

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

No. HRTSC/File no. 125/SM-253/2911
Post & E-mail

Dated: 07.07.2022

Suo-moto Notice

To

Sh. Ashwani Malik, HCS,
Sub Divisional Magistrate, Samalkha, Panipat

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 SARAL reports for the Transport Department as on 19.06.2022, it was found that 1570 applications were under process, which were outside RTS. Cases with delay of 30 days or more were perused and it was observed that for Samalkha, Panipat, two applications related to notified service were under process, which were outside RTS (as enclosed), for which you, Sh. Ashwani Malik, HCS, Sub Divisional Magistrate, Samalkha, Panipat being the Designated Officer are responsible for delay in delivery of notified services. Taking cognizance of the issue as it is a notified service at serial no. 64 , namely, New Learner License for which notified timeline is 07 working days, this Suo Moto notice is hereby issued to you, Sh. Ashwani Malik, HCS, Sub Divisional Magistrate, Samalkha, Panipat to decide as to why a penalty of Rs.20,000 may not be imposed upon you and a compensation of ₹5000 may not be paid to the applicant in each case for your act of omission & leading to delay in delivery of notified services in the cases enclosed .

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. Ashwani Malik, HCS, Sub Divisional Magistrate, Samalkha, Panipat are directed to furnish the reply pertaining to this case by 29.07.2022 through email at rtsc-hry@gov.in. The reply should be signed by you and not by anyone on your behalf.

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



Sube Khan

(Sube Khan)

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

Service Detail Level Report

Department Name	Service Name	District Name	Application Number	Action Status	Application Start Date	RTS Date	Last Action Date	Date of download	Difference between Date of download and RTS Date	File With User	SARAL ID	Location Type	Location Name	Data Last Received On
Transport Department	New Learner License	PANIPAT	1864597522	In Process	10/05/2022	18/05/2022	10/05/2022	19/06/2022		32. Supritendent		RLA	Samalkha (Non Transport)	27/05/2022
Transport Department	New Learner License	PANIPAT	1877164022	In Process	11/05/2022	19/05/2022	12/05/2022	19/06/2022		31. Supritendent		RLA	Samalkha (Non Transport)	27/05/2022