

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

No. HRTSC/ File No-165/JM-331/006

Dated: .12.2022  
2<sup>nd</sup>, Jan '23

Post & E-mail

**Suo-moto Notice**

To

Dr. Vaishali Sharma, IAS,  
Additional Deputy Commissioner,  
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. An appeal with the following details was escalated to First Grievance Redressal Authority-cum-SDM, Karnal automatically on the Auto Appeal System on 25.08.2022:

Serial no.	Service	Application ref. ID (submit date)	Appeal Ref. No.
1.	Backward Class Certificate	100602201022496 10/08/2022	AAS22/215457

Taking action on the appeal, same was dismissed by the FGRA with comments "Tehsildar, Karnal is directed to provide services in two days positively. Hence, appeal is dismissed". This is not satisfactory reason for dismissal of the appeal. However, the Tehsildar failed to provide the service as applicant's income was not verified in PPP. As the appellant was not satisfied with the resolution, he himself filed an appeal dated 06.09.2022 with the SGRA-cum-Deputy Commissioner, Karnal, Sh. Anish Yadav, IAS. He resolved the appeal with orders dated 07.09.2022 wherein it was observed that "Tehsildar, Karnal had submitted this application to his higher authorities for verification of income in PPP and the appeal is resolved with direction to FGRA to intervene for expeditious disposal". As the service was still pending, the appellant himself filed an appeal with the Commission on 04.11.2022. Taking cognizance of the issue as it is a notified service under Haryana Right to Service Act, 2014 at Sr. No.13, namely, Backward Class Certificate with notified timeline of 7 days, directions dated 11.11.2022 were issued to the Additional Deputy Commissioner, Karnal, Haryana seeking report in the matter as to why the income of the applicant is still pending for verification, for which Commission has not received any reply till date. Hence, this suo-moto notice is hereby issued to you, Dr. Vaishali Sharma, IAS, Additional Deputy Commissioner, Karnal, Haryana to ascertain the reasons for delay in delivery of a notified service beyond the prescribed timelines and to further decide as to why a penalty of ₹20,000 may not be imposed upon you and a compensation of ₹5,000 may not be paid to the applicant in this case for your act of omission.