

HARYANA RIGHT TO SERVICE COMMISSION
SCO No- 38-39, SECTOR 17A (2nd& 3rd floor) CHANDIGARH- 160017

No. HRTSC/File no. 122/SM-230/2685
Post & E-mail

Dated: 04.07.2022

Suo-moto Notice

To

Sh. Anil Kumar,
Deputy Director, Agriculture and Farmers Welfare Deptt.
Gurugram, Haryana
E-mail: ddagurgaon2019@gmail.com
Phn. No. 0124-2322441

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. On perusal of SARAL reports, 7 cases of notified services (list encl.) were found pending beyond RTS timeline with office of the Deputy Director, Agriculture and Farmers Welfare Deptt, Gurugram, Haryana as on 28.03.2022. Taking cognizance of the issue, as these applications relate to notified services, a letter dated 26.04.2022 followed by reminder dated 19.05.2022 were sent to the Deputy Director, Agriculture and Farmers Welfare Deptt, Gurugram, Haryana to take cognizance in each case and share a report informing the completion of these cases, date of completion, reason for delay and send the same to the Commission by 26.05.2022. In reference, a memo dated 19.05.2022 was received from the Deputy Director, Agriculture and Farmers Welfare Deptt, Gurugram vide which it was informed that the post of DDA was vacant between 01.01.2022 and 31.03.2022 and the powers were with an officer not competent to issue the service sought, which led to the delay. Subsequently, a letter dated 24.05.2022 followed by a reminder dated 13.06.2022 were sent to the Deputy Director, Agriculture and Farmers Welfare Deptt, Gurugram vide which he was directed to send a report which should include the exact date of completion of the 7 cases in question as asked for by the Commission vide letter dated 26.04.2022 and also inform if the pre- approval process had been completed by the concerned officers in time by 07.06.2022 and 21.06.2022 respectively. Since, no report, as solicited by this Commission has been received till date, thus, a suo-moto notice is hereby issued to you, Sh. Anil Kumar, Deputy Director, Agriculture and Farmers Welfare Deptt, Gurugram, Haryana for delay in delivering timely services 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 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, you, Sh. Anil Kumar, Deputy Director, Agriculture and Farmers Welfare Deptt, Gurugram, Haryana are directed to furnish the reply pertaining to this case by 18.07.2022 through email at rtsc-hry@gov.in. The reply should be signed by you and not by anyone on your behalf.
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. Anil Kumar, Deputy Director, Agriculture and Farmers Welfare Deptt, Gurugram, Haryana to appear before Shri T.C. Gupta, Chief Commissioner of Haryana Right to Service Commission, either in person or through Video-Conference at 10.30am on 21.07.2022 for further proceedings in this inquiry.

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




(Sube Khan)

Under Secretary-cum- Registrar,
Haryana Right to Service Commission
E-mail: rtsc-hry@gov.in