

HRTSC/ File no. 130/SM- 278 | 184

Dated: 13.01.2023

To

Sh. Rajesh Khoth, HCS,  
EO, HSVP, Hisar, Haryana

**Subject:** - Final order regarding Suo-moto notice no. HRTSC/ File no.130/SM-278/3628 dated 30.08.2022.

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I am directed to forward herewith a copy of the order dated 11.01.2023 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.



*Sube Khan*

(Sube Khan)

Under Secretary-cum-Registrar  
For Haryana Right to Service Commission  
E-mail: [rtsc-hry@gov.in](mailto:rtsc-hry@gov.in)

Endst. No. HRTSC/ File no. 130/SM- 278 | 185

Dated: 13.01.2023

A copy of the above is forwarded to the following:

- 1.The Chief Secretary to Govt. Haryana for information and necessary action
- 2.The ACS, Town & Country Planning Department for information and necessary action.
- 3.Sh. AK Modi (complainant) for information.

*Sube Khan*

(Sube Khan)

Under Secretary-cum-Registrar  
For Haryana Right to Service Commission  
E-mail: [rtsc-hry@gov.in](mailto:rtsc-hry@gov.in)



**HARYANA RIGHT TO SERVICE COMMISSION**

**S.C.O. No. 38 & 39 (2<sup>nd</sup> FLOOR), SECTOR 17-A, CHANDIGARH-160017**

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**Final Orders**

**In respect of Suo Moto notice no. HRTSC/File No. 130/SM-278/3628 dated 30.08.2022 issued to Sh Rajesh Khoth, HCS, Estate Officer, HSVP, Hisar**

1. Sh. AK Modi, Chief Engineer, 52 UE-2 Hisar had submitted a complaint vide e-mail dated 29.03.2022 regarding non-issuance of No Dues Certificate within RTS timeline, despite many reminders and personal visits to Estate Office, HSVP, Hisar. Taking cognizance of the issue as it is a notified service at serial no. 29, namely, 'No Dues Certificate' under the Haryana GOVT. GAZ.(EXTRA) dated 03.12.2021 (AGHN.12,1943 SAKA) of HSVP, a letter dated 17.05.2022 followed by reminder dated 08.06.2022 were sent to the Estate Officer, HSVP, Hisar to take cognizance and furnish action taken/status report to the Commission by 03.06.2022 and 22.06.2022 respectively. In reference, an e-mail dated 27.06.2022 was received from the Estate Officer, HSVP, Hisar. On perusal, the same was found to be not satisfactory as the details of the file movement, the person responsible for the delay and the date of final disposal of application was not provided. Thus, a letter dated 29.06.2022 followed by reminder dated 19.07.2022 were sent to the Estate Officer, HSVP, Hisar to provide the requisite information to the Commission by 12.07.2022 and 29.07.2022 respectively but no reply had been received till that date. Therefore, a Suo-moto notice was issued to Sh. Rajesh Khoth, HCS, EO, HSVP, Hisar, Haryana vide letter dated 30.08.2022 for not responding to the Commission's letters, and for *prima facie* delayed delivery of services notified under Haryana Right to Service Act, 2014 and further to decide whether any action for imposition of penalty / recommendation of departmental action was called for.

2. A response to the Suo-moto notice was received from the Estate Officer, HSVP, Hisar vide letter dated 02.09.2022 wherein it had been submitted that the refundable amount of Rs. 6,274 was transferred to the allottee on 05.08.2022 via RTGS. No other detail regarding the delay in file movement etc. had been provided even in this response, despite earlier reminders & the details mentioned in the Suo-moto notice issued to the Respondent. Further, vide telephonic conversation, it had been clarified from the complainant that the cited action regarding refund was related to another case. The Commission observed that although the dues concerning the present case were updated &

the No Dues Certificate was issued in May 2022, the same was issued with a delay of approx. 3 months, since the application was submitted by the complainant on 09.02.2022. In order to fix the responsibility for the delay, while exercising the powers vested in the Commission under Section 17(3) of the Haryana Right to Service Act, 2014, vide letter dated 04.10.2022, the copy of relevant records was sought from the Estate Officer, HSVP, Hisar to be submitted by 17.10.2022 and through a hearing in the matter before the Commission on 20.10.2022 at 10:30 a.m through video conferencing, so as to fix responsibility for the delayed action.

3. Following this, no reply in the matter was received from the Respondent and the hearing which was postponed to 27.10.2022 at 11:30 am was attended by the complainant Sh. A.K Modi and the Respondent Sh. Rajesh Khoth, Estate Officer, HSVP, Hisar through video conferencing. During the hearing, the complainant reiterated his submissions regarding the delay in the disposal of his application dated 09.02.2022. It was further submitted by the Respondent that the case involved correction in PPM records for which a reference was sent to the Headquarters from the Estate Office for necessary permissions and approvals, following which all the concerned applications of the complainant were disposed of by the month of May, 2022. Regarding the delayed refund done on 05.08.2022 much after the issuance of no dues certificate, it was submitted that the same could be processed only after the receipt of funds from the HQs which were received in the month of August after a delay. It was also stated that there had been a delay in dealing with the complainant's application initially in the Estate Office, the responsibility of which would be fixed by the Respondent. The Respondent was thus directed by the Commission to submit a report in this regard at the earliest. However, after multiple reminders from the side of the Commission, the report regarding fixation of responsibility of delay was received from the Respondent after much delay vide letter with Memo no. 5787 dated 09.01.2023 that too after telephonic reminders by the Secretary of the Commission and the Chief Commissioner himself. In the response dated 09.01.2023, it was submitted that the email regarding correction of dues was submitted in his office vide letter dated 09.02.2022 and at that time, the functions of the record keeper were being performed by Sh. Rajesh Kumar, Clerk who also had another additional charge of Store Keeper of the Estate Office, HSVP, Hisar. It was stated that due to excessive workload and additional charges, the complainant's email was dealt by the Record Keeper on 09.03.2022 and put up to the Accountant with the main file of the complainant's plot for necessary action. It was further submitted that all applications of the complainant were

then processed by the Estate Office, HSVP, Hisar and that he is satisfied with the action taken upon them.

4. The Commission has considered all the facts and the circumstances of the matter. While the application regarding the notified service, No Dues Certificate along with other applications of the complainant had been disposed off by the Estate Office, HSVP, Hisar, it is pertinent to note that the same was done with a considerable delay. Further, there has been a consistent track record of delayed submissions from the side of the Respondent's office ever since cognizance was taken upon the complaint by the Commission on 17.05.2022, which is not appreciable. There is something seriously wrong with the working of Shri Rajesh Khoth, HCS who lacks in responding to the communications despite telephonic reminders. During the VC held on 27.10.2022, he was directed to submit a report after fixing the responsibility for delayed action but he did not do so. Shri Hitender Kumar, HCS, Secretary of the Commission called him twice and reminded him to send the reply but it was of no avail. Ultimately, I had to call him on 09.01.2023 and reprimand him verbally for slackness in performance of duties and also total neglect of communications from the Commission. It is only after this reprimand that he sent the response on 09.01.2023. The Commission thus conveys its displeasure to Shri Rajesh Khoth, HCS, Estate Officer, HSVP, Hisar and concerned Clerk cum Record Keeper for the delays observed on their part and is refraining from imposing penalty for the time being. At the same time, being at the helm of affairs of the Estate Office, the Estate Officer, HSVP, Hisar is advised to ensure timely disposal of cases related to notified services in the future and to ensure that communications regarding such matters are sent in time. Copy of these orders is also being endorsed to the Chief Secretary to Govt. Haryana for bringing carelessness of Shri Rajesh Khoth, HCS in responding to the Commission's communications to the notice of the Government and also ACS, Town & Country Planning Department for information and necessary action as deemed fit.

With these orders, the matter is hereby disposed off.

11<sup>th</sup> January, 2023.

