



ESTD. 2014 UNDER
THE HARYANA RIGHT TO SERVICE ACT

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

No.
Post & E-mail

Dated:- 03.12.2021
File No. HRTSC/SM-031 (ii)/ULB/2021/
3263.

To

Sh. Yashpal Yadav, IAS
Municipal Commissioner,
Faridabad.

Subject:- Copy of Order

I am directed to forward herewith a photocopy of the order dated 02.12.2021 passed by the Hon'ble Chief Commissioner, Sh. T.C. Gupta, IAS (Retd.), Haryana Right to Service Commission, Chandigarh in the above noted Complaint for information and necessary action at your end under intimation to the Commission.

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



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

Endst No:- 3264

Dated:- 3/12/2021

A Copy is forwarded to the Sh. Gaurav Kharti, Clerk (O.S), Birth and Death Department, Municipal Corporation, Old Faridabad Zone-I for information and compliance.

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



Shri Gaurav Khatri, Clerk appeared for personal hearing through VC in response to *suo moto* notice dated 17.11.2021. He reiterated the contents of his reply sent through email on 30.11.2021 in which he has requested to be forgiven and has assured that he will not give a chance in future for such negligence. He has stated in his reply that he did not have information that Geeta Nursing Home which was earlier in Sector 16 and now in Sector 28, comes under his jurisdiction or not and that is why, he wrongly rejected the case on 17.09.2021. Later on, when the complaint of the applicant was sent to the Commissioner, Municipal Corporation, Faridabad vide letter dated 11.10.2021, Shri Gaurav Khatri, Clerk got in touch with the applicant and got his Certificate prepared and delivered to him on 11.11.2021. He has also 'procured' and sent a satisfaction letter from the complainant, Shri Mahender Kumar Gupta dated 01.12.2021 in which he has expressed his satisfaction about the action taken by the Municipal Corporation and has also requested to file the complaint.

2. The entire facts and circumstances of the case have been carefully considered. It is unfortunate that those who have been given powers to accept or reject the case of a citizen, do their work in a careless fashion. It was the duty of Clerk, Shri Gaurav Khatri, first to verify from the record whether this Nursing Home falls in his jurisdiction or not and if he had any confusion, he should have sought guidance from his supervisory officer, Shri Parmod Sharma, Sub Registrar. Unfortunately, some officials dealing with citizens' services don't think twice before wrongly rejecting the case of the citizen. They do not realize that after that, the citizen will make numerous inquiries as to why his application has been rejected, visit the offices of the Government / its entities and then he will have to apply again for that service which not only puts him to inconvenience but also results in harassment. Shri Gaurav Khatri is a Clerk who has been engaged through outsourcing and it was informed that he is there in this job for last five years. Therefore, by now, he should have been well versed with the functioning of the Corporation and his seat. By recklessly rejecting the application, he has certainly violated the provisions of the Haryana Right to Service Act, 2014 and notification issued there-under. It is only after the intervention of the Commission that the birth certificate of the applicant's daughter has been prepared & delivered and then a satisfaction letter has been 'procured'. Therefore, it will be setting a bad precedent if he is allowed to go scot-free. However, considering the facts that he is an outsourced employee, has expressed regrets and has assured to be vigilant in future, a token penalty of Rs.5,000/- is imposed on him which be deposited in State Treasury under the Receipts Head 0070-60-800-86-51 within 30 days of issuance of these orders. He is directed to intimate the Commission alongwith photocopies of the challan about the deposit

of this amount in the State Treasury at its e.mail id: rtsc-hry@gov.in. If the amount is not deposited within the given time, further action will be taken by the Commission as per law. At the same, Commissioner, Municipal Corporation, Faridabad is also advised to conduct training sessions of all the employees dealing with the citizens' services and clearly tell them about the jurisdiction of their areas. A copy of these orders be also endorsed to him for taking further necessary action.


-SD-
(T.C. Gupta)
CC, HRPSC
02.12.2021