

File No. J-17060/117/2013- SGSY-II (SP)
Government Of India
Ministry of Rural Development
Department of Rural Development
(DDU-GKY Division)

Dated: 14th September, 2016

Notification No: 44/2016

Sub: Procedure for dealing with Complaints / Defaults - Clarifications reg.

Complaints Management

(a) Complaints Handling Procedure was notified on 14.08.2015 to deal with complaints received from individuals / organizations pointing out deficiencies in implementation of training and placement projects under DDU-GKY by the Project Implementing Agencies.

(b) In accordance with the above procedure only those complaints which pertain to violation of the guidelines/terms and conditions of sanction, MOU/agreement signed between PIA, CTSA, State Government and MoRD or criminal activity are taken up for review by the Ministry . Further, complaints that pertain to individual contracts between the PIA and their employees or vendors or outsourced agencies are not entertained as they are based on internal arrangements and redress may be sought by the aggrieved parties in terms of their respective contracts. However, copies of such complaints are maintained in the Ministry and the Ministry retains the right to suo-motu take cognizance of such complaints, for further investigation in the interest of ensuring program outcomes. For instance complaints on non -payment of rent or salaries to staff could affect the quality and timelines of outcomes and therefore, there could be a case of investigation, on a case to case basis .

(c) Complaints regarding candidate entitlements are investigated with reference to PFMS as well as CTSA audits as per SOP and further investigation undertaken based on learning from such reports.

(d) All decisions on complaints are taken with the concurrence of JS.

(e) Further in respect of complaints received in respect of DDU-GKY projects sanctioned by the Annual Plan (AP States) or projects sanctioned as YP (Year Plan) by the Ministry and subsequently transferred to States on their transition to AP States, the following actions are proposed.

(i) All complaints received in respect of AP States to be forwarded to the concerned States with copy to CTSA.

(ii) AP States to investigate, in general, as per the Complaints Handling Procedure notified by the Ministry vide notification dated 14.08.2015. However, if complaints against a PIA are many and from many quarters and the PIA performance in general is poor, AP States may take up such complaints for investigation even if they fail in adequate evidence or records . A list of such complaints forwarded to be maintained by the Under Secretary, in the complaints -related file and submitted on a weekly basis to JS.

(iii) Further, States may also evolve their own procedures for Complaints Handling augmenting or enhancing the current process with the approval of competent authority.

(iv) States need not provide an ATN on all cases except where ATN is specifically sought by MoRD .

(v) MoRD, with the concurrence of JS, may take up such complaint cases for further investigation through the State or CTSA or by itself, based on an assessment of the grievances , general performance of PIA and other related aspects.

Default Management

The procedures for handling Defaults was notified on 27.06.2016 to deal with defaults / deviations pointed out by CTSA, SRLM, Surprise Inspection Teams of MoRD and State Govts with reference to SOP / DDU-GKY guidelines in implementation of the projects under DDU-GKY by the Project Implementing Agencies.

As per the Default Management Process:

(a) Default Management involves in general two advisory as yellow and red alert by CTSA on deviations and if not addressed, result in show cause and penalties as minor and major.

(b) Defaults such as diversion of funds, fraudulent practices, persistent defaults, actions that affect the safety of the candidates, the competent authority may decide to impose penalty suo-motu on a PIA. In such cases, penalty will be imposed directly on the PIA without issuance of any Alert or Notice. However the PIA will retain the right to appeal against the penalty, and the appeal process will be followed.

(c) In respect of YP projects, now approved as AP, pending transfer of these projects to AP States, the following procedures will be followed:

(i) Where defaults are under process in the Ministry the same may be resolved by the Ministry until transfer is effected as per notification and;

(ii) New defaults if any , received from CTSA be referred to the State for further action as per the SOP.

This issues with the approval of the Competent Authority.



S.B Tiwari

Under Secretary to the Government of India

Copy to:

- 1) All Secretaries (in –charge) of Rural Development in State Governments.
- 2) All State Nodal Agencies for Skill / SRLMs
- 3) All Registered Project Implementing Agencies (PIAs)
- 4) Vice President, NABCONS
- 5) Executive Director, NIRD
- 6) Project Director, NIRD
- 7) All officials in DDU-GKY Division, MoRD
- 8) Guard File
- 9) Shri Rabindra Kesari- for uploading the notification on the website.