

HARYANA RIGHT TO SERVICE COMMISSION
SCO NO. 38-39, SECTOR 17-A, CHANDIGARH
Website: www.haryana-rtsc@gov.in

NOTICE

No. 1212

Dated: 09/08/2021

Suo-moto notice under Section 17 of the Haryana Right to Service Act, 2014

1. Whereas Haryana Right to Service Commission (hereinafter referred to as the Commission) has been constituted under Haryana Right to Service Act, 2014 (hereinafter referred to as the 'Act') to ensure delivery of notified services within notified timelines. These services have been notified by publication in the Official Gazette by the State Government under Section 3 of the Act.
2. Whereas Deputy Commissioner, Faridabad has intimated to the Commission that various notified services under the administrative control of Labour Commissioner being provided through Deputy Labour Commissioner, Faridabad have not been delivered within the prescribed time lines. Thus the instant suo moto notice is being served upon you as per Section 17 of Haryana Right to Service Act 2014, which provides as under:-

Section 17: Powers and Functions of Commission:-

17(1):- It shall be the duty of the Commission to ensure proper implementation of this Act and to make suggestions to the State Government for ensuring better delivery of services. For this purpose the Commission may,-

- a) Entertain and dispose of revisions under section 10;
- b) take *suo moto* notice of failure to deliver service in accordance with this Act and refer such cases for decision to the First Grievance Redressal Authority or the Second Grievance Redressal Authority or pass such order, as may be appropriate;
- c) carry out inspections of offices entrusted with the delivery of services and the offices of the First Grievance Redressal Authority and the Second Grievance Redressal Authority;
- d) recommend Departmental action against any officer or employee of the State Government, who has failed in due discharge of functions cast upon him under this Act;
- e) recommend changes in procedures and process re-engineering for delivery of services which may make the delivery more transparent and earlier;

Provided that before making such a recommendation, the Commission shall consult the Administrative Secretary in-charge of the Department which is to deliver the service;

- f) recommend additional services to be notified under section 3 and may also suggest modification in the notifications already issued for better implementation of this Act;
- g) issue general instructions, not inconsistent with the provisions of this Act for the guidance of Designated Officers, the First Grievance Redressal Authority and the Second Grievance Redressal Authority;
- h) impose penalty on Designated Officer or any other official involved in the process of providing such service up to a sum of twenty thousand rupees, as deemed fit under the circumstances of the case and allow compensation up to five thousand rupees, to be paid to eligible person by defaulter;

17(2):- Where the Commission is satisfied that there are reasonable grounds to inquire into a matter arising out of the provisions of this Act, it may, *suo moto*, initiate an inquiry in respect thereof.

17(3):- The Commission shall, while inquiring into any matter under this section, have the same powers as are vested in a Civil Court while trying a suit under the Code of Civil Procedure, 1908, in respect of the following matters, namely:-

- a) summoning the parties;
- b) receiving oral evidence on oath or written evidence on affidavits;
- c) requiring the discovery and inspection of documents;
- d) requisitioning of any public record from any office;
- e) obtaining copies of record from any court in accordance with law;
- f) issuing summons for examination of witnesses or documents; and
- g) any other matter, which may be prescribed.

3. Whereas it has been informed that Deputy Labour Commissioner, Faridabad, has failed to deliver the services or have delayed delivery of the services in accordance with the notified timelines in many cases and therefore, it has been decided by the Commission to initiate a *suo moto* inquiry in respect of the following:

- i) To ascertain whether notified services have been delivered to the applicants who submitted their applications between 01.07.2020 to 30.06.2021 to the designated officer(s) within notified timelines or not,
- ii) In cases where any of the services has not been delivered in time, to ascertain names of the officials responsible for non-delivery of services or delay in delivery of services for the purpose of deciding whether any action


for imposition of penalty /recommendation of departmental action is called for.

- iii) In exercise of powers of Civil Court conferred upon the Haryana Right to Service Commission, by Section 17(3) (c) of the Haryana Right to Service Act 2014, to conduct this inquiry, D.L.C., Faridabad is hereby directed to furnish the information pertaining to receipt of applications from 01.07.2020 to 30.06.2021 by 23.08.2021 in respect of each notified service as under:-

Sr. No.	Name of notified service	No. of applications received	No. of applications disposed of within notified timeline (include detailed information in Annexure).	No. and details of applications disposed of after RTS timelines. (include detailed information in Annexure).	Reasons for delay / non delivery in each case
---------	--------------------------	------------------------------	--	--	---

4. Further, in exercise of powers of Civil Court conferred upon the Haryana Right to Service Commission, by Section 17(3)(a) of the Haryana Right to Service Act 2014, to conduct this Inquiry, the Commission further directs, Deputy Labour Commissioner, Faridabad to appear before Shri T.C. Gupta, IAS (Retd.), Chief Commissioner of the Commission either in person or through Video-Conference at 10.00 am on 27.08.2021 for further proceedings in this inquiry.

For Haryana Right to Service Commission


(Meenaxee Raj)
Secretary
E-mail: rtsc-hry@gov.in

Dated:

Endst. No.

CC:-

1. A copy is forwarded to the Principal Secretary to Government of Haryana, Department of Labour for information and necessary action.
2. Deputy Commissioner, Faridabad, in reference to his D.O. No. 6580/MA/PA/DD dated 26.07.2021.

(Meenaxee Raj)
Secretary
E-mail: rtsc-hry@gov.in