

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

No. HRTSC/ File No. 152 | SM-303 | 4846
Post & E-mail

Dated: 10.11.2022

Suo-moto Notice

To

Sh. Satyawan,
District Social Welfare Officer
-cum- Designated Officer, Karnal, Haryana

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 the report received vide no. AMG-I/PA-NSAP/2022-23/211 dated 30.06.2022 from the Principal Accountant General Haryana, it was found that 5 cases(as encl.) regarding delay in payment to NFBS beneficiaries pertains to Karnal. Taking cognizance of the issue as these pertain to a notified service under Section 3 of the Haryana Right to Service Act, a letter no.3934 dated 14.09.2022 was sent to the District Social Welfare Officer-cum- Designated Officer, Karnal, Haryana to take cognizance and furnish action taken/ status report to the Commission by 30.09.2022. In reference, memo No. 1957 dated 27.09.2022 was received from him. On perusal of the same, it was found to unsatisfactory and the following observations were made by the Commission:

i. **Mamta**: Intimation regarding the application made on 02.07.2018 was given on 30.12.2019 to the applicant after a delay of more than a year in light of incomplete documents. This was also followed by another objection in 2020.

ii. **Krishna**: Delay in intimating the applicant regarding lack of documents can be observed.

iii. **Sudesh**: Intimation regarding the application made on 18.01.2019 was given on 17.08.2020 to the applicant after a delay of more than a year in light of incomplete documents.

iv. **Geeta**: Intimation regarding the application made on 26.08.2019 was given on 08.09.2020 to the applicant after a delay of almost a year in light of incomplete documents.

Thus, a suo-moto notice is hereby issued to you, Sh. Satyawan, District Social Welfare Officer-cum-Designated Officer, Karnal, Haryana to seek explanation regarding the delayed action on your part and to further decide as to why penalty of Rs.20,000 may not be imposed upon you and a compensation of ₹5000 may not be paid to the applicant in this case for your act of omission

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. Satyawan, District Social Welfare Officer-cum- Designated Officer, Karnal, Haryana are directed to furnish the reply pertaining to this case by 24.11.2022 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. Satyawan, District Social Welfare Officer-cum- Designated Officer, Karnal, Haryana to appear before Shri T.C. Gupta, Chief Commissioner of Haryana Right to Service Commission, either in person or through Video-Conference at 11.00am on 28.11.2022 for further proceedings in this inquiry.

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

Encl: As above



(Hitender Kumar, HCS)
Secretary

For Haryana Right to Service Commission
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