

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

No. HRTSC/ File No. 157/ SM-319/5044

Dated: 18.11.2022

Post & E-mail

Suo-moto Notice

To

Sh. Ombir,
SHO, Rojka Meo, District- Nuh, Haryana
care of SP, Nuh, 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;

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. Sh.Subhash Singh had submitted a complaint vide e-mail dated 12.07.2022(copy encl.) that he had applied for renewal of his arms license in SDM, Nuh office on 27th August 2020 with the E-Callan of 1500/- which is pending till date. In this regard, he has visited SDM office no. of times but no action was taken. Taking cognizance of the issue as it is a notified service at no.155, namely 'Renewal of arms license' with a notified timeline of 15 working days, a letter no.2920 dated 15.07.2022 followed by reminder dated 04.08.2022 was sent to the SDM-cum- designated officer, Sub-Division Nuh, Haryana to take cognizance and furnish action taken/ status report to



the Commission by 30.07.2022 and 18.08.2022 respectively. In reference, memo no. 1743/ALC dated 29.08.2022(copy encl.) was received from him and on perusal of the same, it was found that SP office forwarded the file to Police Station, Nuh vide letter No. 335/LC dated 02.09.2020 and the same has been kept pending since then with undue delay of approx 2 years in police verification. Therefore, a letter no.3830 dated 08.09.2022 was issued to the SHO, Police Station Sadar Nuh, District Nuh to furnish an action taken/status report to the Commission by 25.09.2022 followed by reminder dated 04.10.2022 issued to the SHO, Police Station Rojka Meo, District- Nuh for which Commission has not received any reply till date. Thus, a suo-moto notice is hereby issued to you, Sh. Ombir, SHO, Rojka Meo, District- Nuh, Haryana (from 08.10.2022-till date) for prima facie inaction on your part 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 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. Ombir, SHO, Rojka Meo, District- Nuh, Haryana are directed to furnish the reply pertaining to this case by 05.12.2022 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. Ombir, SHO, Rojka Meo, District- Nuh, 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 08.12.2022 for further proceedings in this inquiry, if reply is not received by 05.12.2022.

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

Encl: As above



(Hitender Kumar, HCS)
Secretary

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

Endst. No HRTSC/ File No. 157 / SM- 319 / 5045

Dated: 18.11.2022

A copy is forwarded to the following:

1. The Superintendent of Police, Nuh with the request to ensure that the notice may be delivered to the concerned under intimation to the Commission.
2. Sh.Subhash Singh (complainant). He is advised to be present at the time of hearing through VC.

(Hitender Kumar, HCS)
Secretary

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