



ABSTRACT

MGNREGA – Establishment of the office of the Ombudsman for redressal of grievances under Mahatma Gandhi National Rural Employment Guarantee Scheme - Appointment of Ombudsman – Procedure for Selection, Qualification, Tenure, Territorial Jurisdiction etc., - Prescribed - Orders – Issued.

Rural Development and Panchayat Raj (CGS.1) Department

G.O.(D) No.375

Dated: 27.7.2010

Read:

1. Government of India, Department of Rural Development, Ministry of Rural Development letter No.J.11011/21/2008-NREGA, dated 7.9.2009.
2. From the Director of Rural Development and Panchayat Raj letter Rc. No.62826/2009/NREG1-1, dated 11.7.2010.

ORDER:

In the order first read above, Government of India had asked the State Governments to establish the office of Ombudsman in the Districts for redressal of grievances under MGNREGS in a time bound manner and also appoint an Ombudsman.

2. In the letter second read above, the Director of Rural Development and Panchayat Raj has stated that strenuous efforts are being made to ensure transparency and accountability at all levels in the implementation of the MGNREG Scheme, through various means like conduct of regular Gram Sabha, Social Audit by Social Audit Committee, installation of Toll Free Help Line “1299”etc.,. To further strengthen monitoring and ensuring greater transparency and accountability, in the implementation of MGNREGS, it is necessary to create a system of Ombudsman as suggested by the Government of India and accordingly sent a detailed proposal indicating the Procedure to be followed in the Appointment of Ombudsman, Formation of the Selection Committee, Qualifications for applicants, Methodology of selection of Ombudsman, Tenure, Remuneration, Territorial Jurisdiction, Location of Office, Technical and Administrative Support etc., He has also stated that the territorial jurisdiction of each Ombudsman shall be determined taking into account the number of Village Panchayats in the District, number of complaints received by the District Collector. Based on this, he has suggested that considering the large number of Village Panchayats in certain districts, an Ombudsman per District may be appointed for Cuddalore, Villupuram, Vellore and Tiruvannamalai Districts. In respect of other Districts one Ombudsman may be appointed for a cluster of Districts. He has requested orders of Government on the proposal.

3. The Government after careful examination of the proposal of the Director of Rural Development and Panchayat Raj accept the proposal and issue the following orders:

- (1) In Tamil Nadu, for redressal of grievances under MGNREGS the office of Ombudsman shall be created in each District or for cluster of Districts as indicated in the annexure to this order.
- (2) The Ombudsman shall be selected by a Selection Committee which shall consists of the following members:

- (a) Chief Secretary, Government of Tamil Nadu : **Chairperson**
- (b) Principal Secretary to Government, Rural Development and Panchayat Raj Department, Tamil Nadu. : **Member-Convenor**
- (c) Prof. Virginius Xaxa, Rajiv Gandhi Chair (NEHU), Delhi School of Sociology. Eminent Civil Society Person : **Member**
(nominated by Government of India)
- (d) Shri. Amarjeet Banga, Director, SGSY. Representative, Ministry of Rural Development : **Member**
(nominated by Government of India)
- (e) The Director of Rural Development and Panchayat Raj, Chennai-15. : **Member**

- (3) The following Qualifications shall be prescribed for the selection of Ombudsman:

- (a) The selection of Ombudsman may be made from among persons of eminent standing and impeccable integrity with at least twenty-five years of experience in public administration, law, academics, social work or management.
- (b) He/She should hold a degree from any recognized university.

- (c) No person who is a member of a political party shall be considered for appointment as Ombudsman.
- (d) He/She should not be insane /of unsound mind.
- (e) He/ She must be physically active and capable of conducting field tours, inspections and visits to remote rural locations in the districts.
- (f) He/She should not have been declared as insolvent nor should there be any case, either civil or criminal, pending against him/her in any court.
- (g) He/She should not have any subsisting interest in any of the three tiers of Panchayat Raj Institutions or Rural Development related issues.
- (h) He/She should not have been convicted by any Court of Law.

(4) The following procedure shall be followed for appointing the Ombudsman:

- I. "Expression of Interest" shall be invited from willing persons to be appointed as Ombudsman by advertisement through one Tamil and one English Newspaper.
- II. The Selection Committee shall prepare a panel of suitable persons for consideration of Government for appointment as Ombudsman.
- III. Prior to appointment, the panel prepared by the Selection Committee shall be published on the official website (www.tnrd.gov.in) to invite comments from the public.
- IV. On expiry of 30 days of publication, the comments shall be examined by the Selection Committee.
- V. All comments and objections shall be settled within 30 days of the date of expiry of the period for inviting comments. Anonymous comments and objections need not be considered.

(5) The Ombudsman shall be appointed for a tenure of two years which may be extendable by one year based on performance appraisal or till the incumbent attains the age of 65 years, whichever is earlier. There shall be no reappointment. Performance appraisal shall be made by the Selection Committee. A copy of the performance appraisal report shall be furnished to the State Employment Guarantee Council.

(6) No Remuneration except a compensation of Rs.500/- per sitting is allowed.

- (7) The Districts of Cuddalore, Villupuram, Vellore, Thiruvannamalai are sanctioned one Ombudsman for each District and in respect of other districts one Ombudsman shall be appointed for a cluster of districts as indicated in the Annexure.
- (8) The office of MGNREGS Ombudsman shall be located at the District Head Quarters or in the nodal District Head Quarters in the case of cluster of Districts as the case may be as shown in the Annexure.
- (9) Technical and administrative support shall be provided for the Ombudsman by the District Rural Development Agency concerned.

(BY ORDER OF THE GOVERNOR)

K. ALLAUDIN
PRINCIPAL SECRETARY TO
GOVERNMENT

To
The Director of Rural development and Panchayat Raj, Chennai-15.
The Secretary, Government of India, Ministry of Rural Development,
Krishi Bhavan, New Delhi-110 114.
Shri.Amarjeet Banga,
Director (SGSY),
Government of India, Ministry of Rural Development,
Krishi Bhavan, New Delhi-110 114.
Prof.Virginus Xaxa,
Rajiv Gandhi Chair (NEHU),
Delhi School of Sociology. New Delhi.
All Collectors (except Chennai)
All Project Directors, District Rural Development Agency.
The Director, State Institute of Rural Development,
Maraimalai Nagar, Kancheepuram District.

Copy to:

The Private Secretary to Chief Secretary, Chennai-9
The Private Secretary to Principal Secretary, Rural Development and
Panchayat Raj Department, Chennai-9.

/forwarded//by order/

SECTION OFFICER.