


Suo-moto Notice

To

The Chief Administrator HUDA,
Haryana Shehri Vikas Pradhikaran,
Plot No. C-3, Sector-6, Panchkula
E-mail: cahsvp01@gmail.com

1. The 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. The Section 17 of Haryana Right to Service Act, 2014 reads as under:
 - i) 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;
 - ii) 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;
 - iii) 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;
 - iv) 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;

- v) 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;
- vi) 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;
- vii) 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;

viii) 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. 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: -

- i) summoning the parties;
- ii) receiving oral evidence on oath or written evidence on affidavits;
- iii) requiring the discovery and inspection of documents;
- iv) requisitioning of any public record from any office;
- v) obtaining copies of record from any court in accordance with law;
- vi) issuing summons for examination of witnesses or documents; and
- vii) any other matter, which may be prescribed.

3. That Vide e-mail dated 25.07.2021, Smt. Shammi w/o Sh. Yashpal R/o 326, Sector-10A, Gurugram, Haryana (7838050795) has informed that she has purchased booth No. 134 of Sector- Jailland, District Gurugram through e-auction in November 2019 and had deposited 60% of payment, but suddenly the shop is being shown as cancelled after payment of 60%. All the requests made by the applicant to resolve the matter have gone in vain. Copy of allotment letter have been enclosed that establish a prima facie case in favor of the applicant based upon this e-mail a report had been sought by the Commission from Administrator, HSVP Gurugram. Vide memo no 4422 dated 17.09.2021 administrator Estate Officer-I, HSVP Gurugram has stated that the allotment of Booth No. 134 Sector-Jailland, Gurugram was issued on 13.11.2019 in favour of Sh. Yashpal S/o Sh. Vash Dev. The allottee deposited the 15% amount on 03.12.2019 and two No. installments were also deposited by the allottee on 06.05.2020 and 09.11.2020. The possession was also offered on 12.01.2021 and possession certificate also issued on 12.01.2021 in favour of allottee. But PPM system allotment status is showing as cancelled instead of allotted. E.O.-I HSVP Gurugram has also sent the case of the allottee to the Administrator, HSVP, Gurugram vide office Memo No. 3010 dated 28.06.2021 (Copy enclosed) to update the allotted status and a copy has also been sent to the Chief Information Technology Officer, HSVP, Panchkula. Now, it is requested by the Head Quarter (Urban Branch) to send the case manually and the same has been sent to the Chief Administrator, HSVP (Urban Branch), Panchkula vide this their office Memo No. 4207 dated 31.08.2021 (Copy enclosed). It is also mentioned that allotted status of the booth No. 137 has not been updated as the power to correct status lies with the Head Quarter and matter is not pending with the Office of Estate Officer-I Gurugram. This has led to delay in grant of occupation certificate, which is a notified service under Haryana Right to Service Act 2014, at S. No. 130, (HSVP, under Department of TCP), a *suo-moto* notice is hereby issued to **Chief Administrator, HUDA, Haryana Shehri Vikas Pradhikaran** for delay in delivering timely services under service No.

130 of Haryana Right to Service Act, 2014, to ascertain the reasons for delay in delivery of services and further to decide whether any action for imposition of penalty /recommendation of departmental action is called for.

4. 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, **Chief Administrator HUDA, Haryana Shehri Vikas Pradhikaran** is directed to furnish the information pertaining to case of Smt. Shammi w/o Sh. Yashpal R/o 326, Sector-10A, Gurugram, Haryana (7838050795) by 11.10.2021.
5. 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 **Chief Administrator HUDA, Haryana Shehri Vikas Pradhikaran** to appear before Shri T.C. Gupta, IAS (Retd.), Chief Commissioner of the Commission either in person or through Video-Conference at 10.30 am on 18.10.2021 for further proceedings in this inquiry.

Given under my hand and the seal of the Commission this 27th day of September, 2021.

BY ORDER OF THE HARYANA RIGHT TO SERVICE COMMISSION AT CHANDIGARH.

Meenaxee Raj

(Meenaxee Raj)

Secretary

Haryana Right to Service Commission

E-mail: rtsc-hry@gov.in