

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

No. HRTSC/ File no- 166 / 2M-332/109
Post & E-mail

Dated: 06.01.2023

Suo-moto Notice

To

Sh. Sanjiv Kumar, HCS,
The then EO, HSVP, Gurugram-II, Haryana
(now SDO Pataudi)

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. Smt. Rooma Aggarwal, R/o F-72, Nivedita kunj, Sector-10, R.K Puram, New Delhi had submitted a complaint vide e-mail dated 23.11.2022 (copy encl.) that she had requested EO, HSVP, Gurugram-II vide memo no.4659 dated 19.10.2022 for unblocking of PPM Server of her Plot no. 824-SP, Sector-47, Gurugram, which is pending till date and because of which she is unable to submit the revised building plan. Taking cognizance of the issue as it is a notified service at Serial nos. 23 & 24 namely "Revised Building Plan(Residential & other than Residential)" of the Haryana Govt. Gaz. (Extra.), dated December 3, 2021 with a notified timeline of 5 & 8 days respectively, a letter no. 5125 dated 24.11.2022 followed by reminder dated 14.12.2022 were sent to the Estate Officer-II, HSVP, Gurugram, Haryana to take cognizance and furnish action taken/ status report to the Commission by 12.12.2022 and 27.12.2022 respectively. In reference, memo no. 11740 dated 15.12.2022 was received from EO-II, HSVP, Gurugram. On perusal of your response and the complaint, it was observed that the letter of intent and the permission for setting up a guest house on the above mentioned plot had been granted by the Director General, Town and Country Planning Department, Haryana, Chandigarh to the complainant vide office memo dated 29.08.2022. The DTCP has granted the permission and imposed heavy penalty as per the provisions