

From

Meenaxee Raj, HCS
Secretary,
Haryana Right to Service Commission,

To


Sh. Satyawan Samriwal,
(the then ADFO, Sonipat),
Now ADFO, Fire Station, Safidon Gate,
Distt. Jind, Haryana.

Memo No:- 1683

Dated:- 02.10.2021

Subject:- Copy of Order

In Supersession of orders conveyed vide letter no. 1592 dated:- 24.09.2021, Haryana Right to Service Commission. Please find the copy of revised orders in the matter for kind information and further necessary action at your end. A prompt compliance will be much appreciated.

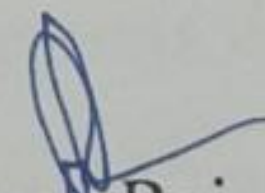


Meenaxee Raj, HCS
Secretary,
Haryana Right to Service Commission.

Endst No.

Dated:-

A copy is forwarded to the Director Urban Local Bodies, Haryana for information and necessary action.



Meenaxee Raj, HCS
Secretary,
Haryana Right to Service Commission.



1. A suo moto notice no 762, dated 2/7/21 had been issued by Right to Service Commission to Sh. Yasin Khan to furnish information pertaining to certain cases and to appear before me on 23/7/21 at 10.00 AM in person / through VC upon satisfaction of the Commission to the effect that Fire station officer Sonapat had failed to deliver the notified services pertaining to Department of Fire Services, Government of Haryana in District Sonapat.

In response to the same, Vide letter no 766/FSO dated 13/7/2021 a half-baked reply was furnished by FSO Sonapat which was received in Commission. The said officer attended the hearing on 23/7/21 through VC. After the hearing, a detailed order dated 23/07/21 was passed which reads as under :

2. In response to Show Cause Notice issued vide No. 762 dated 02.07.2021. Shri. Yaseen Khan, FSO, Sonapat and Shri Rajinder Singh Dahiya, ADFO appeared through Video Conferencing today at 11.00 am. At the outset, FSO and ADFO were asked to explain as to why the report asked for vide ibid Show Cause Notice, which was to be sent by 18.07.2021, has not been sent as per format. They could not give any satisfactory reply but informed that from 1st April, 2021, 2138 applications had been received in respect of all the services pertaining to Fire Department out of which, 1235 were approved within notified time, 79 were approved beyond notified time and 824 were rejected. Regarding huge rejection on cases, ADFO explained that it was due to the reasons that either factories were closed due to Covid or because of closure of Kundli Border due to ongoing farmer agitation, some factory owners could not provide requisite documents/install equipment's. When asked about reasons for 79 cases which were approved beyond notified time, he did not have any answer except that there are different competent authorities to approve different industries which take time. For example, FSO/ADFO is competent to approve all cases upto one acre and those up to 15 Mtr. Height, while all other cases except cases of industries, go to Commissioner, Municipal Corporation. In case industries, DC is competent to approve for an area up to one acre and rest of the cases go to Director, ULB. He also explained that all the applications are submitted through online mode but simultaneously, the applications are also submitted physically because the present Portal does not have adequate bandwidth for loading numerous documents required to be submitted



along with applications. Since, he was not able to explain cases of delay, he requested for time which is granted. He is directed to send complete to delayed cases by 26.07.2021 evening in the following format:-

Sr. No.	Name of the party	Date of application	Competent Authority	Date of approval	Delayed period	Reasons for delay
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Note : While calculating the delay, he should take 'days' as working days.

If he fails to submit this information by 26.07.2021 evening Commission will be constrained to take coercive measures by exercising the power of Civil Court."

3. However, the information sent by the officer in compliance of the said order was perused and it was observed that in many cases, there were inordinate delays in providing notified services. Therefore, the officer was asked to be present at HRTSC on 16/08/2021 with the files of cases at S. Nos 8,12,13,21 and 22 of the information sent by him. On date fixed, the officer Sh. Yasin Khan appeared and brought the record of these five cases with him as directed.
4. The record furnished by him was perused in detail and in the case of Rosary Senior Secondary School, a suo-moto notice was issued to Sh. Satywan Samriwal, the then ADFO Sonapat as to why penalty up to Rs 20000/- may not be imposed on both of them for delay in processing the case and compensation may not be granted to the applicant for delay under section 17 (1) (h) of the HRTSC.
5. Sh. Satyawan Samriwal appeared for personal hearing in response to the Suo Moto Notice dated 24.08.2021. He submitted his signed reply dated 14.09.2021 which had already been received through email. His main contentions are that for raising of superfluous objections by the Directorate of Fire Services, he is not responsible. For delay in conveying of the reply of Rosary Senior Secondary School dated 18.09.2020 to Director General Fire Services on 23.10.2020, he stated that he was not posted in Municipal Corporation, Sonapat at that time and rather Sh. Isham Singh Kashyap was posted. Hence, he claimed that he was not responsible for this delay. Regarding delay at third stage i.e. submission of case on 14.12.2020 after delegation of powers by the Directorate on 26.11.2020, thereby taking 21 days, he stated that after delegation of powers, the file was received from the Directorate on 07.12.2020, which he submitted on 14.12.2020 i.e. in 7 days and therefore, there is no inordinate delay.

I have carefully considered the contentions of Sh. Satyawan Samriwal and I have gone through the file in detail. Clearly for raising superfluous objections, he is not responsible and he was not asked to explain the same also. As far as delay in conveying the reply of Rosary Senior Secondary School dated 18.09.2020 is concerned, as per documentary evidence produced by Sh. Satyawan Samriwal, he was not posted in Sonapat and therefore, this contention is also accepted. Regarding delay at third stage also, his defence is tenable because the file was received from the Directorate on 07.12.2020 which he submitted on 14.12.2020 thereby taking only seven days. Hence, keeping in mind at that time the entire facts and circumstances, the contentions of Sh. Satyawan Samriwal are accepted and the Suo Moto Notice issued to him in this case is hereby filed. As per as the delay on account of Sh. Isham Singh Kashyap who was posted in Municipal Corporation Sonapat, is concerned, there is no need to take further action as he has already retired. Hence, this case be closed. ”

Ordered accordingly.



-SD-

T.C. Gupta
CC, HRTSC.
24.09.2021