

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

No. HRTSC/File no. 11 | 54-300 | 4433  
Post & E-mail

Dated: 17.10.2022

**Suo-moto Notice**

To

Sh. Vijay Pal,  
the then Patwari MCF(now Kannungo MC Faridabad) .

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. A letter dated 26.07.2021 was received from the then Deputy Commissioner, Faridabad vide which he had informed regarding numerous RTS breaches by Municipal Corporation Faridabad in delivering services to the citizen. Taking cognizance of the issue, as it was related to several notified services under **the Haryana Right to Service Act, 2014**, a suo-moto notice dated 06.08.2021 was issued to Commissioner, MC Faridabad to furnish data pertaining to applications of notified service from the period between 01.07.2020 to 30.06.2021. After a couple of inadequate replies, the required information was provided by MCF vide memo dated 12.10.2021, which inter alia, informed of 4 delayed cases pertaining to notified service 36- 'Change of Land Use permission for the sites situated within various controlled areas falling within the municipal limits' citing that ownership verification report from DC-Faridabad was pending in all these cases. Finding the reasons for delay provided unsatisfactory, the Commission, vide letter dated 08.12.21 sought names of the Designated Officers for all the above 4 cases. Reply dated 17.03.22 from MCF informed that CTP-MCF was the Designated Officer for all the 4 cases in question and also submitted a report from the CTP dated 16.03.22, sharing details regarding the 4 cases, one of which was as follows:

Sr. No.	Name of Service	RTS Timeline	Date of Receipt of Complete Application	Title and Address	Date of Disposal
1	CLU permission	60	15.02.2020 Offline  14.08.2020 Online  02.11.2020 With complete documents	Grant of CLU permission for setting up a petrol pump in village Bankhri, Faridabad- Sh. Pawan Singh	21.10.2021

During Suo Moto hearings held with Sh. Jitender Yadav, IAS, DC-Faridabad and Sh. Dharampal, CTP-MCF, to inquire into various delayed cases of CLU, reports dated 13.05.22 and 15.05.22 were received from Sh. Dharampal and Sh. Jitender Yadav respectively.

It was observed in the report dated 16.03.22 received from MCF that the above mentioned case had been forwarded to concerned Tehsildaar, MCF for ownership verification on 16.09.20. In a subsequent reply dated 19.05.22 from Sh. Dharampal, it was informed that the response was received from the concerned Tehsildaar/Patwari on 02.03.21. In a letter dated 30.08.22, MCF has informed that the Patwari responsible for the case under question is Sh. Vijay Pal (Now Kanungo). Hence, a suo-moto notice is hereby issued to you, Sh. Vijay Pal, the then Patwari MCF (now Kannungo MC Faridabad) for keeping the ownership verification report pending between 16.09.20 till 02.03.2021 in the above mentioned case to decide whether any action for imposition of penalty upto Rs.20,000, compensation to applicant upto Rs.5,000 and recommendation of Departmental action is called for under the Haryana Right to Service Act 2014.

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. Vijay Pal, the then Patwari MCF (now Kannungo MC Faridabad) are directed to furnish the reply pertaining to this case by

31.10.2022 through email at [rtsc-hry@gov.in](mailto: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. Vijay Pal, the then Patwari MCF (now Kannungo MC Faridabad) to appear before Shri T.C. Gupta, Chief Commissioner of Haryana Right to Service Commission through Video-Conference at 10.30am on 03.11.2022 for further proceedings in this inquiry, if reply is not submitted by 31.10.2022.

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



*S. Khan*

(Sube Khan)

Under Secretary-cum- Registrar,  
Haryana Right to Service Commission  
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