

BIHAR

RIGHT TO **PUBLIC GRIEVANCE**
REDRESSAL ACT



EMPOWERING CITIZENS



NITISH KUMAR
Chief Minister, Bihar

MESSAGE

Our inspiration, Lok Nayak Jai Prakash Narayan gave a clarion call for Sampurna Kranti (Total Revolution) on June 5th. The State government chose this day to implement the right to Bihar Public Grievance Redressal Act as a revolutionary initiative to resolve public problems and grievances. I am very pleased to find that not only have the number of redressals under the Act crossed the 3,00,000 mark, but also that there has been continuous improvement in the process of implementation and monitoring. Some of these results I have witnessed personally while on my Yatras to the districts and, noticed greater trust and satisfaction amongst the people in this Act. Serious and complex grievances of different nature are being redressed smoothly through this Act. This is helping in improved public service delivery and making the government citizen centric. It shows the commitment of the State government towards 'development with justice - progress with

righteousness'. On the second anniversary of the implementation of the Act, Bihar Prashasanik Sudhar Mission Society is publishing a book. I sincerely hope that the awareness of the people about this Act will increase and this innovative experiment of Bihar will get national and international recognition. I take this opportunity to congratulate the personnel of Bihar Prashasanik Sudhar Mission Society who continue to work tirelessly and with great enthusiasm. My congratulation and best wishes to the entire team of Bihar Prashasanik Sudhar Mission Society and all the personnel engaged in the implementation of this Act, who, with continuous enthusiasm and loyalty, are striving to provide comfort and convenience to all the sections of the society, especially the poor.

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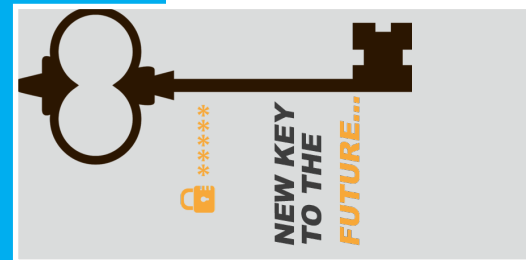
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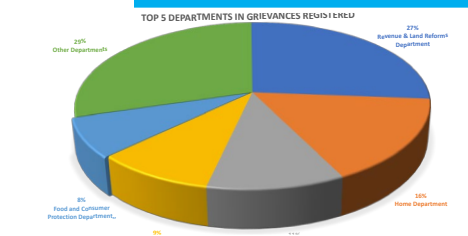
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CITIZEN-CENTRIC GOVERNANCE



APART FROM DEVELOPMENT, THE THREE PILLARS OF CITIZEN-CENTRIC GOVERNANCE ARE: THE RIGHT TO INFORMATION; THE RIGHT TO PUBLIC SERVICES; AND THE RIGHT TO PUBLIC GRIEVANCE REDRESSAL

Good and Citizen-centric governance rests at least on three pillar The Right to information, time-bound delivery of public services and redressal of public grievances.

The Right to Information Act 2005 ensured that citizens across the country could approach various arms of the central and state governments and demand as a right, information related to their queries.

About 20 state governments have passed legislation providing a legal right to citizens for delivery of time-bound services. Bihar was one of the pioneers with its Right to Public Services (RTPS) Act 2011. The first state to implement an end-to-end MIS, Bihar was the source of inspiration for many states.



GOOD GOVERNANCE

THE RIGHT TO

- Information
- Public Services
- Public Grievance Redressal

The third aspect of governance, grievance redressal has seen various reforms by state and central governments, mainly based on two concepts: one of a public hearing and another of using information technology for process monitoring. The main weakness of these systems were that the systems were fairly insular and remained within the hierarchies of departments.

All these have undergone a radical change in Bihar with the implementation of the Right to Public Grievance Redressal Act since June 2016.



Public **GRIEVANCE** REDESSAL

01

A JIGSAW PUZZLE

02

SLOW PROCESSING

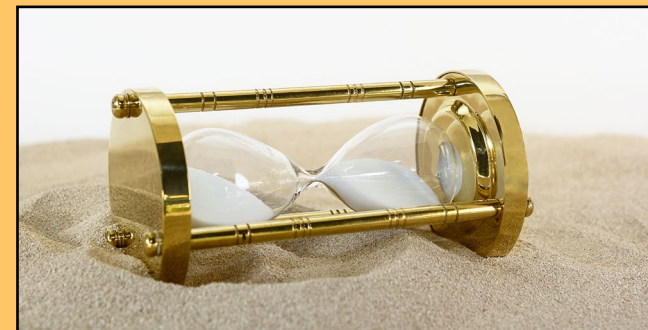
C H A L L E N G E S

SORRY, WRONG DOOR



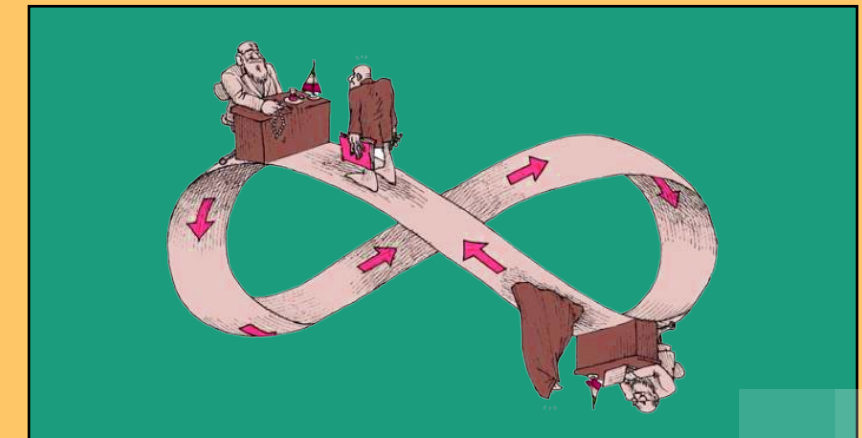
03

NO TIME LIMIT



04

ENDLESS LOOP



05



**NEW KEY
TO THE
FUTURE...**

Grievance redressal systems were and are riddled with numerous hurdles that a citizen has to navigate. The full system looks like a jigsaw puzzle, it is slow, does not give guarantees on the time that would be taken, a person could be told that the approach has been through a 'wrong door', and in many cases it becomes an endless loop with the complainant having to register the same complaint again.

The kind of transparency, accountability and timeliness that right to information and public services offered are generally missing from the grievance redressal systems.

Shri Nitish Kumar, Hon'ble Chief Minister's intent was to completely re-engineer the whole approach, system and processes keeping in mind the citizen and therefore **"Redressal"** as the key to reforms.



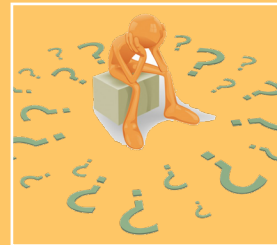
“FINDING A NEW PATH”



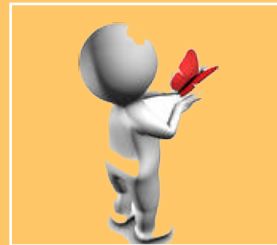
THINK OF THE CITIZENS



WHAT RESULTS DO THEY WANT?



HOW CAN THE RESULTS BE ACHIEVED?



BRING IN THE NEW

TWO MAIN DRIVERS OF CHANGE

The two main drivers of change were that any new system had to have a **human rights-based foundation** and a **completely re-engineered process from a citizen perspective**.

01



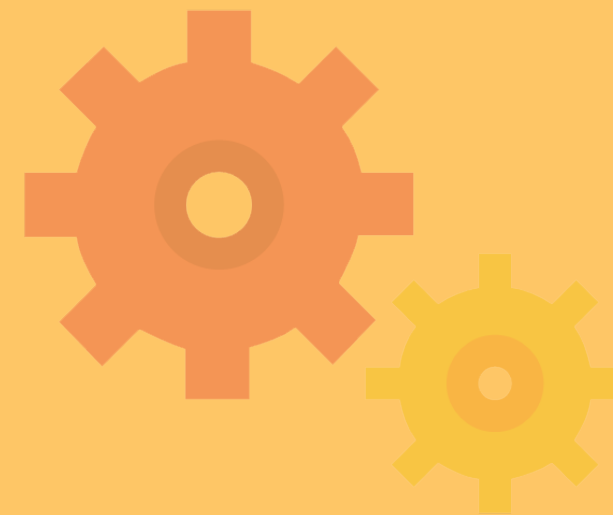
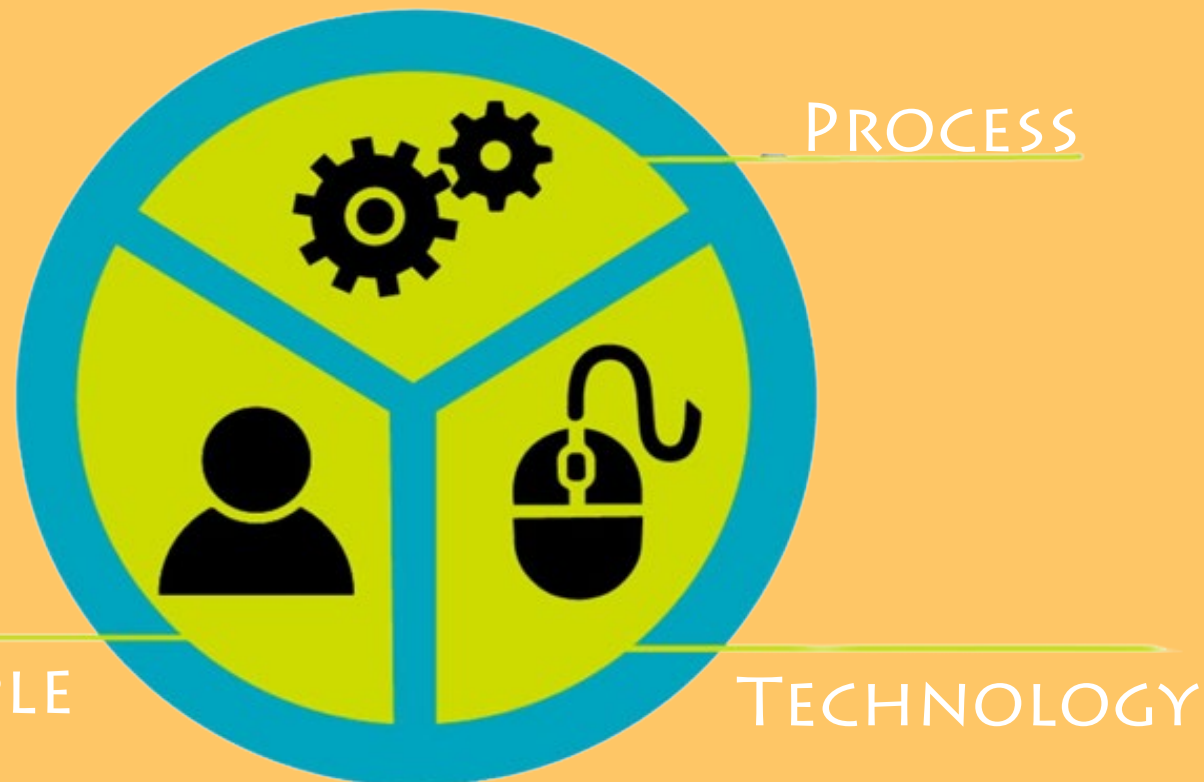
One, Grievance Redressal should be enshrined in law and citizens should be empowered.



02



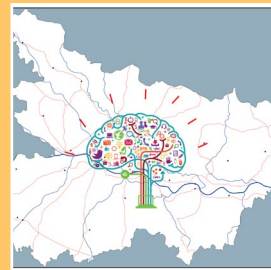
Two, the approach had to be from the perspective of the citizen: REDRESSAL. If a genuine grievance is to be redressed, not just disposed of in files, an independent authority to decide on resolution of problems was required who would cut across all departments and agencies of the government.



THE KEY FEATURES OF THE BIHAR RIGHT TO PUBLIC GRIEVANCE REDRESSAL ACT AT A GLANCE



LEGAL RIGHT



COVERAGE



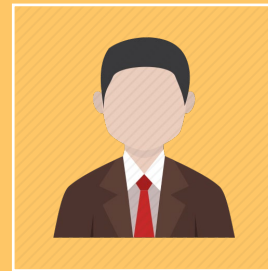
ACCESSIBILITY



NO WRONG DOOR



ONE STOP SOLUTION



INDEPENDENT QUASI JUDICIAL OFFICER



POWER PARITY



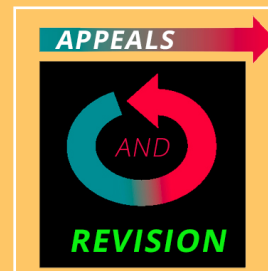
REASONED ORDER



TIME BOUND



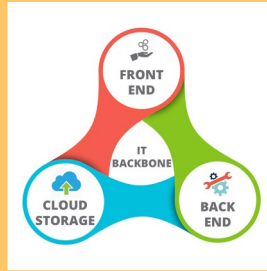
ACCOUNTABILITY



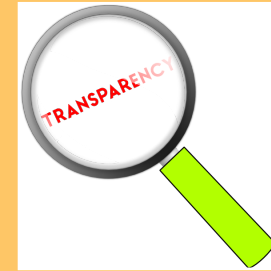
APPEALS AND REVISION



FEEDBACK



COMPREHENSIVE ICT BASED SYSTEM



TRANSPARENCY

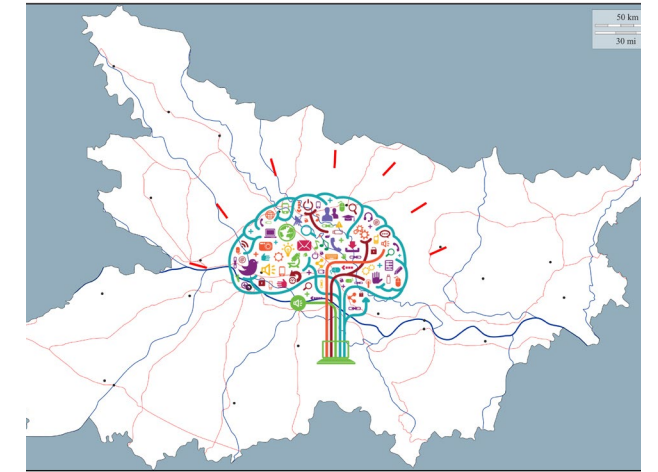


CAPACITY BUILDING



LEGAL RIGHT

The Bihar Right to Public Grievance Redressal Act confers the right of opportunity to be heard and of grievance redressal, except in the case of RTI, RTPS, Service Matters and Court Cases. Nevertheless, enshrined in the rights are: applications to be accepted and acknowledged in writing in all cases including those in the negative list; notice for hearing; providing additional evidence; access to all records and documents; and an opportunity to appeal if not satisfied with the decision.



COVERAGE

The Act covers the entire state of Bihar and all the 44 departments. There are 478 schemes, programmes and services of the government that have been notified against which specific grievances can be raised. This is apart from complaints against government staff on account of malafide practices, inaction, etc. Universal and non-discriminatory- any person can file a complaint irrespective of eligibility, age, gender, caste, class, etc.

KEY FEATURES

LEGAL RIGHT AND COVERAGE

KEY FEATURES

ACCESSIBILITY AND NO WRONG DOOR



ACCESSIBILITY

Any complainant has multiple choices to register a complaint/grievance: physically at the counters at the sub-divisional, district or state level; through a call centre; by e-mailing the grievance; by filling in a form on-line; by using the mobile App; or by post. At the counter special attention is given to people with special needs and women; illiterate persons are provided help to fill up their application forms.

24/7 accessibility is available where the mode is electronic.



NO WRONG DOOR

No person would be turned away either in the physical counters or in the electronic formats. The law ensures that every grievance would be registered as there is no pre-qualifying criteria to be fulfilled to be eligible to register a grievance. Second, irrespective of the medium used (physical or electronic), and irrespective of the department or agency to which the grievance belongs, there is No Wrong Door: all and any grievance is registered.

KEY FEATURES

ONE STOP SOLUTION AND INDEPENDENT QUASI-JUDICIAL OFFICER (PGRO)



ONE STOP SOLUTION

All grievances relating to any of the 44 Departments of the state government can be resolved under one roof. Further a citizen can seek any relief/benefit under any of the notified schemes/programs/services through this system. This eliminates the need to run from one office to another in search of solutions to their pressing needs.



INDEPENDENT QUASI - JUDICIAL OFFICER

The law mandates the creation of a new class of officers designated as the Public Grievance Redressal Officers (PGROs). The PGROs are independent quasi-judicial officers who have powers under the Civil Procedure Code to demand evidence from the Public Authorities. They have the powers to weigh evidence and arrive at a reasoned decision. They have to provide in writing reasons for any delay or denial of an opportunity of hearing or redressal of grievances.

KEY FEATURES

POWER PARITY AND PGRO ORDER



POWER PARITY

In a normal grievance redressal system the Public Authorities themselves examine the grievance and dispose them. Impartiality is therefore not built into the system. An element of vested interest to protect one's own terrain can skew the judgement. Grievances, therefore, may be disposed, without being resolved or redressed. The introduction of an independent, quasi-judicial officer in the decision making ensures power parity between the complainant and the Public Authority.



ORDER

Every order - interim or final - is to be reasoned. Evidence is the basis on which each order is to be passed - be it redressal, delay, or denial. The orders also have to provide all information to the complainant about the Appellate Authorities and how they can be contacted.

KEY FEATURES

TIME BOUND REDRESSAL AND ACCOUNTABILITY



TIME BOUND REDRESSAL

60 working days is the maximum time limit set for redressal of a grievance. In the event redressal would take longer the PGRO has to state in his interim order the reasons for delay. A similar system holds good for the Appellate and Revision Authorities also.



ACCOUNTABILITY

The law and rules clearly lay down accountability. PGROs are held responsible for hearing, evaluation of evidence, summoning the public authorities, and issuing orders. Public Authorities are held accountable for redressal. PGROs and Public Authorities are accountable, together, for redressal of grievances. The Appellate Authority can instruct the PGROs/ Public Authorities to redress the grievance if the order is found faulty. Provision of penalty and disciplinary action makes the system more accountable.

KEY FEATURES

APPEALS AND REVISION AND FEEDBACK



APPEALS AND REVISION

Any person dissatisfied with the PGRO's order can go on first appeal and further if dissatisfied with the Appellate order the complainant or the Public authority can file a second appeal. Any officer, if imposed a penalty, has recourse to his/her own grievance redressal by filing a Revision Petition.

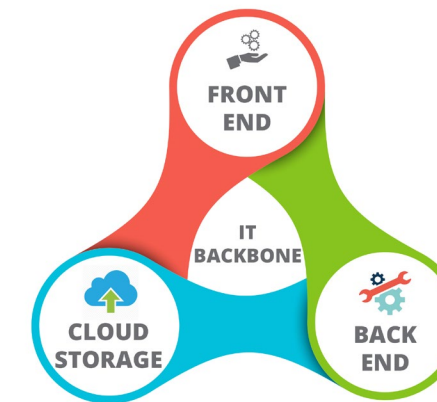


FEEDBACK

Citizen feedback was acquired at the highest level when **Shri Nitish Kumar**, Hon'ble Chief Minister visited all the 38 districts of the state. PGROs and Monitoring Officers take informal feedback from citizens. In 2017, an additional feature was added to the PGROs orders asking applicants if they were satisfied with the order. As of May 2018, 89% of respondents have indicated their satisfaction with the orders. This is consistent with the fact that about 10% of applicants prefer to file appeals against PGROs' orders.

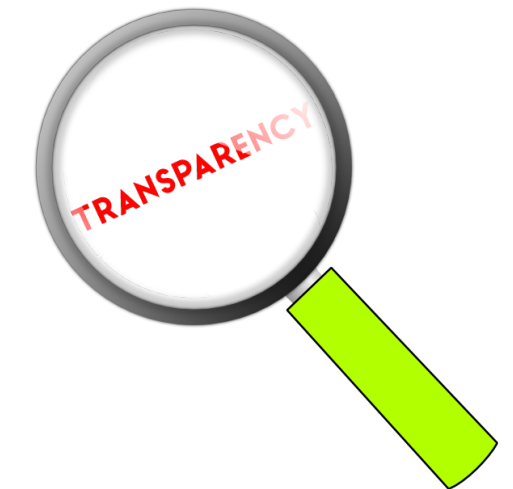
KEY FEATURES

COMPREHENSIVE ICT BASED SYSTEM AND TRANSPARENCY



ICT BASED SYSTEM

The entire implementation process and its monitoring is ICT based. This includes the oral process of hearing, the documents submitted as evidence by the applicant or the public authority concerned, and the final orders. At each level from the sub-divisional PGRO to the monitoring officers relevant information is made available through dashboards that include applications registered, orders passed, cases pending within and beyond time limits, orders against which appeals have been preferred, etc. Robust MIS is the backbone of this system which helps in effective monitoring.



TRANSPARENCY

The system is transparent because the Act, Rules and Notifications clearly state what the citizen needs to do to lodge a grievance. They also demarcate the negative lists from the positive ones. Additionally, applications have to be accepted even if a grievance falls under the negative list; in such cases the PGRO has to provide an alternate remedy. The maximum time frame is explicit - 60 working days. The hearings are recorded. All data and documents are digitised and available on the web; hard copies can be accessed through the PGRO.

KEY FEATURES

INDEPENDENT ASSESSMENT



INDEPENDENT ASSESSMENT

The Government of Bihar decided that a DFID-funded technical assistance team of IPE Global working on the GROW Bihar programme would do independent assessments of the implementation strategy and results of the new Act and policy. The IPE Global team submitted two independent assessments (once in the nascent stage) that have revealed that the implementation by BPSMS is robust and suggested a few changes to enhance the quality of monitoring and redressal.



THE 7 STEPS IMPLEMENTATION

SUPERORDINATE GOAL: No discrimination and pre-requisites to file a grievance. All eligible grievances to be redressed not just disposed.

STRATEGY: Business process re-engineering of the entire process from the point of view of citizens. Accessibility, non-discrimination, written acknowledgement, and independent decision would be the hall marks of the process.

STRUCTURE: An independent administrative structure created with quasi-judicial powers. The offices would be at the sub-divisional (101), district headquarters (38) and the state capital (22).

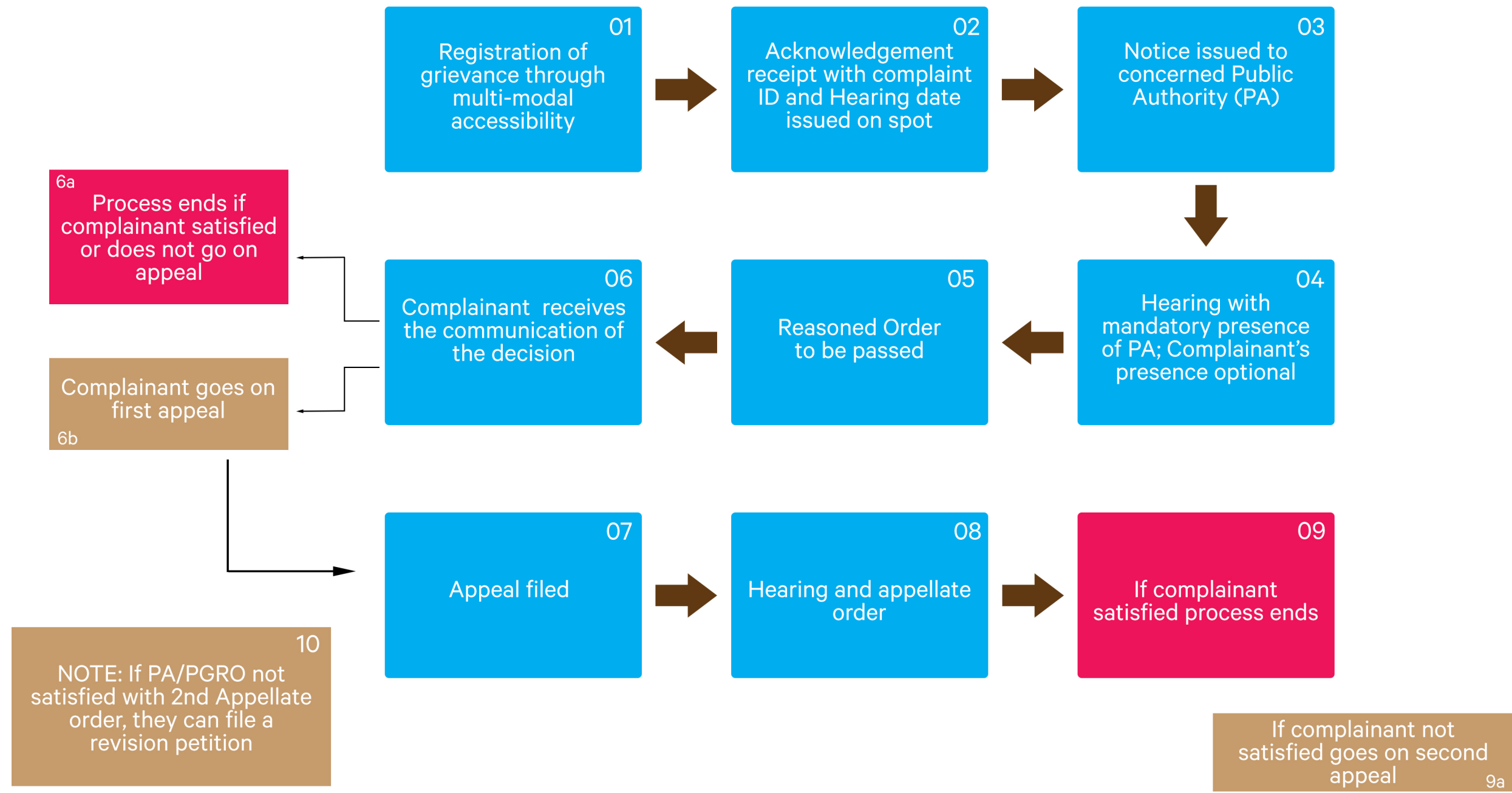
SYSTEM: The system is quasi-judicial. Evidence can be sought using the relevant sections of the Code of Civil Procedure. The orders passed by the PGROs are binding. Any non-compliance by a public authority is liable to be penalised and/or lead to disciplinary action.

STAFF: A separate administrative structure with dedicated staff has been mandated under the Act. The Public Grievance Redressal Officers created under the Act wield the quasi-judicial powers. They are placed at the subdivision, district and state capital. Apart from the PGROs a dedicated team of IT professionals have been placed at each of the offices.

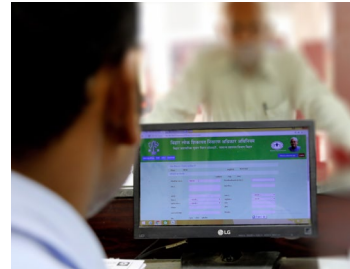
SKILLS: The process of selection of the PGROs was intensive. Bihar Administrative Service officers who had experience in handling quasi-judicial processes and whose personal records were impeccable were selected.

STYLE: Despite the grievance redressal procedure being quasi-judicial, the PGROs have been given training and instructions to conduct the process in the most citizen-friendly manner. Problems are to be resolved by having discussions across the table.

PROCESS FLOW UNDER THE BIHAR RIGHT TO PUBLIC GRIEVANCE REDRESSAL ACT



REGISTRATION OF GRIEVANCE THROUGH MULTI-MODAL ACCESSIBILITY



ON-LINE PORTAL



CALL CENTRE

The Multi-modal form of registration has ensured that everyone has access to filing their grievances.



COUNTER



MAY I HELP YOU DESK



ACKNOWLEDGEMENT RECEIPT WITH COMPLAINT ID AND HEARING DATE ISSUED ON SPOT



The acknowledgement receipt provides a unique id and the first date of hearing and place of hearing.

बिहार लोक शिकायत निवारण अधिकार अधिनियम (पावती)	
जिला लोक शिकायत निवारण पदाधिकारी का कार्यालय, जिला :- पटना	
अनन्य पंजीयन संख्या	428116025041800037
परिवादी का नाम	Upendra Singh
परिवाद के साथ संलग्न दस्तावेजों की संख्या	1
परिवाद की सुनवाई और निवारण की नियत तिथि	08/05/2018 11 AM
स्थान	जिला लोक शिकायत निवारण पदाधिकारी का कार्यालय, जिला :- पटना
तिथि	08/05/2018
परिवाद के प्राप्तकर्ता का हस्ताक्षर नाम एवं पदनाम मोहर सहित परिवाद दायर करने एवं परिवाद की स्थिति जानने के लिए कॉल करें 1800 3456 284 (टोल फ्री नं.)।	

NOTICE ISSUED TO CONCERNED PUBLIC AUTHORITY

कार्यालय, विभागीय लोक शिकायत निवारण पदाधिकारी, नगर विकास एवं आवास विभाग
बिहार लोक शिकायत निवारण अधिकार अधिनियम 2015 के तहत प्राप्त परिवाद के संबंध में

नोटिस

ज्ञापांक- 24111-00811 दिनांक 28/02/2017
परिवाद की अनन्य संख्या 999951128121600337

सेवा में/प्रेषित,

प्रबंध निदेशक, बिहार राज्य आवास बोर्ड, पटना।

श्रीमती विद्योतमा देवी :

सुनवाई का स्थान

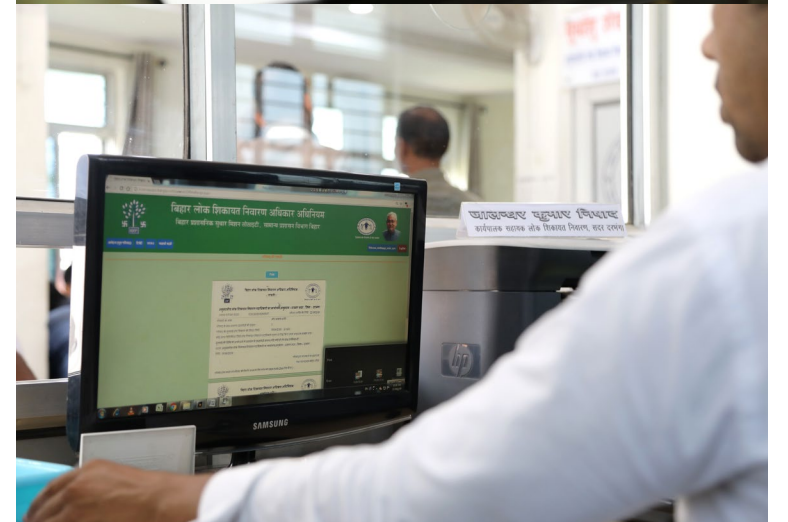
कार्यालय, विभागीय लोक शिकायत निवारण
पदाधिकारी, नगर विकास एवं आवास विभाग

लोक शिकायत निवारण पदाधिकारी
विभागीय लोक शिकायत निवारण
पदाधिकारी, नगर विकास एवं आवास विभाग

Notice issued to the Public Authority is accompanied by all relevant information, including documents if any, related to the grievance filed and the date of hearing.



Public Authority receiving SMS notice



Public Authority Receiving e-Mail notice

HEARING

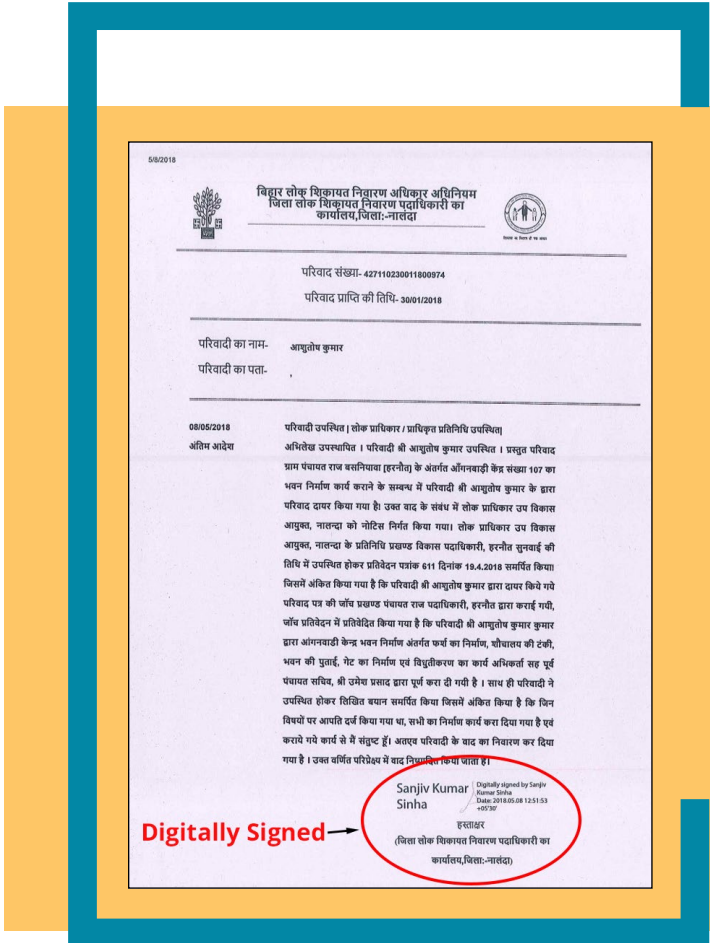


Hearing is held by the PGRO in the presence of complainant and Public Authority being treated at par. Oral and documentary evidence are recorded by the PGRO.

REASONED ORDER PASSED



Based on the evidence acquired, the PGRO passes a reasoned order.



COMPLAINANT RECEIVES THE COMMUNICATION OF THE DECISION



Happy Complainant

The outcome of the hearing is communicated to the complainant in the form of an order. This is also communicated through email (if provided in the application) and SMS.



Process ends if complainant satisfied or does not go on appeal

Dissatisfied complainant goes on first appeal

APPEAL FILED



Based on the information provided in the order, the complainant files an appeal to the first or second appellate authority. The appellate authority has to pass the final order within 60 working days.

प्रथम अपीलीय/द्वितीय अपीलीय/पुनरीक्षण प्राधिकार के समक्ष आवेदन पत्र

मूल परिवार संख्या []

सेवा में,
प्रथम अपीलीय/द्वितीय अपीलीय/पुनरीक्षण प्राधिकार,

1. अपीलकर्ता/पुनरीक्षण आवेदनकर्ता का नाम :-
2. पिता का नाम :-
3. पता :-
4. (क) मोबाईल/फोन संख्या (चैक) :-
(ख) ई-मेल (चैक) :-
(ग) आधार कार्ड संख्या (चैक) :-
5. लोक शिकायत निवारण पदाधिकारी, प्रथम अपीलीय प्राधिकार या द्वितीय अपीलीय प्राधिकार या अभिलिखित लोक शिकायत निवारण पदाधिकारी के रूप में माने गये पदाधिकारी या कर्मचारी का नाम और पता, यथास्थिति, जिनके आदेश अधिकाधिकारि द्वारा विवेक किया है, के विरुद्ध अपील या पुनरीक्षण दायर किया जाना है-
6. उस आदेश की विशिष्टियों जिसके विरुद्ध अपील या पुनरीक्षण किया जा रहा है-
7. अपील या पुनरीक्षण का आधार :-
8. मीठी गई राहत :-
9. कोई अन्य सुसंगत सूचना, जो अपील या पुनरीक्षण के निष्पादन के लिए आवश्यक समझा जा रहा हो :-
10. संलग्न किये गए दस्तावेज :-
(क) उस आदेश की स्व-अभिप्रायित प्रतिलिपि, जिसके विरुद्ध अपील या पुनरीक्षण किया जा रहा है,
(ख) अपील या पुनरीक्षण आवेदन में उल्लिखित दस्तावेजों की प्रतियाँ और
(ग) अपील या पुनरीक्षण आवेदन के साथ संलग्न दस्तावेजों की सूची
(घ) मूल परिवार की छायाप्रति

तिथि :- अपीलकर्ता/पुनरीक्षण आवेदनकर्ता का हस्ताक्षर

HEARING BY APPELLATE AUTHORITY



If complainant satisfied
process ends.

If complainant not satisfied
goes on second appeal

Note: If Public Authority/PGRO
not satisfied with 2nd
Appellate order, they can file a
Revision Petition

बिहार लोक शिकायत निवारण अधिकार अधिनियम कार्यालय, जिला पदाधिकारी, (द्वितीय अपीलीय प्राधिकार)बांका	
परिचाद संख्या- 523110131051701548/2A	
परिचाद की तिथि- 05/12/2017	
परिचादीका नम्बर, परिचादी का पता, लोक प्राधिकार-	जिला लोक शिकायत निवारण पदाधिकारी, बांका
10/02/2018	अंतिम आदेश
अपीलाधी द्वारा प्रस्तुत पृथि के संबंधित कोई कारणदा संश्लिख नहीं किया गया जो दिवर्न संबंधित किया गया वह परिचादी के द्वारा के नाम के है। दिवर्न के कारण वह संश्लिख करने नहीं के वह परिचादी के नाम के कारण होय सदा संश्लिख किए गए। अंतिम आदेशिका करने हुए संबंधित कारण की जाती है।	
हस्ताक्षर (कार्यालय, जिला पदाधिकारी, (द्वितीय अपीलीय प्राधिकार)बांका)	

BRPGRA INFRASTRUCTURE



PGRO OFFICE

Dedicated office infrastructure and public amenities



PUBLIC AMENITIES



COUNTER



WAITING SPACE

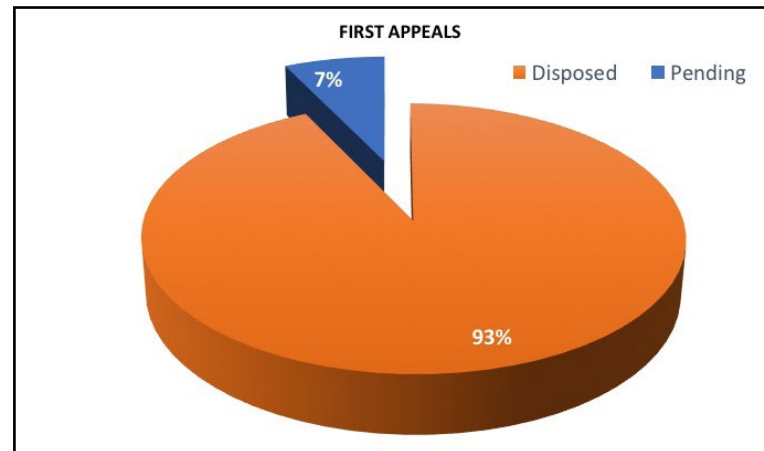


"MAY I HELP YOU" COUNTER

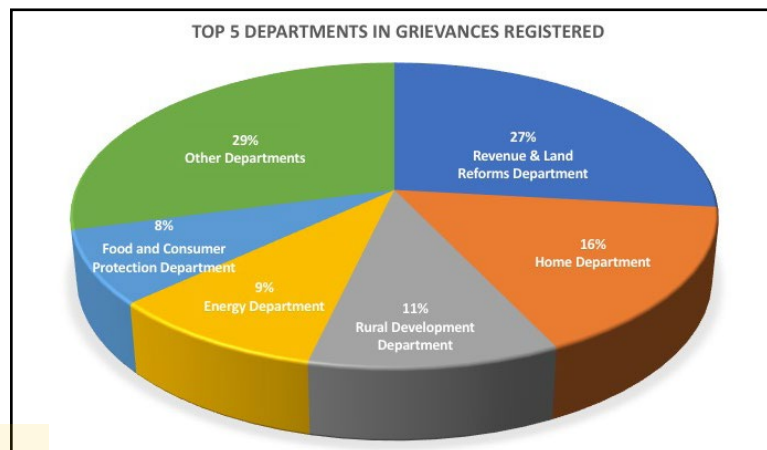
ACHIEVEMENTS



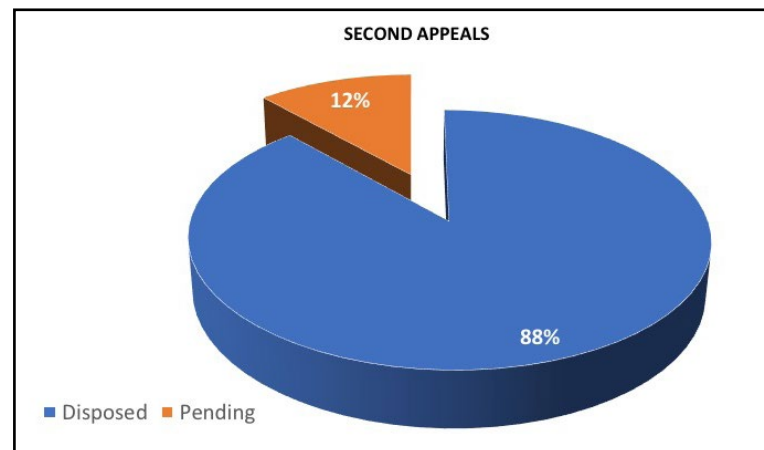
Total registered grievances: 3,19,637



Total 1st Appeals filed: 29,282



Top 5 Departments in grievances registered



Total 2nd Appeals filed: 8,771

Kalam Innovation In Governance Award



Bihar Prashasnik Sudhar Mission Society was conferred the prestigious Kalam Innovation In Governance Award 2018 for implementation and monitoring of BRPGRA

SUCCESSFUL REDRESSALS



EMPLOYMENT ON COMPASSIONATE GROUNDS

Avnikant's father passed away during service and hence he applied for the post of Middle School teacher on compassionate grounds. However, even after 2.5 years of follow-up on his application, the situation remained same. Finally, he filed a complaint in District PGRO Office, Banka against which notice was issued to Public Authority cum District Education Officer, Banka. During the hearing the Public Authority was instructed to hold a meeting of Compassionate Committee to decide on the complainant's application and report accordingly. As a result, on 20.03.2017, an appointment letter was issued to the complainant, who confirmed this and stated that his problem which was pending for 2.5 years got resolved through this system.



RENT RECEIPT PENDING FOR 36 YEARS ISSUED

Shri Bindeshwar Sahu a resident of district Katihar, filed a grievance on 02.12.2016 stating that since 1980, land tenancy receipt for his 1.5 kattha land was not being issued even after submitting application for the same to Circle Officer many times. Notice was issued to the Public Authority in this case viz. Circle Officer, Katihar. As a result Public Authority after getting the approval from DLRC, Katihar for fixing land rent, got the land settlement done by issuing the corrigendum. And in the first hearing of the grievance (dated 10.12.2016) the land rent receipt was issued to the complainant. In this way a case pending for 36 years got redressed which the complainant said was amazing and fantastic.

SUCCESSFUL REDRESSALS



SETTLEMENT OF GOVT. (GAIR-MAZARUA) LAND

Mr. Chayit Ram filed a grievance related to a long pending settlement of Govt. (gair-mazarua) land. Once the complaint was filed, under this Act the Public Authority cum Circle Officer, Piro issued the land settlement receipt for 12 beneficiaries. Thus, a case pending since the year 2013 was resolved within 60 days.



LAND ACQUISITION COMPENSATION OF MORE THAN RS. 2 CRORES RELEASED

The Department acquired land from Mr. Krishna Prasad Singh for road construction. He was distraught as he did not get his due compensation. He was running from pillar to post seeking relief. After getting information about this Act, he filed his complaint in the District Public Grievance Redressal Office, Jehanabad. Hearing was held on the complaint and as a result his due payment of Rs. 2.20 crores was released to him by the Public Authority cum District Land Acquisition Officer, Jehanabad. Getting the due compensation after more than 2 years of wait made Mr. Singh extremely happy.



1. Launch of the implementation of BRPGR Act on June 05, 2016



2. Hon'ble Chief Minister, Bihar, Chief Secretary, Government of Bihar and Secretary to Chief Minister, Bihar during a grievance hearing in Katihar



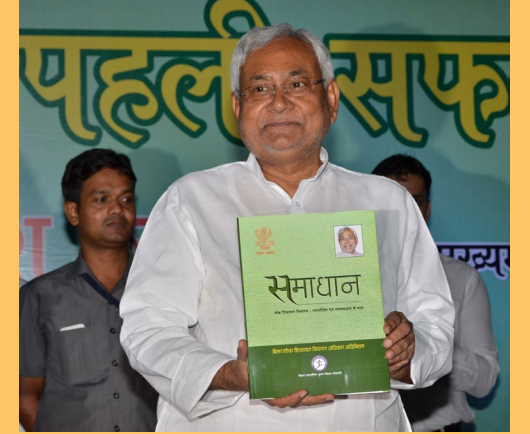
3. Hon'ble Chief Minister, Bihar visiting the Public Grievance Redressal Counter at the Sub-Divisional PGRO office, Katihar, Sadar.



4. Launch of BRPGR Newsletter 'Samadhan' Vol. 1



5. Hon'ble CM addressing the gathering during the first anniversary of BRPGR implementation on June 05 2017



6. Hon'ble CM releasing the publication on BRPGR 'Samadhan' on June 05 2017

Journey So Far...

7. Review cum training of the Public Grievance Redressal Officers on September 23, 2017



8. PGROs explaining the key features of BRPGR Act to villagers during awareness camp



9. Hon'ble CM releasing the 'Samadhan' Newsletter Vol. 2



10. Mr. Amir Subhani, MD, BPSMS delivering a lecture on BRPGR to probationer IAS officers in LBSNAA, Mussoorie.



11. Dr. Pratima, AMD, BPSMS receiving the Kalam Innovation in Governance Award given to BPSMS for implementation of BRPGR on January 20, 2018



12. Mr. Gavin McGillivray, Head DFID India during his visit to District Public Grievance Redressal Office, Nalanda on May 08, 2018



The Bihar Prashasanik Sudhar Mission Society (BPSMS) was constituted in 2009 by the Government of Bihar to be the nodal agency for supporting, facilitating and transforming the way in which the outcomes of administrative reforms reach the people. The main focus of BPSMS is currently implementing and monitoring the Right to Public Services Act and the Right to Public Grievance Redressal Act.



**BIHAR PRASHASANIK SUDHAR MISSION SOCIETY,
GENERAL ADMINISTRATION DEPARTMENT**

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