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

ESTD. 2014 UNDER THE HARYANA RIGHT TO SERVICE ACT

File No. HRTSC/SM- 71/Misc. Cooperation 0897 **Dated:**09 **.03.2022**

To

Sh. Devender Beniwal,
ARCS Rohtak
E-mail: arcsrtk@yahoo.com
(9501562990)

Subject:- Regarding Suo-moto notice under section 17 of the Haryana Right to Service Act, 2014.

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I am directed to forward herewith a copy of order dated 07.03.2022 passed by Sh. T.C. Gupta, Chief Commissioner, Haryana Right to Service Commission, Chandigarh for information.

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

Encl: Copy of order

Haryana Right to Service Commission Estd. 2014 under HRTSA

(Sube Khan)
Under Secretary-cum-Registrar
For Haryana Right to Service Commission
E-mail: rtsc-hry@gov.in

Endst. No. HRTSC/SM-71/Misc. Cooperation 0898 **Dated:**09 **.03.2022**

A copy of the above is forwarded to Registrar Cooperative Societies, Haryana for information.

(Sube Khan)
Under Secretary-cum-Registrar
For Haryana Right to Service Commission
E-mail: rtsc-hry@gov.in

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Final Orders

[In suo moto notice Nos. HRTSC/SM-071/Misc. Cooperation/0544 to 0555 dated 14.02.2022]

1. To review the RTS performance of Cooperation Department, the Commission had asked the Department vide letter no. 1006/Secretary/HRTSC/2021 dated 19.07.2021 to share data pertaining to Service- "Online Registration of Cooperative Societies"(RTS Period-3 days) for the financial year 2020-21 and 2021-22(upto 30.06.21). In response, a letter dated 16.09.2021 was received from O/o Registrar, Cooperative Societies vide which the data was provided. In their reply, the Department had also submitted that the current timeline of 3 working days was not enough for completing the process flow required for Registration of a Cooperative Society. Accepting the explanation, the Commission issued *suo moto* notices to Designated Officers for the following cases in which inordinate delays had taken place, to ascertain the reasons for delay in delivery of notified service beyond the prescribed timelines and further to decide whether any action for imposition of penalty/recommendation for departmental action is called for. All of them were asked to submit explanation for the cases they were responsible for by 28.02.22 and appear before the undersigned on 03.03.22 in person or through VC.

Sr. No	NAME OF COOPERATIVE SOCIETY	Date of Application	Date of Approval	Days Taken (TOTAL)	Days Taken (ARCS)	District
1	The Zaildar Biofloc Fishery Coop Society Ltd. Matour	25-06-2020	29-10-2020	51	48	Kaithal
2	The Athwal Cooperative Labour & Construction Society Ltd.	18-02-2020	26-04-2020	53	53	Kaithal
3	The Arjun Dev Cooperative Labour And Construction Society Limited Kaithal	14-07-2020	15-09-2020	63	63	Kaithal
4	The Shiva Cooperative Multipurpose Society Ltd. Barsana	22-09-2020	16-12-2020	85	85	Kaithal
5	The Harnoor Cooperative	04-03-2020	20-07-2020	138	131	Kaithal

	Multipuprose Society Limited Cheeka					
6	The Kalayat Shri Shyam Ji Co-operative Labour and Constructions Society Ltd. Kalayat	05-06-2021	25-06-2021	20	20	Kaithal
7	The D B C Co-operative Multipurpose Society Ltd. Matour	04-05-2021	11-06-2021	21	21	Kaithal
8	Shiv Shankar Coop Multipurpose Society Ltd Cheeka	10-05-2021	11-06-2021	32	32	Kaithal
9	The Prajapati Cooperative MP Society LTD. Tauru	19-08-2020	14-10-2020	56	56	Nuh
10	The Azadpur Cooperative Labour Construction Society Ltd Jogipur	02-03-2020	02-07-2020	122	122	Nuh
11	The Jyoti Cooperative M/P Society LTD Narnaund	20-03-2020	20-05-2020	61	60	Hansi
12	The Mahadev Cooperative Labour and Construction Society LTD Bhoji Khalsa	13-03-2020	03-06-2020	82	75	Karnal
13	The Gorsi Cooperative Labour & Construction Society Ltd. Tikri	04-05-2021	24-05-2021	20	20	Karnal
14	The Mehla Cooperative Labour and Construction Society Ltd. Majra Roran	04-05-2021	31-05-2021	27	27	Karnal
15	The Mugdil Cooperative Multi Purpose Society Ltd Gonder	20-04-2021	26-05-2021	36	36	Karnal
16	The Kamboj Cooperative Labour and Construction Society Ltd Modipur	13-04-2021	26-05-2021	43	43	Karnal
17	The Yuva Vikas Sangh Cooperative Labour and Construction ltd chhudani	12-03-2020	03-06-2020	83	83	Bahadurgarh
18	The Mirpur Minor Moga no. 21500 Right Cooperative Multipurpose Society Limited Mirpur	24-06-2020	16-09-2020	84	84	Hisar
19	The Hisar Leading Cooperative Multip Purpose Society LTD Hisar	11-01-2021	09-04-2021	88	88	Hisar
20	The Agroha Mahadev Cooperative	18-03-2020	16-07-2020	120	109	Hisar

	Multipuprose Society Limited Agroha					
21	The Jakhod Shree Bala ji Multipurpose Cooperative Society Limited	17-11-2020	22-03-2021	125	116	Hisar
22	The Kohar Cooperative Multipurpose Society Limited	20-11-2020	24-03-2021	124	99	Hisar
23	The Kharia Shri Ram Cooperative Multipurpose Society Society Ltd Kharia	01-04-2021	19-04-2021	18	18	Hisar
24	The Lakshay Cooperative Labour and Construction Society Limited Panchor	18-09-2020	10-08-2021	326	326	Rewari
25	The juddi Cooperative Labour and Construction Society Limited	13-03-2020	25-11-2021	622	622	Rewari
26	THE HEMAN COOPERATIVE MULTIPURPOSE SOCIETY LTD. DHURALA	08-04-2021	28-04-2021	20	19	Ambala
27	THE DADA SYED CO-OPERATIVE LABOUR AND CONSTRUCTION SOCIETY LIMITED ISMAILA 9B	19-04-2021	13-05-2021	24	24	Rohtak
28	The Meham Kisan Cooperative Multipurpose Society Limited	13-05-2021	22-06-2021	40	40	Rohtak
29	The Anami Coop LC Society LTD	04-05-2021	24-05-2021	28	28	Panipat
30	The Kisan seva Cooperative Mutipurpose Society Ltd Kagdana	15-07-2020	04-09-2020	51	21	Sirsa
31	The Ellenabad Agam Cooperative Multi-Purpose Society Ltd. Ellenabad	28-05-2021	17-06-2021	20	20	Sirsa
32	The Singh Cooperative Labour and Construction Society Ltd. Gidranwali	24-05-2021	17-06-2021	24	24	Sirsa
33	Shri Krishna Farmer Producer Cooperative Multipurpose Society	13-07-2020	01-09-2020	50	50	Palwal

2. Replies from all concerned ARCS were received by 02.03.22 and all the districts were represented in the hearing through VC on 03.03.22 by-

Mr.Jitender Kuashik(Kaithal), Mr.Praveen Kumar Kadyan (Palwal, Nuh and Rewari), Ms.Anu Kaushik (Ambala and Karnal), Mr. Prashant (Bahadurgarh), Mr.Ritender (Nuh), Mr.Sanjeev (Hisar and Hansi), Mr.Devinder Beniwal (Rohtak), Mr.Ram Kumar (Panipat) and Mr.Rishi Kumar (Sirsa). After the issuance of the suo moto notices, it was brought to the notice of the Commission that the Service- Registration of Cooperative Societies was in fact notified under Haryana Right to Service Act, 2014 on 27.10.20 only. In view of this, all the cases that were prior to the notification date were decided to be filed. As both the delayed of cases of Nuh and the one delayed case of Bahdurgarh were completed before the notification of the service, Mr.Ritender and Mr.Prashant were allowed to leave the hearing at the outset itself. All the remaining respondents were then heard one by one.

3. Responding for Kaithal, Mr.Jitendet Kaushik was told that 4 of the 8 cases in question were from pre notification period and hence are anyway filed by the Commission. Explaining the delay in the remaining 4 cases, he submitted two reasons for delay- Hardware shortage in the office and society representative not turning up for the required formalities. He further submitted that the notified timeline of 3 days was too less for the process which involves physical verification and informed that all the ARCS had a meeting with Registrar of Cooperative Societies (RCS) ON 22.02.22 where they had, in unison, requested for moving a proposal to increase the notified timeline under Haryana Right to Service Act, 2014. He also apologized for the delay in general informing that in none of the cases, the delay was intentional but owing to genuine hindrances. He was told that the Commission had anyway issued notices only for cases that had a delay beyond 15 days shown on the part of the officers. On being specifically asked for the case of 'The Shiva Cooperative Multipurpose Society Ltd. Barsana' where 85 days had been taken for Registration, he informed that they had earlier been discouraged to reject applications for the fear of low RTS scores and instead follow up with the applicants to complete the formalities. He was informed that this fear of low RTS score is misplaced because they will get 10 out of 10 if they rejected the case within notified period.

4. Responding for the delayed cases of Ambala and Karnal, Ms.Anu Kaushik informed that all the 6 cases for these two districts had been during the timeline April-June, 2021. She then informed that her husband had expired on 21.03.21 and besides being on leave, she wasn't in a condition to work in the succeeding months. Taking a humanitarian view, she was told at that instant itself that these cases will be filed.

5. Responding for Hisar and Hansi, Mr.Sanjeev was told that the case of Hansi and two cases of Hisar were pre notification and thus he may skip

explaining delay in them. Explaining the delay in the four remaining cases of Hisar, he informed that he had taken up the charge on 08.12.20 and faced issue regarding uploading of his Digital Signatures, which was eventually resolved by the Department HQ on 22.03.21, post which expeditious completion of cases was ensured. He also submitted that delay in case of 'The Hisar Leading Cooperative Multiple Purpose Society LTD Hisar' was caused owing to non-submission of by laws by the society. He was in turn questioned on the delay in the case of 'The Kharia Shri Ram Cooperative Multipurpose Society Society Ltd Kharia' for which application was received on 01.04.21-post the resolution of Digital Signature issue. He responded that even in case of this society, there was delay in submission of by laws.

6. Mr. Praveen Kadyan responded for Rewari and Palwal. While the sole case from Palwal was of pre notification period, exorbitant delay was observed in two cases of Rewari-in one case of 622 days. Explaining the same, Mr.Praveen informed that he had taken the charge in Rewari on 21.06.21 and had 4 charges at that point. He further informed that the delay was owing to society not providing required documents, an undertaking to which effect had also been submitted along with his reply. On being questioned as to why the application was not rejected seeing that the delay was of almost two years, he responded that the send back option was only available in the field with the Inspector. He was told that his explanation was not satisfactory as he could have told the Inspector to reject and send back the file.

7. Explaining the delay in two cases for Rohtak, Mr. Devinder Beniwal informed that the internet connection in their office was cut off due to non-payment of BSNL Bills because of restriction on payment by FD's ceiling on expenditure. He further informed that they had constantly written to Department's HQ for resolving the same.

8. Responding for Panipat, Mr.Ram Kumar informed that the one case of Panipat in question pertained to before his joining the charge on 21.06.21 and Ms.Manyata (Presently ARCS-Fatehabad) was the Designated Officer for the same. Considering that the case from May, 2021 when second COVID wave was at its peak and the delay is not exorbitant, it is decided not to take the case any further.

9. Mr.Rishi Kumar, responding for Sirsa, was told that one case from pre notification period was filed anyway and was asked to explain delay in the other two cases. He submitted shortage of hardware and the verification process requiring more time as the justification.

10. I have considered the submissions of all the respondents. It does seem that the present notification period of 3 days is less considering the

requirement of physical verification for registration. The Commission would be open to a proposal for increasing the timeline to 15 working days if the proposal is moved by the Department. As regards the cases in question, while justification provided in almost all cases is accepted by the Commission this time, the Department's officers- both at HQ level and Field offices- are advised to act more vigilantly and expeditiously in resolving trivial issues like Digital Signature upload, computer not available, internet not working etc. The same will not be accepted by the Commission as justifiable reasons for delay. However, for two cases of Rewari- 'The Lakshay Cooperative Labour and Construction Society Limited Panchor' and 'The Juddi Cooperative Labour and Construction Society Limited'- considering the exorbitant delay, further inquiry is called for. Registrar, Cooperative Societies is directed to send a report to the Commission for these two cases, which must include the names of officers who had charge of Rewari post the notification of service on 22.10.20, time taken by officers and applicants for actions required at their end respectively. The details of communications sent by officers to applicants in case of delay on their end and any other relevant information may also be sent by 21.03.2022.

Haryana Right to Service Commission
Estd. 2014 under HRTSA

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(T.C. Gupta)
CC, HRTSC

Dated: March 07,2022