

Chapter 6

Grievance Redressal Mechanism and Monitoring

6.1 Introduction

As per NFSA, the following system has been evolved to monitor and redress grievances.

- i) As per Section 14 of the NFSA, every State Government shall put in place an internal grievance redressal mechanism which may include toll free call centres, State web portal, help lines, designation of nodal officers or such other mechanism as may be prescribed.
- ii) As per Section 15 of the NFSA, the State Government shall appoint or designate an officer to be District Grievance Redressal Officer (DGRO) for each district for expeditious and effective redressal of grievances of the aggrieved persons in matters relating to distribution of entitled foodgrains under TPDS and prescribe the qualification, power, terms and conditions of the office of the DGROs.
- iii) As per Section 16 of NFSA, for the purpose of monitoring and review of implementation of NFSA, every State shall, by notification, constitute a State Food Commission (SFC). Further as per sub-Clause 8 under Clause 11 of TPDS (Control) Order, 2015 an appeal against the order of the DGRO shall be preferred before the SFC constituted under NFSA.

6.2 State-wise status

A test check of the records in the sample States indicated that the States were at varied levels of preparedness in implementing provisions of NFSA relating to grievance redressal mechanisms, as shown in Table 6 :

Table 6: State-wise position of Internal Grievance Redressal, appointment of District Grievance Redressal Officers and Constitution of State Food Commission

State	Internal Grievance Redressal	District Grievance Redressal Officer	State Food Commission
Assam	The State Government reported about launching of toll free numbers. However, the numbers were not found to be active. Similarly online registration of complaint and SMS alerts were not found to be active.	The State Government designated the Additional Deputy Commissioners (Development) of the districts as DGROs in February 2014 for all districts of the State. However, the qualification, power, terms and conditions of the office of the DGROs and allowances had not been prescribed in the notification.	The State Government designated (February 2014) the Assam State Woman Commission as SFC as an interim measure and a regular SFC was yet to be constituted as of June 2015.
Bihar	Toll Free number has been operationalized for registering complaints. However, the details of complaints received and addressed were not made available to audit. SMS facility was not started. Appointment of nodal officer was notified but no work was observed to have been done.	Additional District Magistrates (ADMs) were designated as DGRO (February 2014). Posts of its support staff were created in April 2015.	The State Government constituted State Food Commission in January 2014. However, it was not functioning as posts of its support staffs were created in April 2015.
Chhattisgarh	Internal Grievance redressal mechanism was in existence. During the period 2010-11 to 2014-15, the State Government received 7170 complaints out of which 1218 complaints were pending for three months to five years.	The State Govt. designated Collector of every district as a DGRO. However, the rules and regulations regarding functioning of DGRO were not notified.	The State Government designated the Chhattisgarh State Consumer Dispute Redressal Commission to exercise the powers and perform the functions of the State Food Commission. However, the appointment of members of the State Food Commission was not done (June 2015).

State	Internal Grievance Redressal	District Grievance Redressal Officer	State Food Commission
Delhi	Toll Free number has been operationalized for registering complaints	In one of the two test checked districts, District Grievance Redressal Officer was not appointed till June 2015.	The State Government designated (July 2013) Public Grievance Commission (PGC) as State Food Commission as an interim measure. Regular SFC was yet to be constituted as of June 2015. However, no work related to functioning of State Food Commission was observed to have been done in the state.
Himachal Pradesh	Toll Free numbers have been operationalized for registering complaints	The State Govt. had appointed a DGRO in each district.	SFC had not been constituted in the State as of October 2015.
Jharkhand	Toll Free number has been operationalized for registering complaints. Facility to lodge complaint was available in portal with auto escalation of grievances.	The State Government nominated Additional Collector of the district as District Grievance Redressal Officer in May 2015 but no work related to grievance redressal was observed in district and block levels in the sample districts.	State Food Commission was not constituted in the State as of July 2015.
Karnataka	Toll Free number has been operationalized for registering complaints	DGROs have not been appointed by the State.	The State Government constituted (May 2014) an SFC. However, no work related to functioning of State Food Commission was observed to have been done in the State.
Maharashtra	Toll Free number has been operationalized for registering complaints	Government of Maharashtra designated (January 2014) the District Collector as the DGRO of the respective districts.	The State Government decided (January 2014) to establish a committee headed by Secretary, Food, Civil Supply and Consumer Protection Department.
Uttar Pradesh	Toll Free number has been operationalized for registering complaints. However, unresolved complaints were not escalated to higher authority for redressal.	Appointment of DGRO was yet to be made.	State Food Commission was not constituted as of May 2015.

6.3 Vigilance Committees

As per Section 29(1) of the NFSA, for ensuring transparency and proper functioning of the TPDS and accountability of the functionaries in such system, every State Government was to set up Vigilance Committees (VCs) at the State, District, Block and FPS levels. Further, this has also been mentioned in Sub-clause (6) under Clause 11 of TPDS (Control) Order 2015. The State Governments had to send a report annually to the Central Government on the functioning of vigilance committees. The status of vigilance committees is given in Table 7].

Table 7: State wise status of Vigilance Committee

States	Status of Vigilance Committee
Assam	The State Government has constituted State level vigilance committee and vigilance and monitoring committee at district/block and circle level in August 2014. However details of irregularities detected and observations made by the vigilance committees were not found on records in the test checked districts.
Bihar	Records showed that State level vigilance committee was constituted and only one meeting was held up to March 2015. In test checked districts, district level VC was constituted only in Muzaffarpur district and in two blocks, but no meeting was held. The VC was not constituted in any panchayat/ward level in all test checked blocks.
Chhattisgarh	Though the order for constitution of VC was issued, records relating to minutes of meetings of the VC were not found maintained.
Delhi	State level Vigilance Committee was not set up and two committees constituted at the district level were found to be non-functional.
Himachal Pradesh	Vigilance Committees at the State level and in all the 12 districts of the State were formed. No meeting of VC was, however, convened at the State level between September 2013 and March 2015. However, such committees in 77 blocks as per the norms of NFSA had not been constituted as of June 2015.

States	Status of Vigilance Committee
Jharkhand	District level Vigilance Committee was formed in Giridih district only and in only 18 out of 49 Block level Vigilance Committees were formed.
Karnataka	Set up in 14 out of 30 districts. However, copy of the minutes of meetings was not furnished to audit and hence their effectiveness in discharging the duties could not be verified in audit.
Maharashtra	State level committee was set up but only two state-level meetings of Vigilance Committee were conducted during 2013-15.
Uttar Pradesh	Vigilance committees were not set up at any level.

It was observed that no state government had submitted annual reports to the Ministry under the aforesaid Control Order. It was also noted that Ministry issued online formats to States for submission in September 2015 only.

Ministry stated the information from most of the States/UTs on functioning of vigilance committees was awaited in the prescribed format under the TPDS (Control) Order, 2015.

6.4 Monitoring by the States

As per Clause 8 of the TPDS (Control) Order, 2001 read with paragraph 6 of the annexure, the State Governments shall ensure regular inspections of fair price shops not less than once in six months by the designated authority. State Governments may issue orders specifying the inspection schedule, list of check points and the authority responsible for ensuring compliance with the said orders. State wise status is as under:

Table 8: Status of monitoring in the States

State	Status
Bihar	Records indicated that the frequency of physical verification by State Government departments responsible for food and civil supplies were not as per prescribed schedule under TPDS Control Order but was occasional.

State	Status
Chhattisgarh	As per the prescribed procedure, a Truck Challan (TC) generated by the system contained a <i>Panchnama</i> a format for reporting that the delivery of correct quantity and quality of foodgrains had reached the FPS. The date of receipt to FPS is to be written and attested by the members of Vigilance Committee (VC) on <i>Panchnama</i> . However it was found that the date of receipt of foodgrains on <i>Panchnama</i> and signature of members of VC were missing in several cases.
Jharkhand	For proper monitoring, inspection by an officer at each level was fixed (February 2013) by the department. In sampled districts, inspection was not carried out by District Supply Officer (DSO) as no records regarding inspections were available in the office. In reply, it was stated by the DSOs that the due to shortage of Block Supply Officers/Marketing Officers the required inspections were not carried out.
Maharashtra	Government directed (April 2001) that the district officials from Supply Inspector to Additional Collector were required to inspect FPSs in six months. In seven out of eight test checked units ¹⁸ the shortfall in inspection of FPSs ranged between 2.39 percent (Mumbai Region) and 73.09 percent (DSO, Pune) during the period 2012-15. Further as per the Government orders of April 2005, Supply Inspectors were to verify at least 50 ration cards along with FPS inspections by calling the beneficiary or by conducting home visit. Verification of the stipulated minimum of 50 ration cards was not done in any of the eight tests checked units.

6.5 Role of the Ministry

Under Clause 11 of TPDS (Control) Order, 2015, the Ministry monitored the grievance redressal mechanism by requiring the States/UTs to report at the end of each quarter the number of unsettled/outstanding grievances at the level of call centres, State portal and DGRO.

A test checks of records at the level of the Ministry it was observed that no State/UT submitted quarterly report to the Ministry under aforesaid Control Order. It was also noted that Ministry had initiated online formats to be furnished by the States only in September 2015.

¹⁸ DSO Aurangabad, Nagpur, Thane, Pune, Pune, FDO Pune and Dy. Controller of Rationing F Region Thane

Ministry stated that information related to handling of grievance redressal mechanism had been received from 4 State/UTs and remaining states were yet to submit the same.

Conclusion

The grievance redressal system was constituted in most of the states, albeit not till the last tier. Though, six out of nine selected States/UTs were found to have put in place the grievance redressal mechanism, these were not fully functional. Vigilance committees were found to be constituted only at few districts/blocks in the selected States/UTs. Further, due to non-availability of information on grievance redressal mechanism and vigilance committees, Ministry was not in position to monitor the implementation of the same in all the States/UTs. Monitoring done by the States was not found to be satisfactory as either there were no inspections or less than targeted inspections.

Recommendation

The Ministry may put suitable mechanism in place to ensure that States comply with provisions of the NFSA with regard to the grievance redressal mechanism and vigilance committees at various levels and ensure their effective functioning. It may also ensure compliance of the TPDS (C) Order 2015 by collecting quarterly reports from the States/UTs..

New Delhi
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Dated: 23 DEC 2015


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