



HARYANA RIGHT TO SERVICE COMMISSION
S.C.O. No. 38 & 39 (2nd FLOOR), SECTOR 17-A, CHANDIGARH-160017
Website: www.haryana-rtsc.gov.in Telephone: 0172-2711050

No. HRTSC/SM- 035/PHED/2021/ 3244
Post & E-mail

Dated: 1/12/2021

Suo-moto Notice

To

Sh. Kuldeep Singh, SDE,
Public Health Engineering Department,
Sub-division Barwala, Hisar Circle, Hisar, Haryana.
E-mail: sdebarwala@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 01.10.2021, Sh. Ashok Kumar Taneja S/o Sh. Nand Lal R/o Near Nand Baba Dhaba, Mainn Road, Barwala, Hisar, Haryana (9315417500) e-mail: ashokkumar.ak17500@gmail.com has informed the Commission that he is facing sewerage issue in his area for last one month. Dirty water overflows in front of the Nand Baba Dhaba and shops on main road. Taking cognizance of the complaint as the issue is a notified service at **Serial No. 49(ii) "Sewerage/ Blocked/ Overflow of manholes"** under Haryana Right to Service Act, 2014, SE, PHED Hisar was asked to take necessary action and to furnish a report by 21.10.2021 in the matter. Vide dated 27.10.2021, SE, PHED Hisar furnished a report with the remarks "that complaint has been rectified", but it was informed by the complainant that solution provided by the Department lasts only for 3-4 days and the problem is prevailing again. This has led to delay in delivery of a notified service under Haryana Right to Service Act 2014, at Sr. No. 49(ii). (Department of Public Health & Engineering) for which a timeline of 10 days is notified. Hence, a *suo-moto* notice is hereby issued to **SDE, PHED, Sub-division Barwala, Hisar Circle being the Designated Officer** for delay in delivering timely services under service No. 49(ii) notified under 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 view of the fact that a notified service has not been delivered within stipulated time, it has been decided by the Commission to conduct an inquiry under section 17(4) of Haryana Right to Service Act, 2014. Further, 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, a *suo-moto* notice

is hereby issued to you Sh. Kuldeep Singh, SDE to furnish the complete information pertaining to case of Sh. Ashok Kumar Taneja S/o Sh. Nand Lal R/o Near Nand Baba Dhaba, Mainn Road, Barwala, Hisar, Haryana (9315417500) e-mail: ashokkumar.ak17500@gmail.com latest by 17.12.2021.

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 you Sh. Kuldeep Singh, SDE to appear before Shri T.C. Gupta, IAS (Retd.), Chief Commissioner of the Commission either in person or through Video-Conference on 04.01.2022 at 11.00 AM for proceeding further in this inquiry.

Given under my hand and the seal of the Commission this 1st day of December, 2021.

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



(Meenaxee Raj)

Secretary,

Haryana Right to Service Commission

E-mail: rtsc-hry@gov.in

Endst. No. HRTSC/SM-035/PHED/2021/ 3245

Dated: 1/12/2021

A copy is forwarded to Sh. Ashok Kumar Taneja S/o Sh. Nand Lal R/o Near Nand Baba Dhaba, Mainn Road, Barwala, Hisar, Haryana (9315417500) e-mail: ashokkumar.ak17500@gmail.com for information.

(Meenaxee Raj)

Secretary,

Haryana Right to Service Commission

E-mail: rtsc-hry@gov.in