



HARYANA RIGHT TO SERVICE COMMISSION
S.C.O. No. 38 & 39 (2nd FLOOR), SECTOR 17-A, CHANDIGARH-160017
E-mail: rtsc-hry@gov.in Telephone: 0172-2711050

HRTSC/File no.132/SM-281 /030

Dated: 01.01.2023

To

Sh. Akash Kapoor,
ZTO, MC, Panchkula

Subject: - Final order regarding Suo-moto notice no. HRTSC/ File no.132/SM-281/3789 dated 05.09.2022.

I am directed to forward herewith a copy of the order dated 30.12.2022 passed by Sh. T.C. Gupta, Chief Commissioner, Haryana Right to Service Commission, Chandigarh in respect of above case for information and compliance.

BY THE 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.132/ SM-281 /031

Dated: 01.01.2023

A copy of the above is forwarded to the following for information and compliance

1. The Commissioner, MC Panchkula
2. Smt. Minakshi, Assistant(O/o, ZTO,MC, Panchkula).
3. Sh. Deepak(complainant) for information

(Hitender Kumar, HCS)
Secretary

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



FINAL ORDERS

(In respect of case no. HRTSC/File no. 132/SM-281/3789 dated 05.09.22 issued to Sh. Akash Kapoor, Zonal Taxation Officer, Municipal Corporation, Panchkula)

1. Sh. Deepak Kumar had submitted a complaint vide e-mail dated 21.06.2022 regarding change in ownership details in property tax register for plot no. 141, Sector-28, Panchkula. He had submitted his request online on 06.06.22 but the same was pending as on 21.06.22. Taking cognizance of the issue as it is a **notified service at serial no. 44, namely, 'Change of owner in property tax register (except in death case) under ULB Department**, a letter dated 04.07.2022 followed by reminder dated 21.07.2022 were sent to the Zonal Taxation Officer, Municipal Corporation, Panchkula, Haryana to take cognizance and furnish action taken/status report to the Commission by 15.07.2022 and 03.08.2022 respectively. However, the Commission did not receive any reply of both the communications. Although, the complainant informed vide e-mail dated 06.07.2022 about the resolution of his complaint, the same seemed to have happened only after the intervention of the Commission and with a delay beyond RTS timeline. Therefore, a suo-moto notice was issued to Sh. Akash Kapoor, Zonal Taxation Officer, Municipal Corporation, Panchkula, Haryana for the delay in delivery of service notified under the Haryana Right to Service Act, 2014 and to further decide as to why a penalty of Rs. 20,000 may not be imposed upon him and a compensation of ₹5000 may not be paid to the applicant in this case for his act of omission. He was asked to submit his reply by 09.09.22.
2. Sh. Akash Kapoor submitted his reply vide letter dated 06.09.22. He informed that the applicant applied on 06.06.22 and the RTS due date of his application was 27.06.22. He stated that the applications of the service under question are dealt first at the level of Maker (Assistant- Smt. Minakshi) and then processed by Checker (Deputy Municipal Commissioner). He further informed that the charge of ZTO, Property Tax was given to Sh. Krishan Narwal on 24.06.22. The Commission sought further clarifications on this process and the application of the complainant vide letters dated 16.09.22 and 17.11.22. The replies on the same were received vide letters dated 07.11.22 and 02.12.22 respectively. The reply dated 02.12.22 informed that the application of the complainant had been kept pending by Smt. Minakshi, Assistant till 30.06.22, when she rejected the same stating 'proof not clear'. It also informed that a subsequent application dated 05.07.22 from the complainant was marked on the same day by Smt. Minkashi and cleared on 06.07.22 by the concerned Checker. The rejection of the first application had been effected by Smt. Minkashi post the RTS due date. Consequently, she and Sh. Akash Kapoor, being the Designated Officer, were asked to appear before the Commission on 21.12.22.
3. Sh. Akash Kapoor and Smt. Minakshi appeared before the Commission on 21.12.22 in person. During the hearing, they informed that the initial application by the



applicant was applied in the wrong category. Smt. Minakshi was asked as to why to simply reject the application, time beyond RTS timelines had been taken by her. She stated certain issues with the online attachments as the reason for the same and also expressed her regret for the delay.

4. The Commission has considered all the facts and submissions of the case. In view of the minor delay in the dealing of the initial application and the subsequent approval, this suo moto is hereby filed. However, Smt. Minakshi should note this as a warning to ensure timely dealing of applications in future. The concerned ZTO and Commissioner, MC Panchkula should also set up robust monitoring within the Corporation to ensure that any application found to be pending outside RTS timelines is addressed at their level itself without requiring the Commission's intervention.



30th December, 2022