrutiny of the Appeals filed in the Registry before the same are registered.
- (f) The Registrar shall sign the notice for the date of hearing fixed by respective Bench for communication to both the parties.
- (g) The Registrar shall communicate the decisions, orders or directions of the Commission to the concerned person/persons, and all such communications signed or authenticated by the Registrar or under his authority shall be deemed to be the communication from the Commission.
- (h) The Registrar shall exercise all such powers and shall discharge all such functions as are assigned to him by these Regulations or such duties as may be assigned by the Chairman.
- (i) The Registrar shall make work allotment among the staff and issue necessary order to this effect.

## **CHAPTER 5**

### **Appeal Management**

#### **Receipt / Processing / Disposal of Appeals**

8. (a) Applications for second appeal to the Commission may be in manual mode or in an online mode and shall be made in the FORM-I and FORM-I(A) appended to these regulations for offline mode and online mode respectively.
- (b) Appeals sent through Post shall also be accepted in the Office of the Commission and an acknowledgement shall be sent to the appellant.
- (c) An Official designated by the Registrar shall maintain the records of the appeals and prepare a database of it.
- (d) A physical file shall be created for each Appeal and be maintained district wise in a defined space in the Commission's Office.
- (e) Applications submitted online in the ARTPS Portal shall be downloaded along with the enclosures and shall be kept in a file (Case record). A file shall be created against these appeals and processed accordingly.
- (f) Notices shall be generated /prepared through the system and served to the Designated Public Servants (DPSs) and Appellants either online or through Post, Office of the Deputy Commissioner concerned.
- (g) Notices shall be generated as per Form-II and Form-III appended to these regulations.
- (h) Acknowledgement of receipt of Notices served on the DPS and Appellant shall be kept in the concerned case file and produced during the course of hearing.
- (i) Orders/proceedings shall be recorded in the order-sheet as per procedure of Civil Court.
- (j) The decision or orders of the Commission shall be communicated as per provisions of the Assam Right to Public Services Rules under the signature of the Registrar.

#### **Use of Computerised System**

9. The Commission, to the extent possible, shall use computerised system for receipt of appeals online and maintenance of records thereof. The computerised online system shall have the following features, namely: -
  - (a) Citizen shall apply online for first appeal and second appeal and shall upload required documents in the website.
  - (b) Acknowledgment of receipt of the appeal shall be auto generated. If the appellant provides email, then a copy of the

acknowledgement shall be sent through the email.

- (c) Acknowledgement of the Appeal shall be provided to the appellant through SMS.
- (d) \*There shall be a **DASHBOARD** in the system for Appellate Authorities and shall contain the following features -
  - (i) *generation of Cause List,*
  - (ii) *view list of pending appeals,*
  - (iii) *uploading next date of hearing,*
  - (iv) *generation of various notices as per defined format,*
  - (v) *uploading of Served notices and Orders of the Appellate authority,*
  - (vi) *search option for citizens as well as for Appellate Authorities to find case details, disposed case details, pending case details,*
  - (vii) *generation of reports month wise, year wise etc the status of the case as regards to the next date of hearing, uploading of the final orders, amount of penalty imposed time to time.*
- (e) The system shall have an interface for the citizens -
  - (i) *to find status of the appeal,*
  - \* (ii) *to generate Orders of the Appellate Authority,*
  - (iii) *to Submit feedback/comments/complaints, etc.*
- (f) The Official Designated (OD) shall be responsible to put up the cases to the Commission for hearing. She/ He shall also record the contents in the order sheet as dictated by the Commission.

**Procedure of  
Service Delivery**

- 10. (a) All Office memorandum/Notifications issued by Government or Councils in respect of procedures for delivery of services shall be kept department wise by an Official Designated as identified by the Registrar.
- (b) Commission shall hold meetings as and when felt necessary with all concerned departments to discuss on the process and procedures of each service.
- (c) Commission shall obtain opinions, comments on the delivery process and take up for study through expert people in the field and collect opinion for any change.
- (d) \*Commission shall have discussion with stakeholder departments and come up with recommendations to be sent to the Government for implementation.

**Steps to improve  
Service Delivery**

- 11. (a) Commission shall collect from the Deputy Commissioners, information related to service delivery i.e. Status of Public Facilitation Centres (PFCs), availability of Staff in the PFCs as well as in the back Office, and Display of Information as required under the Act
- (b) The Commission shall come up with suggestions /recommendations and communicate to the Public Authorities to improve the service delivery scenario.
- (c) The recommendation may include suggestions for improvement in Infrastructure in the PFCs, providing minimum civic amenities, putting adequate manpower in the Public Facilitation Centres etc.



**Recommendation 12.  
for disciplinary  
action against  
erring officials**

- (a) Commission shall monitor the implementation of the recommendations communicated to the State Government and the competent authorities from time to time.
- (b) Commission, if it deems proper, shall inform the State Government over non-implementation of the recommendations by the Competent Authorities in respect of disciplinary action.

By order and on behalf of the Governor of Assam



(ARCHANA VARMA, IAS)

Principal Secretary to the Govt. of Assam  
Administrative Reforms, Training, Pension and  
Public Grievances Department

**Memo No. AR.21/2021/31-A**

**Dated Dispur, the 12<sup>th</sup> November, 2021**

Copy forwarded to: -

1. All Additional Chief Secretaries to the Govt. of Assam
2. All Principal Secretaries to the Govt. of Assam.
3. All Commissioner and Secretaries to the Govt. of Assam.
4. All Commissioners of Divisions, Assam.
5. The Accountant General, Assam, Maidamgaon, Beltola, Guwahati-29.
6. The Chairman, Assam Administrative Tribunal, Guwahati-781001
7. The Staff Officer to the Chief Secretary, Assam, Dispur.
8. The Principal Private Secretary to the Chief Minister, Assam, Dispur.
9. State Project Director, ARIAS Society, Agriculture Complex, Khanapara-22
10. The Registrar, Assam Administrative Tribunal, Guwahati-781001
11. All Departments of Assam Secretariat.
12. All Heads of Departments.
13. All Deputy Commissioners /Sub-Divisional Officers.
14. The Secretary to his Excellency, the Governor of Assam, Guwahati-4.
15. The Private Secretary to all Ministers / Minister of State / Parliamentary Secretary, Dispur.

By order etc.,



Joint Secretary to the Govt. of Assam  
Administrative Reforms, Training, Pension and  
Public Grievances Department

**FORM-I**  
**(Form for appeal Application)**

<b>Name of Appellant</b>	
<b>Village/Ward No</b>	
<b>District</b>	
<b>Police Station</b>	
<b>Phone No</b>	
<b>Email (if Any)</b>	
<b>Name of Designated Public Servant /Appellate Authority</b>	
<b>Address of Designated Public Servant /Appellate Authority</b>	
<b>Ground of Appeal</b>	
<b>Relief Sought for</b>	
<b>RTPS Acknowledgement (If any)</b>	
<b>Date of Application for the service</b>	

Signature of Appellant

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**Form – I (A)**

**Form for Second Appeal to be filled online**

1) Name and Address of the Applicant preferring first/second appeal.	(2) Name and Address of the Designated Public Servant of Appellate Authority	(3) Particulars of the orders against which the first/second appeal has been preferred.	(4) Ground for first or second appeal and relief sought for.
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Sl no.	Information to be provided in the format	
1	Name of Appellant	
2	Address (Village/Ward, Post Office, PIN)	
3	Gender (M/F/Others)	
4	Mobile Number, Email (if any)	
5	Name of Designated Public Servant and Appellate Authority	
6	Address of Designated Public Servant and Appellate Authority	
7	Name of Service for which applied	
8	Date of application on which the application was submitted	
9	Details of Order of Designated Public Servant and Appellate Authority	
10	Ground/Reason of Appeal	
11	Relief Sought for	
12	Index of documents attached	

**Govt of Assam**  
**FORM-II**  
**Notice to Appellant**  
**[Under section 8 (2) of the ARTPS Act]**

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No AAT/

To ..... (Name of Appellant)  
..... Address:

**Sub: Hearing against your Appeal Petition No: ..... date: .....**

Whereas this office has received an appeal against ..... submitted by you on .....  
and an appeal case has been registered in this office Vide No..... under Section 8 of ARTPS  
Act;

And whereas the matter will be taken up for hearing on ..... in the presence of  
the appellant and the respondent by the Commission;

Now therefore, you are hereby asked to attend the hearing at 11:00 hours on the said  
date with all documents in support of your appeal in the Office of the Assam State  
Commission for Right to Public Services, Guwahati and to submit explanation as to why your  
claim for relief shall not be rejected by the Commission.

Given under my hand and seal

Registrar  
Assam State Commission for  
Right to Public Services

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Govt of Assam  
FORM-III  
Notice to Designated Public Servant  
[Under Section 9(2) of ARTPS Act]

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No AAT/

To ..... (Name of DPS)  
..... Address:

Sub: Hearing against your Appeal Petition No: ..... date: .....

Whereas this office has received an appeal from (*name of appellant*) against you on ..... and a case has been registered in this office Vide No ..... under Section 8 of ARTPS Act,

And whereas the matter will be taken up for hearing on ..... in the presence of the appellant and the respondent by the Commission,

Now therefore, you are hereby asked to attend the hearing at 11:00 hours on the said date in the Office of the Assam State Commission for Right to Public Services, Guwahati with all documents and to give reason as to why action will not be taken against you as per provision of ARTPS Act .

Given under my hand and seal

Registrar  
Assam State Commission for  
Right to Public Services

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