

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

No. HRTSC/File no. 151 / 24-320 / 5047
Post & E-mail

Dated: 18.11.2022

Suo-moto Notice

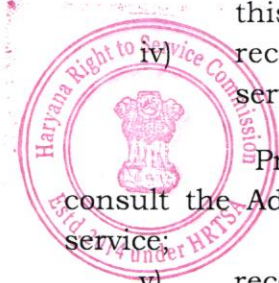
To

Sh. Sujan Singh, IAS,
Labour Commissioner,
Labour Department, Haryana.
E-mail: labourcommissioner@hry.nic.in

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. Whereas, on perusal of the applications underprocess outside RTS pertaining to the BOCW Board which were applied on Antyodaya SARAL as on 03.11.2022 , it was found that 7309 applications were pending on the portal pertaining to various welfare schemes provided by the Board. Out of these 7309 applications, 720 (10+83+627) applications that were submitted in 2019, 2020 and 2021 were still pending. On further probing the data, the difference between the 'application submit date' and 'RTS due date' was calculated for all the 7309 applications to account for the time taken by the Board in case the RTS stop clock feature is utilized, it was found that in 32 cases the difference was more than 500 days and still as on 03.11.2022, the applications were pending. So it can be inferred that the Board used 'stop clock' feature twice or thrice, however the same can't be concluded yet if the feature was used numerous times, it defeats the purpose of time bound delivery of notified service. Thus, a suo-moto notice is hereby issued to you, Sh. Sujan Singh, IAS, Labour Commissioner, Labour Department, Haryana for 32 cases(list enclosed) which have been pending since 2019, 2020 and 2021 and have a difference between the application submit date and the RTS due date of more than 500 days, so as to ascertain the reasons for delay in delivery of notified service beyond the prescribed timelines and to further decide as to why a penalty of ₹20,000 may not be imposed upon those responsible for delay and a compensation of ₹5,000 may not be paid to the applicant in enclosed cases for their 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. Sujan Singh, IAS, Labour Commissioner, Labour Department, Haryana are directed to furnish the reply pertaining to this case by 30.11.2022 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. Sujan Singh, IAS, Labour Commissioner, Labour Department, Haryana to appear before Shri T.C. Gupta, Chief Commissioner of Haryana Right to Service Commission, either in person or through Video-Conference alongwith record of these cases at 11.00am on 07.12.2022 for further proceedings in this inquiry.

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



(Hitender Kumar, HCS)
Secretary

For Haryana Right to Service Commission
E-mail: rtsc-hry@gov.in