

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

No. HRTSC/ file no. 139 / SM-325 | 5194
Post & E-mail

Dated: .11.2022
01-12-2022

Suo-moto Notice

To

Sh.Rajesh Rawal,
JE, Thermal, 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 of the October monthly report of UHBVN, it was observed by the Commission that a meter complaint vide no. CMPP22000485869 registered by Sh. Jasbir Singh on 30.10.21 had been delayed. The complainant had stated in his complaint that a wrong MCO had been registered against his account. A report dated 29.06.22 received from the UHBVN HQ on Commission's query informed that the issue was pending for resolution even then. On further follow up by the Commission, UHBVN HQ resolved the matter and shared a report dated 28.09.22 from XEN, Samalkha addressed to SE, Monitoring. It informed of the resolution of the issue, had the satisfaction letter from the complainant attached and also stated that Data



Entry Operator Sh. Amarjeet was responsible for the delayed dealing of the case. To get clarification of lapses, Sh. Amarjeet and the concerned SDO, Samalkha were called for a hearing before the Commission on 27.10.22. Sh. Amarjeet appeared for the hearing on 27.10.22 through VC. SDO, Barauli appeared on behalf of SD, Samalkha, with the latter on leave. On being asked about the wrong MCO, Sh. Amarjeet stated that the same had been effected by the concerned JE. For the billing complaint too, he alleged that another Commercial Assistant was responsible. On being asked as to why XEN, Samalkha had pinned him for the lapses, he could not provide a clear answer. SDO, Barauli was asked to look into the matter and share two names with the Commission- name of the official responsible for the wrong MCO and the one responsible for delayed dealing of the meter complaint. A report dated 28.10.22 signed by SDO, Samalkha informed that Sh. Rajesh Rawal, JE was responsible for effecting the wrong MCO. Thus, a suo-moto notice is hereby issued to you, Sh. Rajesh Rawal, JE, Panipat for wrongful delivery of a service notified under Haryana Right to Service Act, 2014, and causing inconvenience to the citizen. The same is to ascertain the reasons for the lapse and to decide as to why a penalty of Rs.20,000 may not be imposed upon you and a compensation of Rs.5,000 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. Rajesh Rawal, JE, Thermal, Panipat are directed to furnish the reply pertaining to this case by 12.12.2022 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. Rajesh Rawal, JE, Thermal, Panipat to appear before Shri T.C. Gupta, Chief Commissioner of Haryana Right to Service Commission, either in person or through Video-Conference at 11.30am on 14.12.2022 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